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## When the Trump administration lies, it might literally be illegal: Learn about the Information Quality Act

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By now, President Trump's propensity to use lies to manufacture crisis and divide Americans is well known. And his compulsive deception sets a tone at the top that encourages a disregard for the truth across his administration.

But the steady stream of misinformation isn't just toxic for the public debate. What people may not realize is that in many cases, it's also illegal.

Since the beginning of this administration, watchdog groups and advocacy organizations around the country have been using traditional legal tools to hold this administration accountable for its harmful actions. In recent months, our organizations have added one more tool to the mix to challenge misinformation about immigration disseminated by the Trump administration by using a little-known law intended to hold the executive branch accountable for telling the truth. We are using this tool to take the administration to court because we believe that maintaining a functioning democracy where citizens can trust their government begins with their government telling the truth.

The Information Quality Act (also known as the Data Quality Act) and guidelines governing it prohibit federal agencies from disseminating "information that does not meet a basic level of quality." To pass muster, information contained in official government documents — such as reports and factsheets — that are published and distributed by a federal agency must meet defined standards of utility, objectivity and integrity.

Objectivity, for example, generally requires that disseminated information be presented in a complete and unbiased manner, and within the proper context.

So when the U.S. Departments of Justice (DOJ) and Homeland Security (DHS) jointly released a report in January 2018 that used inaccurate and misleading data to falsely portray immigrants — particularly Muslim immigrants — as the primary terrorist threat facing the United States, we used the IQA to petition and sue the administration for manipulating data and distorting the facts. As that report made

clear, the government-sponsored misinformation wasn't just polluting the public debate, it was also being used to justify anti-immigrant policies.

In December, in a striking concession in response to our IQA petition, DOJ admitted that the terrorism report "could be criticized" for failing to "promote the perception of objectivity," effectively acknowledging that changes to the report would be necessary to avoid misleading readers. And DOJ promised to do better next time. But, consistent with the Trump-era style of governing, the administration refused to correct or withdraw the report as the IQA requires. Instead, it remains available to the public, unlawfully presented as a government-approved, fact-based assessment of national security threats, without any warning or caveat about its errors or bias.

If ever there were a time to deploy the IQA to demand truth from our government, it is now. In 2017, fact-checkers clocked President Trump at 1,989 lies, false statements or misleading claims. The President ended 2018 at over 7,600 — a 282% increase in false claims over a one-year time span. And on the topic of immigration, in particular, President Trump has made 1,130 false or misleading claims since taking office. Senior political appointees at various agencies have embraced Trump's use of so-called "facts" developed out of convenience rather than the truth and have resorted to buttressing the President's lies with misinformation of their own.

We saw the administration at it again just last month. And we again used the IQA, this time to challenge DHS' misleading "Myth vs. Fact Sheet," which distorts facts to advance the administration's immigrant-demonizing agenda by drawing a false connection between the threat of terrorism and immigrants at the southern border. The document contains false and misleading claims that parrot those repeatedly made by administration officials in service of Trump's attempt to stoke panic and justify his demand for billions of dollars for a border wall.

It should come as no surprise that DHS also embarked on a campaign to mislead the public about the existence of its forced family separation policy last summer, during the height of that crisis. As part of this effort, DHS issued a "Myth vs. Fact Sheet" which characterizes as "myth" that "DHS has a policy to separate families at the border," and falsely represents as "fact" that "DHS does not have a blanket policy of separating families at the border."

In light of direct evidence that DHS Secretary Kirstjen Nielsen authorized the policy that forced family separation, we again used the IQA to demand the administration stop misleading the public about this policy and correct its "fact" sheet.

The Trump administration's pattern of using the authority of government to mislead the public in an effort to win support for divisive policies is not restricted to immigration. When the Department of Treasury

tried to justify its tax reform proposal with a misleading promise to workers that they would be the overwhelming beneficiaries of the tax cut, in spite of Treasury's own analysis and independent experts refuting these claims, we used the IQA to demand that the agency be truthful.

We can't police Trump's daily rhetoric or rally speeches. We can try to ensure that the federal agencies don't propagate falsehoods through statements that carry the formal imprimatur of the executive branch.

Historically, the IQA has been used by industry advocates to promote and protect their special interests. By contrast, far from using the IQA to challenge rules designed to protect the public, we are challenging the pollution of public debate. With the proliferation of "alternative facts," and a President who fans their flames, it is more important than ever that our government be held to a rigorous standard of truth. Our democracy depends on the public having faith in its government, and that faith begins with being able to rely on the government to provide accurate, objective information.

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