

44 USCS § 3516

§ 3516. Rules and regulations

The Director shall promulgate rules, regulations, or procedures necessary to exercise the authority provided by this subchapter [44 USCS § § 3501 et seq.].

**HISTORY:**

(Added May 22, 1995, P.L. 104-13, § 2, 109 Stat. 182; Oct. 30, 2000, P.L. 106-398, § 1, 114 Stat. 1654.)

**HISTORY; ANCILLARY LAWS AND DIRECTIVES**

Explanatory notes:

The amendment made by § 1 of Act Oct. 30, 2000, P.L. 106-398, is based on § 1064(b) of Subtitle G of Title X of Division A of H.R. 5408 (114 Stat. 1654A-275), as introduced on Oct. 6, 2000, which was enacted into law by such § 1.

A prior § 3516 (Act Dec. 11, 1980, P.L. 96-511, § 2(a), 94 Stat. 2824) was omitted in the general revision of this chapter by Act May 22, 1995, P.L. 104-13, § 2, 109 Stat. 163, effective as provided by § 4 of such Act, which appears as 44 USCS § 3501 note. The prior section provided for rules and regulations.

Effective date of section:

This section became effective on October 1, 1995, with certain exceptions, as provided by § 4 of Act May 22, 1995, P.L. 104-13, which appears as 44 USCS § 3501 note.

Amendments:

2000. Act Oct. 30, 2000 (effective 30 days after enactment, as provided by § 1065 of H.R. 5408, as enacted into law by such Act, which appears as 44 USCS § 3531 note), substituted "subchapter" for "chapter".

Other provisions:

**Paperwork Reduction Act guidelines.** Act Dec. 21, 2000, P.L. 106-554, § 1(a)(3), 114 Stat. 2763 (enacting into law § 515 of Title V of H.R. 5658 (114 Stat. 2763A-153), as introduced on Dec. 14, 2000), provides:

"(a) In general. The Director of the Office of Management and Budget shall, by not later than September 30, 2001, and with public and Federal agency involvement, issue guidelines under sections 3504(d)(1) and 3516 of title 44, United States Code, that provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies in fulfillment of the purposes and provisions of chapter 35 of title 44, United States Code [44 USCS § § 3501 et seq.], commonly referred to as the Paperwork Reduction Act.

"(b) Content of guidelines. The guidelines under subsection (a) shall--

"(1) apply to the sharing by Federal agencies of, and access to, information disseminated by Federal agencies; and

"(2) require that each Federal agency to which the guidelines apply--

"(A) issue guidelines ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by the agency, by not later than 1 year after the date of issuance of the guidelines under subsection (a);

"(B) establish administrative mechanisms allowing affected persons to seek and obtain correction of information maintained and disseminated by the agency that does not comply with the guidelines issued under subsection (a); and

"(C) report periodically to the Director--

"(i) the number and nature of complaints received by the agency regarding the accuracy of information disseminated by the agency; and

"(ii) how such complaints were handled by the agency.".

**NOTES:**

Research Guide:

Federal Procedure:

2 Fed Proc L Ed, Administrative Procedure § 2:66.

Interpretive Notes and Decisions:

Court dismissed plaintiffs claim that National Heart, Lung and Blood Institute, agency of Department of Health and Human Services, violated Information Quality Act, *44 USCS § 3516* note, by failing to disclose underlying data and methods of study that was conducted by grant recipients, publishing results, and recommending that people limit their intake of salt, because agency's action was not final agency action, and statements and recommendations were discretionary matters that were not subject to judicial review under *5 USCS § 701(a)(2)* of Administrative Procedure Act; further, Information Quality Act did not provide for private cause of action. *Salt Inst. v Thompson (2004, ED Va) 345 F Supp 2d 589*.