

Public Decision Accountability and Correction Act

Christine Hillier • Kapukai Governance Lab

Original proposed federal legislation • Discussion draft, 10 September 2026. This text has not been enacted, introduced by Congress, approved by legislative counsel, or independently validated for every constitutional and statutory interaction. The numerical deadlines and implementation choices are proposals for evaluation. The explanatory note is not part of the proposed Act.

Separately printable legislative packet. The operative text is identical to the corresponding proposal in The Duty to Correct. Submit it as a proposal for review, not as enacted law or an officially endorsed bill.

Title I — Purpose, scope, and definitions

1. Short title and purpose

This Act may be cited as the Public Decision Accountability and Correction Act.

The purposes of this Act are to require covered agencies to identify the lawful basis and conditions of consequential administrative action; protect personal information; provide accessible and appropriately independent review; correct established errors and unsupported actions; verify the effects of required corrections; and preserve effective judicial enforcement of the duties created by this Act.

2. Findings and construction of purpose

Congress finds that consequential administrative decisions depend on legal authority, information, procedures, and execution; that an error or unauthorized action may continue to affect a person after a source record has changed; and that review, correction, and evidence of actual effect are necessary components of accountable administration.

This Act regulates covered federal administration pursuant to the constitutional powers supporting the affected federal functions and Congress's authority to enact laws necessary and proper for their execution. Nothing in this section independently authorizes an action not otherwise permitted by law, expands federal power over state or tribal governments, or establishes a disputed fact in an individual case.

3. Covered agencies and actions

A covered agency is an agency of the executive branch of the United States, including an independent establishment, when conducting covered administrative activity. A covered action is an administrative determination, data use, disclosure, instruction, omission of a legally required act, or continued execution that materially affects an identifiable person's eligibility, access to a service or credential, legal obligations, or protected interests.

This Act does not replace procedures governing federal courts, criminal prosecution, detention review, military operations in the field, or intelligence operations. Administrative records and services associated with those institutions remain covered to the extent that application of this Act is consistent with a specifically governing statute. An agency claiming a conflict shall identify the provision and the extent of the conflict, subject to lawful protection of information and judicial review otherwise available.

Congress and the federal courts are not covered agencies. State, local, and tribal institutions are not made covered agencies merely by exchanging information with a federal agency.

4. Definitions

In this Act:

(a) Affected person means an individual materially affected by a covered action, including an authorized representative acting within lawful authority.

(b) Action-specific authority means the applicable legal source, institutional and actor scope, jurisdiction, effective period, and conditions for the particular operation.

(c) Material error means an inaccurate assertion, mistaken identity association, materially misleading source classification, or other established information defect capable of materially affecting a covered action. Disagreement alone does not establish an error.

(d) Correction means the lawful modification, withdrawal, restoration, suppression from current operational use, or other action required to remedy an established error or unsupported covered action. Preservation of a protected historical record is not continued operational use if the record is clearly superseded and cannot improperly drive current action.

(e) Independent reviewer means a lawfully appointed or assigned person who did not control the challenged determination and is free of a disqualifying interest or controlling relationship concerning the review.

(f) Verified effect means a defined consequence supported by an appropriate observation, identifying method, time, scope, and limitations. Receipt of an instruction alone is not a verified effect.

(g) Responsible official means the official designated under section 22, acting within lawful authority.

(h) Day means calendar day. A deadline expiring when the receiving office is closed extends to its next open day, except that urgent protection duties remain continuously applicable through an available emergency channel.

Title II — Authority, evidence, privacy, and notice

5. Action-specific authority

Before executing a covered adverse action, a covered agency shall identify and record its action-specific authority and determine that the required factual and procedural conditions are satisfied under the applicable law and evidentiary standard.

An authenticated identity, job title, software permission, or prior approval is not by itself a sufficient record of those conditions. The agency shall check material validity conditions at execution and shall not rely on a superseded or expired authority record when current law requires a new determination.

An unresolved condition shall be represented as unresolved, with its reason and required next step. This section does not authorize automatic denial of assistance from missing information or prohibit a separately lawful emergency measure.

6. Reasons and current-condition checks

The agency shall maintain a concise record identifying the operation, affected person, purpose, governing rule and version, material evidence, relevant findings, responsible actor, and reasons for a covered determination.

