

135957

United States General Accounting Office

GAO

Fact Sheet for the Honorable
Barbara Boxer, House of Representatives

April 1988

AIDS EDUCATION

Printing and Distribution of the Surgeon General's Report



135957



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United States
General Accounting Office
Washington, D.C. 20548

Human Resources Division

B-230539

April 27, 1988

The Honorable Barbara Boxer
House of Representatives

Dear Ms. Boxer:

In response to your October 23, 1987, letter and later discussions with your office, we have reviewed the printing and distribution of the Surgeon General's report on Acquired Immune Deficiency Syndrome (AIDS). Specifically, you asked that we trace the processing of your July 1, 1987, order for 110,000 copies of the report to determine why it took 5 months to fill. You also asked that we examine administrative causes for the delay and allegations that distribution was hampered by White House officials opposed to the report's contents. These allegations were noted by your staff and appeared in media reports stating that individuals in the administration had criticized the report's explicit language and its recommendation regarding the use of condoms.

SCOPE AND METHODOLOGY

We made our review between December 1987 and March 1988. We interviewed officials in the Department of Health and Human Services (HHS) and the Government Printing Office (GPO). We also interviewed representatives of two government contractors responsible for printing the report and shipping it to your office. In addition, we collected and reviewed documentation at HHS and GPO pertaining to the printing, distribution, and cost of the report.

We requested an interview with a White House official, but the White House declined. Citing White House policy and comity between the separate branches of government, the Counsel to the President asserted that information concerning specific advice to the President is considered confidential and within the exclusive province of the Executive.

BACKGROUND

In May 1987, Members of Congress began to request large numbers of the report for distribution to their constituents. These requests came in the wake of increasing criticism that the federal government had failed to establish an effective, coordinated effort to fight the spread of AIDS through education.

The Centers for Disease Control (CDC), a part of HHS's Public Health Service, was responsible for handling congressional orders for the Surgeon General's report. CDC contracted with private firms to print and ship the report. Contract arrangements were made through GPO in Atlanta.

Your July 1, 1987, request was sent from HHS to CDC. CDC records indicate the printer completed delivery on November 24, 1987. This represents an elapsed time of about 5 months.

RESULTS IN BRIEF

The results of our work are summarized below and discussed in detail later in this report.

-- CDC's delay in delivering the report was caused by the following administrative factors:

1. CDC did not maintain a sufficient inventory at the time of your request to fill congressional orders. As of July 1, 1987, CDC records indicate a total inventory of 482,500 copies. CDC records also show that 30 congressional requests for over 4 million copies had been placed before your order.
2. CDC combined numerous congressional requests into a single contract, which increased printing time but saved printing costs. After the Congress provided \$20 million in supplemental funding for fiscal year 1987 for AIDS information, CDC used a single contractor to reproduce 6.7 million copies of the report. According to GPO documents, the contract allowed 56 days for printing and delivery running from August 7 to October 1, 1987, and cost \$664,000, or 9.8 cents per copy.
3. Self-mailing brochures, printed with the Member's postal frank, were proposed in August 1987 as an alternative to placing millions of reports into congressional mailing envelopes. These brochures were approved by the House Commission on Mailing Standards on September 21, and CDC informed your office about the availability of self-mailers on September 29.

CDC officials stated that they received your postal frank on October 19, 1987. By that time, however, all reports prepared under the July 27 order had been printed and could not be inexpensively reformatted to

provide self-mailing packages. According to CDC officials, this forced the agency to order additional copies under a new contract. This contract was awarded by GPO on October 30 and specified a delivery date of November 23.

-- HHS and CDC officials we interviewed voiced support for the Surgeon General's report and stated that they did not attempt to limit its distribution. According to the Assistant Secretary for Health, the White House was not involved in decisions on printing and distribution and did not delay distribution.

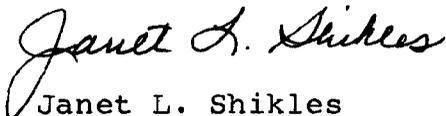
Our review indicates that on July 27, 1987, HHS management requested a delay in additional printing until a meeting could be held between the Surgeon General and the White House. According to the Surgeon General, this meeting took place on July 31 and involved a request on the part of one member of the White House Domestic Policy Council to remove the recommendation that condoms be used during sexual intercourse. The Surgeon General stated, however, that no changes were made in response to this request. Moreover, this meeting took place on the same day that CDC's July 27 printing order was received by GPO and did not delay the printing of the report.

