



B-161686

JUN 30 1967

RELEASED

Dear Mr. Chairman:

Your letter of May 26, 1967, concerns section 701 of the Departments of State, Justice, and Commerce, the Judiciary, and related agencies Appropriation Act, 1967, Pub. L. 89-797, 80 Stat. 1479, 1506. This section reads as follows:

"No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress."

You state that while you realize an exact definition of "publicity or propaganda purposes" may be troublesome, you wondered whether the General Accounting Office has had occasion to check on the observance of this limitation on appropriated funds. You state that you would appreciate it if we could furnish any information on this matter.

Enclosed with your letter, for our review, are copies of your correspondence with the Department of State concerning two publications entitled "Vietnam Search for Peace" and "Vietnam 'The Other War'".

We have on several occasions, in response to inquiries from Members of Congress, construed the provisions of anti-propaganda appropriation restrictions similar to or identical with section 701 quoted above. We also considered such a provision in our decision of January 18, 1952, 31 Comp. Gen. 311, (copy enclosed).

The legislative history of Public Law 89-797 contains no explanation of the purpose of section 701. Insofar as the Department of State is concerned, the propaganda restriction (almost identical with section 701) first appeared in the act (Public Law 82-495, section 603) containing its appropriations for fiscal year 1953. However, the legislative history of that act contains no explanation of the provision. We would assume, however, that the intent of the provision is the same as the intent disclosed by the legislative history of a similar provision contained in the Labor-Federal Security Appropriation Act, 1952, Pub. L. 89-134, 65 Stat. 223, and discussed in our decision referred to above, 31 Comp. Gen. 311. In that decision we stated that:

"Similarly, in the legislative history of other statutory provisions limiting, rather than prohibiting, the

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1952 July 15  
60 Stat. 5192

1951 Aug. 13/

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expenditure of sums for publicity purposes, it is indicated that the intent is to prevent publicity of a nature tending to emphasize the importance of the agency or activity in question. \* \* \*."

Insofar as the Department of State is concerned, we note that the House Hearings (pages 241-245) on Department of State Appropriations for 1967, disclose that funds were requested therein by the Bureau of Public Affairs for operations designed to:

"1. Explain the purposes, commitments, and objectives of United States diplomacy and foreign policy. This includes reporting to the public on how the Department of State functions in carrying out international relations.

"2. Encourage full and open discussion of policies and issues—giving Government officials who shape and execute policy the obligation and the opportunity to appear before the public to explain foreign policy and to hear firsthand what the public has to say.

"3. Provide prompt, responsive replies to inquiries or requests for assistance.

"4. Assist the daily press and other media (radio, TV, magazines, etc.) in their efforts to ascertain and present the facts to the public.

"5. Document the record of our country's diplomacy."

The Hearings disclose (page 243) that the Bureau proposes to continue and improve communications with the public by:

"1. Filling speaking engagements and conducting major Foreign Policy Conferences in metropolitan centers and Meetings on Foreign Policy in smaller communities throughout the country.

"2. Serving the daily needs of the nation's mass news media by providing information around-the-clock on news developments, arranging press conferences and briefings, and issuing official public pronouncements in the name of the Department of its top officials.

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"3. Writing and publishing informative, thoughtful pamphlets and leaflets about foreign affairs and the Department's operations.

"4. Encouraging wider and more effective use of Radio-TV in offering programs on foreign affairs.

"5. Producing and distributing within the United States educational films about foreign policy and United States programs and operations abroad.

"6. Encouraging greater attention to the teaching of international relations in secondary schools.

"7. Providing prompt, responsive replies to letters from the public.

"8. Publishing the official diplomatic history of the United States." (Emphasis added.)

The Report of the House Appropriations Committee on the bill which became Public Law 89-797 (House Report No. 2160, 89th Congress, 2d Session) discloses that the appropriation contained in that public law for "Salaries and Expenses" of the Department of State, included funds for, among other things, "public information and related activities." Thus, the use of appropriated funds by the Department of State for the printing of publications which furnish information on foreign relations and the Department's operations was authorized by the Congress for fiscal year 1967.

We have been informally advised by a representative of the Department of State that copies of the two publications referred to in the correspondence enclosed with your letter, namely "VIETNAM Search for Peace" and "VIETNAM The Other War," are not available. We were further advised, however, that except for the imprimatur of the Department of State, these two publications are identical with two publications printed by the Government Printing Office for the Department of State entitled, "The Search For Peace In Viet-Nam" and "The Other War in Vietnam: A Progress Report," respectively. Our examination of these latter two publications, which are available for sale by the Government Printing Office, discloses that these publications contain information on our foreign relations and operations in Vietnam. Accordingly, in view of the availability of the Department's 1967 appropriations for

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public information and related activities as indicated above, we would not in our opinion have a sufficient basis to consider the printing of the publications to which you refer to be in violation of section 701 X of Public Law 89-797.

We trust the foregoing information will be of assistance to you.

Sincerely yours,

FRANK H. WEITZEL

Assistant Comptroller General  
of the United States

Enclosure

The Honorable J. W. Fulbright  
Chairman, Committee on Foreign Relations  
United States Senate

APPROPRIATIONS

Availability

Publicity and propaganda

Vietnam activities

REPLY TO B. A. ...

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