Where law permits discretion, the record shall identify the lawful range of options, material considerations, and reasons for the choice. The agency shall preserve contrary material considered and explain the disposition of a material challenge to authority or support.

An executor shall not materially broaden the scope of an approval without the required authorization. The agency shall provide a procedure to suspend reliance on materially stale information and to obtain a current lawful determination without abandoning any duty to provide assistance.

7. Evidence provenance and access

The agency shall distinguish personal observation, reported information, inference, and authorized finding in consequential evidence records. Repetition or copying shall not be represented as independent corroboration without an independent supporting source.

Upon a qualifying request, the agency shall provide the affected person access to the material basis of the covered action, subject to applicable statutory protections, privileges, and lawful security restrictions. A withholding shall identify its legal basis and the available review route to the extent law permits.

The reviewer shall have lawful access sufficient for a competent review or shall identify the evidence-access limitation and obtain review by an authority competent to resolve it. This Act does not eliminate evidentiary privileges or alter rules of admissibility in other proceedings.

8. Personal information

Collection, access, use, disclosure, and retention under this Act shall be limited to lawful purposes and information reasonably necessary for those purposes. The agency shall protect identifiers, location information, and other sensitive material against unauthorized use and disclosure.

The agency shall maintain separate protected case views and public accountability reports. Public reporting shall not disclose identifiable

case information unless independently authorized by law. Removal of names alone shall not be treated as sufficient protection where other disclosed information creates a material identification risk.

Correction and preservation procedures shall distinguish current operational information from protected superseded history. Nothing in this Act authorizes destruction contrary to a preservation duty, court order, or applicable records law.

9. Notice

The agency shall provide timely, understandable notice of a covered adverse determination, stating its effect, principal reasons, action-specific legal basis, responsible office, means and deadline for challenge, available interim protection, and further review route.

Notice shall be provided before the action when required by governing law. Where a separately lawful exception permits delayed notice, the agency shall record the basis, scope, and duration of the delay and provide notice as soon as legally required.

The agency shall provide accessible formats, reasonable assistance, and language access required by law. A notice shall not require purchase of a product, possession of a particular commercial account, or understanding of a programming language to invoke the rights created by this Act.

Title III — Challenge, review, and urgent protection

10. Right to request review

An affected person may challenge the authority, factual support, identity association, procedure, privacy treatment, delay, or continuing effect of a covered action. Review shall not depend on the original decision maker admitting error.

The agency shall accept oral, written, assisted, and accessible electronic requests through published channels. It shall provide a durable acknowledgment within two days, preserve the original receipt time on

transfer, and assist the person in identifying the challenged action when reasonably necessary.

A request ordinarily shall be made within 180 days after adequate notice of the action. The period shall not bar a challenge to a continuing material effect, a material error not reasonably discoverable earlier, or a delay caused by inadequate notice or an access barrier attributable to the agency. Existing more protective filing rights are preserved.

11. Independent determination

Within five days after receipt, the responsible official shall assign a competent independent reviewer or record the lawful route to a reviewer with the required authority. The original office may grant prompt corrective relief without preventing independent review of disputed or unresolved matters.

The reviewer shall assess the challenged action under applicable law, consider relevant supporting and contradictory material, address material arguments, and issue a reasoned determination identifying required relief or reasons for denial and the further review route.

The reviewer shall not be paid, selected, supervised, or restricted in evidence access in a manner that gives a disqualified participant controlling influence over the merits. Appointment, assignment, and powers shall comply with constitutional and statutory requirements. This Act confers no binding adjudicative authority on a private volunteer solely by participation in a review network.

12. Urgent protection

The agency shall assess a reported risk of serious imminent harm promptly and, no later than 24 hours after receipt of a request presenting such a risk, obtain a competent determination of available interim protection. The determination shall consider harms of action and inaction, relevant third-party interests, reversibility, uncertainty, and available lawful measures.

Any interim measure shall identify its independent legal authority, scope, reasons, duration, and review conditions. This section does not authorize a payment, restriction, or other substantive action for which law supplies no authority or appropriation.