- - - -

As requested by your office, we did not obtain formal agency comments on a draft of this report. We did, however, discuss our work informally with HHS officials, and their comments have been included where appropriate. Unless you publicly announce its contents earlier, we plan no further distribution of this fact sheet until 30 days after its issue date. At that time we will send copies to the Secretary of HHS and other interested parties and will make copies available to others on request.

Should you need additional information on the contents of this document, please call me at 275-5451.

Sincerely yours,



Janet L. Shikles
Associate Director

C o n t e n t s

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ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
CDC	Centers for Disease Control
GAO	General Accounting Office
GPO	Government Printing Office
HHS	Department of Health and Human Services

AIDS EDUCATION:
PRINTING AND DISTRIBUTION
OF THE SURGEON GENERAL'S REPORT

BACKGROUND

In October 1986, the Surgeon General issued his report on Acquired Immune Deficiency Syndrome (AIDS). Prepared at the request of the President, the report provides detailed information about AIDS and outlines preventive measures for reducing the transmission of the disease. The report also deals briefly with a variety of controversial AIDS-related issues, ranging from compulsory testing to sex education.

After its release, the report came under intense criticism from certain individuals in the administration, including the Secretary of Education and a member of the White House Domestic Policy Council. According to media reports, this criticism stemmed from strong disagreements over the use of explicit language to describe the transmission of the AIDS virus. The media reported further that considerable criticism was also directed at the Surgeon General's recommendation that condoms be used to reduce the risk of transmitting the virus during sexual intercourse.

In May 1987, Members of Congress began to request large numbers of the report for distribution to their constituents. These requests came in the wake of increasing criticism that the federal government had failed to establish an effective, coordinated effort to fight the spread of AIDS through education. Requests were also prompted by a June 12, 1987, letter from the Secretary of Health and Human Services to all Members of Congress stating that additional copies of the report were available on request (see app. I).

In a July 1, 1987, letter, Representative Barbara Boxer requested 110,000 copies of the Surgeon General's report from the Department of Health and Human Services (HHS). In a July 24 reply, HHS told Representative Boxer that her order would be expedited as soon as copies were available from the printer.

In an October 1, 1987, letter, Representative Boxer's office increased the order to 181,000 copies. Delivery receipts indicate that on November 24, 1987, 129,600 copies of Representative Boxer's order were delivered to the postal facilities at the House of Representatives. An additional shipment of 39,960 was also delivered on November 24, the receipts showed.

On December 1, 1987, Representative Boxer's office reduced her request to 165,000 copies and acknowledged delivery of 129,000. About 2 to 3 weeks later, her staff was informed of the other November 24 delivery and told that the remaining copies

had been stored in the House Folding Room. A complete chronology of the events relating to Representative Boxer's order is provided in appendix II.

OBJECTIVES, SCOPE, AND METHODOLOGY

In an October 23, 1987, letter, Representative Barbara Boxer requested that we review the distribution of the Surgeon General's report. Representative Boxer's request was sent about 4 months after her order was placed and about 1 month before her office received copies of the Surgeon General's report. Based on this request and later discussions with Representative Boxer's office, our objective was to determine why her order for the Surgeon General's report was not delivered until 5 months after her initial request. In addressing this objective, we focused on administrative causes for the delay and examined the allegation that White House opposition to the report prevented timely delivery.

The scope of our review dealt primarily with the difficulties experienced by Representative Boxer. We did, however, review documentation on orders submitted by other Members of Congress. We did not focus on distribution of the report to the general public, private organizations, or state and federal agencies. In addition, we did not examine allegations that the White House attempted to disrupt other HHS information campaigns, including a mass mailing of AIDS brochures prepared separately from the Surgeon General's report.

To address our objective, we conducted interviews with HHS officials, including the Surgeon General, the Assistant Secretary for Health, and the Acting Assistant Director for AIDS at the Centers for Disease Control (CDC). We also interviewed officials in the Government Printing Office (GPO) and two private contractors involved in printing the report. In addition, we obtained documents containing data on (1) the number of reports requested by Members of Congress, (2) the source and date of each such request, (3) the number of copies shipped and the date of each shipment, and (4) the number of copies printed and held in inventory. We also examined the costs associated with each printing order.

