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JUL 26 1973

The Honorable James G. O'Hara
House of Representatives



Dear Mr. O'Hara:

This is in response to your letters of May 3 and 24, 1973, regarding an editorial published in a Defense Civil Preparedness Agency (DCPA) Region Two publication entitled "Survival." 54
You asked us to examine into publication and distribution of the editorial, which you described as partisan political material distributed as official business at taxpayer expense.

We discussed matters in this report with DCPA officials and reviewed pertinent sections of the United States Code and Government Printing and Binding Regulations (GPBR). We also referred to Office of Management and Budget (OMB) Circular No. A-3 entitled "Government Periodicals."

The editorial did violate the law. GPBR, section 29, and 44 U.S.C. 1102 prohibit printing which is not authorized by law and necessary to the public business. Documents or matters beyond the scope of ordinary agency business cannot be printed on the requisition of an agency unless authorized by the Congress. The editorial was not devoted to work which the law requires DCPA to undertake.

Section 201 of the Federal Civil Defense Act of 1950 authorizes publication of the periodical. The Government Printing Office printed 10,000 copies at Government expense under orders placed with it by Region Two. About 4,000 copies were mailed to recipients on the region's mailing list. The remaining copies were used for workshops and conferences and to fill subsequent requests. We could not determine costs of printing the editorial.

Before our review DCPA officials recognized that the editorial had no place in DCPA's program or newsletter and should not have been published. The Regional Manager was reprimanded for allowing the editorial to be published.

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In response to your request on whether the editorial is an isolated case, we screened eight editions of "Survival" printed from June 1971 through March 1973 and found several editions containing editorials. Although these editorials were not the type mentioned in your request, OMB Circular No. A-3 states that periodicals will not contain editorials, book reviews, or articles intended solely to foster or obtain the support of persons outside the Government. We found no editorials in past newsletters of six other DCPA regional offices.

We have been advised that DCPA had decided to discontinue publishing regional periodicals at the end of fiscal year 1973. DCPA instead will publish a national newsletter to be distributed to organizations and people now receiving the regional publications. DCPA has assured us that the requirements in the circular will be met before such a periodical is published.

Because DCPA plans to terminate its regional periodicals at the end of fiscal year 1973 and because the Regional Manager of Region Two has been admonished as to the impropriety of the editorials, it appears no further action on our part in this matter is warranted.

We do not plan to distribute this report further unless you agree or publicly announce its contents.

We trust the information responds to your request. Please advise us if we can be of further assistance.

Sincerely yours,


Comptroller General
of the United States