An emergency exception shall not operate as an indefinite renewal. The agency shall maintain an available urgent channel and a succession arrangement for an unavailable official. If no protective measure is lawfully available, the determination shall identify the limitation and any competent expedited review route.

13. Deadlines and further review

The reviewer shall issue an ordinary determination within 30 days after receipt. One extension of no more than 15 days is permitted upon a written finding of specific necessity, notice to the person, and reassessment of interim protection. Transfer, staff absence, or a change of information system shall not restart the clock.

The person may request further administrative review within 30 days after a determination by an official lawfully authorized to provide it. Such optional review shall not delay access to judicial relief under section 24 after the conditions of that section are satisfied.

A missed deadline shall create a visible overdue obligation and assigned escalation. It shall not be recorded as denial, withdrawal, or successful completion merely because the agency failed to act.

Title IV — Correction and observed effect

14. Source correction

Upon determining that correction is required, the agency shall issue a correction plan within five days, or sooner when necessary for lawful urgent relief. The plan shall identify the assertion or action to be corrected, legal basis, responsible executor, current and superseded versions, deadline, known dependencies, and completion evidence.

The agency shall promptly withdraw unsupported operational instructions within its control and correct materially erroneous current

records. It shall preserve protected history where law requires and mark superseded information so that it does not improperly continue to drive current action.

The correction plan shall distinguish immediate available relief from work requiring additional legal authority or another competent institution.

15. Dependent systems and recipients

The agency shall make reasonable, documented efforts to identify recipients and systems that continue to rely on the material error or unsupported action. It shall correct dependent systems within its lawful control and send appropriately limited versioned notices to other known relevant recipients.

For contractors, the agency shall enforce applicable lawful correction obligations and incorporate appropriate duties into new or renewed covered contracts. This section does not retroactively create contractual powers or command an independent sovereign without a valid legal basis.

The agency shall record delivery, application, observed effect, failed contacts, and unresolved recipient boundaries separately. It shall assign retries and escalation for incomplete required work. It shall not certify universal correction from a search limited to known recipients.

16. Verification and completion notice

The agency shall verify each required effect by a method proportionate to the consequence and sufficiently independent for the dispute and risk. The observation shall identify the effect, method, time, scope, result, and material uncertainty.

An acknowledgment, source status, or executing office's unsupported assertion shall not alone establish restoration of a downstream effect. An unavailable observation shall remain unresolved. The affected person's report of continuing harm shall be recorded and assessed without requiring a new admission of source error.

A completion notice shall distinguish completed obligations, unresolved work, and residual claims, and shall identify how continuing consequences may be challenged. The person shall not be required to waive other rights to receive a correction or completion notice.

17. Residual harm and other relief

Restoration of a current condition shall not be represented as compensation for past loss. The agency shall identify reasonably apparent residual issues, preserve relevant evidence, and inform the person of known available claim or review routes without determining entitlement outside its authority.

This Act does not create a new general right to compensatory or punitive damages. It does not limit a remedy available under another law, subject to that law's requirements. Within two years after the effective date, the Director of the Office of Management and Budget shall report to Congress on documented gaps in restoration and residual relief, including recommended targeted legislation and resource estimates.

Title V — Conflicts and institutional responsibility

18. Disqualifying financial interests

A person shall not control a covered contested determination or its independent verification when the person has a material financial interest specifically dependent on the outcome, a material ownership or related-party interest in an outcome-dependent recipient, or another financial interest disqualifying under applicable law.

Ordinary fixed compensation for competent public service, without a material case-outcome dependency, is not alone disqualifying under this section. A claimant is not disqualified from seeking relief merely because the claimant would benefit.

Potential interests shall be disclosed to a competent official who is not subject to the same disqualification. A disputed conflict shall receive reasoned review. Existing stricter conflict restrictions remain applicable.

19. Organizational incentives and incompatible duties

The agency shall identify material organizational revenue, cost, liability, or performance incentives capable of improperly controlling a covered determination. It shall establish proportionate separation or compensating safeguards for incompatible proposing, evidentiary, adjudicative, execution, and verification functions.

A change in department name or a second signature shall not by itself establish independence. The assessment shall consider selection, supervision, payment, information access, and appeal.

