

James T. O'Reilly

*The 411 on 515: How OIRA's Expanded Information Roles in 2002
Will Impact Rulemaking and Agency Publicity Actions*

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Abstract by Dipal Shah

O'Reilly's article focuses on the Office of Management and Budget Office of Information and Regulatory Affairs (OMB-OIRA) and its fundamental role in supervising agency information dissemination. O'Reilly discusses the past impotency in controlling agency information dissemination and the present inability to review such information. The author then asserts and discusses the capacities of the Consolidated Appropriations Act, section 515, which offers some salvation for blocking agency press releases or new rules and increases the judicial review of information.

O'Reilly argues that 515 is necessary because it nurtures the credibility of agencies, by providing structural boundaries regulations to information distribution and external review. O'Reilly recognizes that agencies may wait for lawsuits to force compliance with 515 regulations, or administrative bodies may hope that courts will view 515 instigated lawsuits as collateral attacks on agency decision making. Overall, O'Reilly concludes that 515 will bring accuracy to agency statements and allow greater judicial review of substantial agency information.