We requested an interview with the Assistant to the President for Policy Development, but the White House declined any interviews. The Counsel to the President, citing White House policy and comity between the separate branches of government, asserted that information concerning specific advice to the President is considered confidential and within the exclusive province of the Executive (see app. III).

Our work was performed from December 1987 to March 1988 in accordance with generally accepted government auditing standards.

PRINTING AND DISTRIBUTION OF THE REPORT

CDC was primarily responsible for reproducing the Surgeon General's report and distributing copies to Members of Congress. This was accomplished with assistance from GPO and a series of private contractors.

GPO selected contractors based on printing specifications provided by CDC. This was done through a competitive bidding process, which relied on phone bids from companies previously under contract to GPO. Once chosen, the private contractor was responsible for shipping the report directly to Members of Congress or to warehouse facilities maintained by CDC or other private contractors.

During May 1987, congressional requests for the report were handled largely from inventory. Later orders were filled as soon as additional copies could be provided by GPO printing contractors. According to CDC officials, all congressional requests were placed on a priority distribution document that listed Members of Congress by the date of their original request. CDC officials also stated that the agency distributed copies based on the priority list unless orders were canceled or the Member of Congress did not provide a specific shipping destination.

ADMINISTRATIVE FACTORS CAUSING DELAYS IN PRINTING AND DISTRIBUTION

Our review identified three administrative factors that were responsible for CDC's delay in delivering the Surgeon General's report to Representative Boxer.

Insufficient Inventory and a Backlog of Congressional Orders

CDC did not have a sufficient inventory of reports to meet Representative Boxer's July 1, 1987, request for 110,000 copies. CDC records indicate that only 482,500 were held in inventory at the time of Representative Boxer's July 1 request. In addition, CDC officials told us that 30 Members of Congress had ordered over 4 million copies of the report before July 1. According to CDC officials, this backlog had to be met before Representative Boxer's request could be filled. This left CDC with an inventory of 482,500 reports and a total demand exceeding 4 million copies.

When asked to comment on the limited number of copies held in inventory as of July 1, 1987, CDC officials explained that the agency's fiscal year 1987 budget for AIDS information was not sufficient to reproduce and store large numbers of reports. They stated further that most bulk congressional requests could not be met until the Congress provided a supplemental appropriation for AIDS information, which was approved on July 11 and made

available on July 28. In addition, CDC officials noted that the agency did not anticipate the large orders placed by Representative Boxer and other Members of Congress.

A review of CDC budget documents shows that the agency spent about \$5.6 million on AIDS information activities during fiscal year 1987, excluding expenditures drawn from the supplemental appropriation passed in July. A CDC official also stated that all \$5.6 million had been spent or committed by the time the Congress passed the \$20 million supplemental appropriation. In addition, GPO records indicate that from the date the report was issued until July 1, \$257,047 was spent on four printing contracts that produced about 1.9 million copies.

Bulk Order Contracts and Extended Printing Time

CDC combined numerous congressional requests into a single requisition in an attempt to meet the backlog of orders in July 1987. After the Congress provided the \$20 million in supplemental funding, CDC used a single contractor to reproduce 6.7 million copies of the report. This requisition was dated July 22 and sent to GPO on July 27. According to GPO documents, the contract allowed 56 days for printing and delivery, running from August 7 to October 1, 1987, and cost \$664,000, or 9.8 cents per copy.

By comparison, CDC records indicate that between November 25, 1986, and December 4, 1987, the agency submitted 14 other printing orders ranging in size from 50,766 to 2,000,010 copies. The cost and the amount of time required for printing and delivery varied depending on the size of the order. Our review of GPO records showed, for example, that copies printed under contracts of fewer than 200,000 cost from 18.7 to 20.2 cents per copy and were printed and delivered in an average of 15.5 days. By contrast, copies under contracts of 1 to 1.2 million cost from 10.6 to 12.7 cents per copy and were printed and distributed in an average of 25.5 days (see app. IV).

Self-Mailing Brochures

Self-mailing brochures, printed with the Member's postal frank, were proposed in August 1987 as an alternative to placing millions of reports into congressional mailing envelopes. The self-mailing concept was agreed to by HHS management in a September 2, 1987, letter.