The agency shall distinguish documented exposure, a plausible influence path, and an established violation. This section does not presume misconduct from the existence of a payment or organizational relationship alone.

20. Reassignment and review resources

When a disqualification is established, the responsible official shall promptly assign a competent lawful replacement and preserve applicable deadlines and urgent protections. Recusal shall not extinguish the underlying duty.

Review compensation shall not reward a predetermined case disposition. Assignment, removal, and workload practices shall not retaliate for a lawful contrary determination. The agency shall maintain resources and backup arrangements reasonably necessary to perform the duties imposed by this Act, using lawfully available funds.

Any emergency participation by an otherwise disqualified actor shall be limited to the minimum act independently permitted by law, supported by specific reasons, and followed by prompt unconflicted review. This section creates no exemption from a stricter statutory prohibition.

21. Contractors, retaliation, and exceptions

Delegation to a contractor shall not eliminate the covered agency's duties under this Act. The agency shall identify the lawful scope of contractor access, execution, preservation, correction, and audit obligations.

A covered agency shall not retaliate against a person for a good-faith challenge, provision of relevant evidence, request for accommodation, or lawful participation in review. Existing employment, whistleblower, and other protections are preserved.

An exception claimed under this Act shall identify its legal source, necessary scope, duration, responsible official, and review route. No agency rule may create a categorical exception that defeats an express duty without statutory authority. Protected information may be handled through lawful restricted procedures rather than disclosed publicly.

22. Responsible officials and continuity

Each covered agency shall designate a responsible official with authority to coordinate compliance, assign duties to competent offices, monitor unresolved obligations, and report material failures to the agency head. Designation does not authorize exercise of powers reserved by law to another officer.

The agency shall maintain a succession procedure transferring open obligations, records, deadlines, and public contact information when staff change or offices reorganize. Departure from employment or a voluntary network shall not close an institutional obligation.

The agency head remains responsible for establishing lawful assignments, resources, and procedures necessary for compliance.

Title VI — Enforcement and public evidence

23. Administrative enforcement

A person may complain to the responsible official about failure to perform a duty created by this Act. The official shall assign a competent response, preserve the original case clocks, and refer a conflict concerning that official to an unconflicted authority.

Inspectors general and other oversight bodies retain their existing powers. Nothing in this Act authorizes them to exercise a new power not expressly conferred by law. Agencies shall cooperate with lawful oversight and preserve relevant evidence.

Administrative reporting or investigation shall not require a person to postpone urgent judicial relief otherwise available under section 24.

24. Judicial review and limited waiver

An affected person adversely affected by a final determination under this Act, by expiration of an applicable determination deadline without a determination, or by a failure presenting a substantial risk of serious imminent harm may bring a civil action against the covered agency or responsible official in an official capacity in a United States district court of competent venue.

The district courts shall have jurisdiction to enforce the express duties created by this Act. The United States waives sovereign immunity for the declaratory and injunctive relief authorized by section 25 and the costs expressly allowed there, but not for compensatory or punitive damages under this Act.

Ordinary review requires a request under section 10 and either a determination or expiration of the applicable deadline. Exhaustion shall not be required where the court finds that waiting would create a substantial risk of serious imminent harm, the route is unavailable, or exhaustion would be futile as to the relief sought. Optional further review does not postpone this action.

An action challenging a final determination shall be filed within 180 days after adequate notice, subject to equitable tolling and existing more protective rights. This period does not bar prospective relief for a continuing failure to perform an express duty. This section does not reopen a final judgment of another court or enlarge review of an excluded proceeding.

25. Relief and costs

Upon finding a violation of an express duty under this Act, the court may declare the parties' rights and order lawful nonmonetary relief necessary to enforce that duty, including a competent determination, correction within agency control, required notice and follow-up, preservation of evidence, or verification of a defined effect.

Interim relief remains subject to applicable judicial standards. The court shall not order an action or expenditure prohibited by another controlling law or unsupported by required appropriations. It may require a compliance schedule and report of unresolved legal or resource barriers.

Costs and attorney fees may be awarded to the extent authorized by otherwise applicable law, including the applicable provisions of 28 U.S.C. 2412. This Act creates no additional fee entitlement beyond that law. Other independently available causes of action and remedies are preserved.

