



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D C 20548

LOGISTICS AND COMMUNICATIONS
DIVISION



B-114829

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SEPTEMBER 13, 1979

Mr. William G. Phillips, Staff Director
Committee on House Administration
House of Representatives

Dear Mr. Phillips:

Subject: [Comments on House Bill 4572 and Senate
Bill 1436 To Amend Title 44, United
States Code (LCD-79-433)]

This report is in response to the Chairman's July 31, 1979, letter concerning House bill 4572 and Senate bill 1436. The stated purpose of both bills is to amend title 44 of the United States Code to provide for improved administration of public printing services and distribution of public documents. The Chairman informed us that the Committee will review all the constructive suggestions and amendments to the bills submitted during recent hearings and will introduce a clean bill to incorporate many of the proposed changes. In this regard, the Chairman's letter, which we received on August 6, invited us to submit any additional amendments which we would like considered for inclusion in the clean bill.

The bills would, among other things, terminate the role of the Joint Committee on Printing, create the Government Printing Office (GPO) as an independent establishment of the Government, establish a Board of Directors at the head of GPO, and consolidate the control of all printing and distribution of Government documents under GPO.

On July 24, 1979, we testified during hearings on the bills. We expressed our concern as to whether the existing organizational structure is the most appropriate to achieve and to satisfy total Government printing and distribution needs. We then gave our views, based on our prior work in the area, on possible alternative structures. We recognized that the structure provided for in the bills was a possible alternative to correct certain problems we had noted. In highlighting our views about the advantages and disadvantages of the structure and the other provisions of the bills,

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we listed as advantages the potential savings through centralization of the management of printing and distribution, as well as more effective distribution of Government documents to the public. We cited as disadvantages the additional costs associated with increasing efforts to collect and catalogue all public documents as defined in the bills. Regarding the potential savings and additional costs, we understand that the Congressional Budget Office has, or will, provide you with information on the estimated cost impact of the bills.

Regarding the invitation to submit additional amendments to the clean bill not suggested during the recent hearings, we have reviewed the numerous bill revisions or amendments suggested by witnesses during these hearings. We believe that the witnesses have identified most of the problem areas in the current bills, but we have noted certain provisions of the bills that need clarification which these witnesses may not have adequately identified or fully discussed. Because of the short time frame given us to suggest additional amendments and our lack of knowledge as to provisions in the clean bill, we met with Mr. Howell, a Committee staffmember, on August 20, 1979, to discuss most of the comments listed below.

CLARIFICATIONS NEEDED

Section 301

This section should be clarified to clearly state whether or not GPO, which is defined as an independent establishment, will be in the executive branch.

Section 302

This section should be clarified to spell out whether or not the Chairman of the Board will be the chief executive officer in GPO.

Section 303(e)(1)(E)

This provision appears to create a financial burden on part-time, voting Board members since they cannot engage in employment which is likely to create a conflict of interest. The provision can be clarified by specifying that individual Board members may not vote on matters on which they are likely to have a direct financial interest.

Section 308(a)(2)

This provision appears too broad because it does not limit the number of employees which can be hired as the Board's staff or the number that can be hired or retained at specified grades. And it does not provide any guidelines as to required qualifications of the staff. The provision may encourage political appointments and a higher number of supergraded staffmembers.

Section 312

We already have the authority, under separate legislation, to perform audits of GPO's financial statements. The frequency of such audits is at our discretion, rather than once every 3 years as specified in this section. Since such authority exists, we believe that this section is unnecessary and suggest that it be deleted. However, if section 312 is not deleted because of the desire that the requirement that the Comptroller General examine GPO's financial statements at least once every 3 years be continued, then we believe that the phrase "audit the activities" is too broad and suggest substituting "financial statements" for "activities" to more clearly state the intent.

Section 313

Although this section continues the existing exception to Federal procurement law on advertised and negotiated procurements, we believe that the method of obtaining printing services should be through open competitive bidding to the extent possible. In those cases where advertising is impractical, requests for proposals should be sent to potential suppliers to obtain as much competition as practical.

Section 502(b)(1)(A)

This provision appears to authorize agencies to acquire public printing services for unspecified periods of time without GPO's approval. If this is the intent, it should be clearly specified.

Section 704(b)(2)

This provision allows GPO to offer discounts on the sale of public documents to dealers and quantity purchasers, but it does not explain how the difference between the cost of production and distribution of such documents and the sales price will be funded.

General

The bills need to be clarified as to intent with respect to (1) the authority and responsibility for establishing compensation for the trades and crafts employees now under the Public Printer and (2) whether these employees will be in the excepted or competitive service. Also, clarification is needed as to how compensation will be established for the rest of the GPO employees--other than the Board, its immediate staff provided by section 308(a), the Public Printer, and the Superintendent of Documents--and whether these employees will be in the excepted or competitive service.

AMENDMENT NEEDED

We feel that an immunity clause is needed for the Board, its members, the Public Printer, the Superintendent of Documents, and others in GPO when they are merely printing or distributing documents under orders from other agencies or the Congress. Our suggested wording for such a clause follows:

"The Government Printing Office and its Officers and employees shall not be liable for the contents or dissemination of any publication it is ordered to print or distribute by the Congress or any agency. This section shall not relieve the ordering agency or official from any liability for which such agency or official would otherwise be subject."

We appreciate your invitation to comment on the proposed bills and we will be glad to discuss our comments or assist you in any other way.

Sincerely yours,



 R. W. Gutmann
Director