On September 21, 1987, the House Commission on Mailing Standards provided blanket approval to all Members of the House wishing to distribute the report using the postal franking privilege. On September 29, all Members of Congress were informed of this ruling in a letter sent by the Doorkeeper of the House. A chronology of events provided by CDC states that the

agency informed Representative Boxer on September 29 about the self-mailing option. The chronology also states that her office agreed to the use of self-mailers on September 30. In addition, CDC's chronology indicates that the agency received Representative Boxer's postal frank on October 19.

According to the printer under contract at the time, all reports prepared as of October 19, 1987, were printed without self-mailing covers or were reformatted to provide franked copies for two Members of Congress who had sent franking information to CDC on September 15 and 29. The contractor also stated that it was not cost-effective to convert plain copies of the report into self-mailing packages. Thus, after CDC received Representative Boxer's frank on October 19, the agency placed a new printing order for 1,075,000 copies, including 181,000 self-mailing brochures for Representative Boxer. According to CDC and GPO officials, this process required a new contract, which was awarded by GPO on October 30 and specified a delivery date of November 23.

**ALLEGATIONS THAT DELAYS WERE CAUSED
BY WHITE HOUSE OPPOSITION TO THE REPORT**

HHS and CDC officials we interviewed voiced support for the Surgeon General's report and stated that they did not attempt to limit its distribution. These officials noted, however, that the report was written at a level that might prove too complicated for the average reader. According to the Assistant Secretary for Health, the White House was not involved in decisions on printing and distribution, and White House opposition to the report had been overemphasized by media reports and did not delay distribution.

Our review indicates that on July 27, 1987, HHS management requested a delay in additional printing until a meeting could be held between the Surgeon General and the White House. According to a CDC memo, this delay was requested so that the White House could discuss with the Surgeon General the possibility of amending the report. Our discussions with the Surgeon General show that this meeting took place on July 31 and involved one member of the White House Domestic Policy Council. We were informed by the Surgeon General that he was asked at that meeting to remove the recommendation that condoms be used during sexual intercourse. The Surgeon General stated, however, that no changes had been made in response to this request. This meeting took place on the same day that CDC's July 27 printing order was received by GPO (see app. II) and did not delay printing of the report.

JUNE 12, 1987, CORRESPONDENCE FROM
THE SECRETARY OF HHS TO MEMBERS OF CONGRESS



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

June 12, 1987

Last October, Surgeon General C. Everett Koop released a report on AIDS, which we previously sent to you. We have and continue to receive requests by Members of Congress for additional copies of this report.

I'm writing to you to advise you that more copies of the report can be made available for your use and we will provide them as expeditiously as possible.

Our knowledge about AIDS is continually being increased and we will share new information with you as it becomes available.

There are two areas in the report which need clarification as a result of questions raised since it was issued. One concerns the implication that use of a condom offers total protection. While it does offer substantial protection it cannot be considered total. The other concerns the presence of the virus in saliva and kissing. There is no scientific evidence that kissing with exchange of saliva has caused infection with AIDS, but as long as the virus has been found in saliva, no one can say that transmission by kissing with exchange of saliva would be absolutely impossible.

If you wish to obtain copies of the Surgeon General's Report of October 1986, please write to:

Robert E. Windom, M.D.
Assistant Secretary for Health
Department of Health and Human Services
Washington, D.C. 20201

AIDS is our highest public health priority and I am committed to sharing with you all new developments relating to this disease.

Respectfully yours,

Otis R. Bowen, M.D.
Secretary

CHRONOLOGY OF EVENTS RELATING TO REPRESENTATIVE BOXER'S REQUEST

<u>Date</u>	<u>Description</u>
July 1, 1987	Representative Boxer requests 110,000 copies from HHS.
July 11, 1987	The Congress passes \$20 million supplemental appropriation for AIDS information.
July 24, 1987	HHS replies to Representative Boxer indicating that her order will be expedited as soon as copies are available from the printer.
July 27, 1987	According to a CDC official, a requisition for 6.7 million copies is sent to GPO.
July 27, 1987	HHS Office of the Secretary calls CDC requesting a delay in printing until the White House can meet with the Surgeon General to discuss the possibility of amending the report.
July 28, 1987	\$20 million supplemental appropriation becomes available for CDC use.
July 31, 1987	GPO's Atlanta office receives CDC requisition.
July 31, 1987	Member of the White House Domestic Policy Council meets with the Surgeon General to discuss amending the report.
August 7, 1987	GPO awards contract to Atlanta printing firm.
August 11, 1987	CDC receives letter from three Members of Congress proposing that reports be distributed as self-mailers.
September 2, 1987	HHS letter agrees to the use of self-mailing brochures.
September 21, 1987	House Commission on Mailing Standards approves the use of self-mailing brochures.