26. Audit and public reporting

Each agency shall publish at least annually a privacy-protecting report stating covered request volume, challenged issues, review timing, urgent requests, determinations, source corrections, verified effects, unresolved obligations, recurrence, conflicts and reassignments, and material operational failures.

Reports shall define denominators, observation periods, missing outcomes, and the distinction between acknowledgment, application, and verified effect. They shall not present synthetic tests as field outcomes or completed-case averages as the experience of unresolved cases.

The agency shall publish governing procedures, technical interface definitions, evaluation methods, and material limitations to the extent consistent with law. Public access shall not require purchase of proprietary materials. Independent evaluation may inspect protected evidence through lawful arrangements.

Title VII — Implementation and evaluation

27. Resources and appropriations authorization

There are authorized to be appropriated such sums as are necessary to carry out this Act. This section is an authorization and does not itself appropriate funds.

Within 180 days after enactment, each agency shall submit to the Office of Management and Budget an implementation estimate identifying

staffing, accessibility, information systems, review capacity, training, expected workload, and unfunded needs. The Director shall provide Congress a consolidated estimate and proposed appropriations requirements.

Agencies shall use lawfully available resources for their duties and shall report material shortfalls and the protective measures available within law. An agency may not conceal an overdue obligation by excluding it from its report because resources are insufficient.

28. Rules and technical specification

Within 270 days after enactment, the Director of the Office of Management and Budget, after public notice and opportunity for comment and consultation with affected people and relevant legal, operational, accessibility, privacy, and engineering expertise, shall issue implementation guidance and common evidence-interface specifications consistent with this Act.

Covered agencies shall adopt implementing procedures through legally required processes. Guidance shall not alter substantive eligibility, enlarge agency jurisdiction, narrow an express right, or make use of a particular vendor a condition of review.

Failure to issue guidance shall not suspend an express statutory duty after its effective date. Technical standards incorporated into binding rules shall be accessible without requiring purchase of this book.

29. Transition and effective date

Sections concerning planning, rulemaking, designation, and resource estimates take effect upon enactment. The remaining duties take effect 365 days after enactment and apply to covered actions then initiated and to continuing material effects of earlier actions to the extent correction is lawfully available.

Agencies shall conduct bounded testing and accessibility review before operational deployment. A pilot shall not waive existing rights or create authority to experiment with consequential decisions outside law.

The agency shall publish its implementation status, known limitations, urgent channels, and available review routes. A system migration shall preserve open duties, relevant records, and original deadlines.

30. Program-specific amendments

Within one year after enactment, the Director of the Office of Management and Budget shall submit to Congress a program-by-program report identifying statutory conflicts or gaps that prevent performance of the intended safeguards, including interim assistance, recipient obligations, and residual relief.

The report shall propose specific statutory amendments, constitutional bases, resource estimates, and transition provisions. It shall not treat a general technical interface as an amendment to substantive program law.

No state funding condition or command to a state or tribal institution is created by this section. Any proposed extension shall be separately authorized and evaluated under applicable constitutional limits.

31. Relationship to other law

This Act supplements and does not diminish protections or remedies otherwise available. Where another law provides a more protective procedure or shorter applicable deadline, that protection remains effective unless Congress expressly provides otherwise.

This Act does not commandeer state administration, displace tribal sovereignty, create a private criminal tribunal, abolish lawful privileges, or make a cryptographic certificate conclusive proof of a fact or legal right.

An agency asserting a controlling statutory conflict shall identify it narrowly and perform the remaining compatible duties. Courts retain authority to determine the legal effect of the claimed conflict.

32. Evaluation, amendment, and severability

Within three years after the effective date, the Comptroller General shall evaluate implementation, costs, accessibility, verified outcomes, unresolved harm, and unintended consequences, using lawful access and privacy protections, and report findings and recommendations to Congress.

The evaluation shall distinguish observed field evidence from simulations and identify uncertainty and subgroup or severe individual failures. Agencies shall respond publicly to material recommendations to the extent law permits.

If a provision or application of this Act is held invalid, the remaining provisions and applications shall remain effective to the extent they can operate consistently with law and congressional intent. No finding of invalidity authorizes an agency to erase records or abandon an independently existing duty.