September 29, 1987 Letter from House Doorkeeper to all Members of Congress states that Commission on Mailing Standards has approved the use of self-mailing brochures.

September 29, 1987 CDC informs Representative Boxer's office that report may be printed as a self-mailer using the Representative's frank.

September 30, 1987 Phone call from Representative Boxer's office to CDC approving self-mailing option for initial order of 110,000 copies.

October 1, 1987 Scheduled completion date for CDC order for 6.7 million copies.

October 6, 1987 Phone call from Representative Boxer's office to CDC requesting an additional 71,000 self-mailing copies of the report.

October 19, 1987 CDC receives Representative Boxer's frank. CDC also receives written confirmation of Representative Boxer's request for an additional 71,000 self-mailing brochures.

October 22, 1987 CDC sends new requisition to GPO requesting additional copies to be printed with Representative Boxer's frank.

October 26, 1987 New requisition order for self-mailing brochure received by GPO's Atlanta office.

October 30, 1987 GPO awards new contract to Philadelphia printing firm.

November 23, 1987 Scheduled delivery date for Representative Boxer's order, according to GPO contract.

November 24, 1987 Delivery of 129,600 copies.

November 24, 1987 Delivery of 39,960 copies.

December 1, 1987 Phone call from Representative Boxer's office to CDC reducing total order from 181,000 to 165,000.

FEBRUARY 22, 1987, CORRESPONDENCE
FROM THE COUNSEL TO THE PRESIDENT

THE WHITE HOUSE

WASHINGTON

February 22, 1988

Dear Mr. Peck:

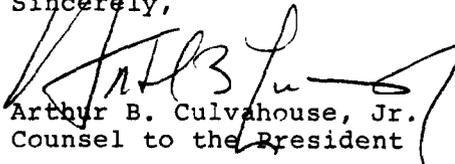
Thank you for your letter dated January 21, 1988, inviting Gary L. Bauer, the Assistant to the President for Policy Development, to meet with the GAO to discuss the role of the White House Domestic Policy Council in the development of AIDS policy.

Pursuant to long-standing White House policy, and in furtherance of comity between the separate and co-equal branches of the Federal government, information concerning specific advice to the President and the persons who provide it is considered confidential and within the exclusive province of the Executive. This policy has required, as an example, that the White House decline invitations for Assistants to the President to testify before the Congress. For the same reason, we must respectfully decline your invitation for Mr. Bauer to respond to inquiries propounded by the GAO in the course of an investigation requested by a Member of Congress.

Faithful observance of this long-standing policy should not, however, impede the current investigation by GAO of the distribution of the Surgeon General's report on AIDS. We understand that the Department of Health and Human Services has already made available to the GAO information explaining any delays in meeting requests for copies of the report from Members of Congress. Indeed, information concerning guidance provided to the Department of Health and Human Services generally should be available to GAO from sources outside the White House.

Thank you for your courtesy in this matter.

Sincerely,



Arthur B. Culvahouse, Jr.
Counsel to the President

Mr. George D. Peck
Group Director
Human Resources Division
General Accounting Office
Washington, D.C. 20548

DATA ON PRINTING ORDERS FOR THE SURGEON GENERAL'S REPORT ON AIDS

Number printed	Cost per copy (cents)	Date of contract award	Final Scheduled shipping date	Printing and delivery time (days) ^a
50,766	18.7	10/8/87	10/28/87	21
100,747	20.2	7/22/87	7/31/87	10
200,010	17.3	12/4/86	12/12/86	9
200,746	12.9	10/19/87	10/30/87	12
225,746	18.0	2/12/87	2/19/87	8
226,010	11.0	12/10/87	12/31/87	22
250,010	13.9	11/27/87	12/29/87	33
250,010	13.9	11/27/87	12/29/87	33
500,631	12.9	4/21/87	5/8/87	18
1,000,000	11.6	5/18/87	6/11/87	25
1,000,000	12.7	7/30/87	8/21/87	23
1,075,000	11.1	10/30/87	11/30/87	32
1,200,000	10.6	10/7/87	10/28/87	22
2,000,010	11.4	11/19/87	12/29/87	41
6,775,000	9.8	8/7/87	10/1/87	56

^aPrinting and delivery time is measured from the date of the contract award to the final scheduled shipping date agreed to by the contractor and includes the date of the contract award. The table includes all orders submitted by CDC from October 1986 to December 1987.

JULY 31, 1987, MEMO FROM ACTING ASSISTANT DIRECTOR (AIDS)

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service
Centers for Disease Control**Memorandum**

Date July 31, 1987

From Acting Assistant Director (AIDS)

Subject Congressional Requests for the Surgeon General's Report

To For the Record

Following is a chronology of events related to congressional requests for the Surgeon General's report. Surgeon General Koop made a suggestion that Congressmen may wish to use their franking privileges to distribute copies of his report on AIDS to their constituents.

- o In May, Congressman Studds requested 290,000 copies of the report.
- o The last week in May, Dr. Dowdle, after discussions with Drs. Mason and Windom, authorized the delivery of 290,000 copies to the Congressmen.
- o Mr. Studds then wrote to other Members of Congress urging them for follow his lead.
- o Ms. Shellie Lengel, in her role as the contact person for requests for the Surgeon General's report, began to receive calls from Congressman's offices for large numbers of copies of the reports.
- o It was learned that Capitol Hill facilities were not adequate to expeditiously handle such large requests--it took 2 weeks to get Congressman Studd's mailing processed.
- o Also, the PHS distributor, InterAmerica, could not handle such requests within the existing contract or with existing facilities.
- o With the total request approaching ~~16~~ ^{copies} million, it was obvious that there could be serious logistical problem since neither our contractor nor Capitol Hill was equipped to handle the growing volume of requests. On June 17, I asked Bob Foster and Dave Rowe to explore with PHS the possibility of working out arrangements with the Capitol to expedite the distribution and mailing of the reports.
- o During the week of June 22, the administrative staff at PHS indicated that it could be possible to work out some large volume storage, but they did not know if this would solve the problem because there would still be the congressional franking process and the labeling problem to deal with.

Page 2 - For the Record

- o On June 24, I approved a draft letter from Dr. Mason to be sent each of the Congressmen, advising them that we were developing a system for printing, staging, and delivery of the reports and that we would be back in touch as soon as we knew when to expect to receive the copies requested.
- o On June 29, Dr. Mason discussed the status of the congressional distribution of the Surgeon General's report with Drs. Windom and Harmison and Mr. Forbush. He was advised at that time that we should not get involved in the logistics of the distribution, that we should simply get an address from each Congressman and mail the number of copies requested to that address.
- o On July 6, I approved a redrafted memo to the Congressmen for Dr. Windom's signature which requested the address to which each order should be sent. This was approved at CDC and sent forward to OASH for review and approval. On July 16, we received word that OASH/Exec Sec did not approve our draft, wanted to delete the request for an address, and also wanted to have all of the small requests by Congress signed by Windom, as well as the response concerning large requests.
- o On July 20, OASH/Exec Sec changed their mind and told us to include a request for an address and approved adding an indication of the size of the order in terms of cubic feet.
- o On July 23, Dr. Windom signed the letters that had been prepared by CDC and sent in overnight pouch to OASH.
- o On July 27, 1987, in response to a call from Congressman Levin, the Under Secretary called and ordered us to meet a portion of Congressman Levine's request immediately (75,000) with the remainder being delivered as soon as additional copies were printed.
- o On July 27, we were requested by Mr. Cheetoff from the Office of the Secretary to hold up on placing the printing order with GPO until there was time for the White House to have a meeting with the Surgeon General to consider the possibility of amending the report.

cc:
 Dr. Mason
 Dr. Dowdle
 Debbie Mathis
 Barbara McMichen
 Karen Lindauer

James Bloom
 James Bloom

No changes were made and printing process continued uninterrupted.

[Handwritten initials]

(118224)

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