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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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IN REPLY REFER TO: B-129874

JUN 19 1979

The Honorable George E. Daniels ^{GA not make available to public reading}
Chairman, Subcommittee on Administrative
Law and Governmental Relations
Committee on the Judiciary
House of Representatives

file 02501

Dear Mr. Chairman:

We understand the full Committee will consider H.R. 4395 in the near future. In our opinion, H.R. 4395, entitled the "Public Disclosure of Lobbying Act of 1979," is a greatly improved disclosure measure. The purpose of this letter is to confirm for the record that H.R. 4395 represents the kind of lobbying disclosure law we would be willing and able to administer. We consider the bill enforceable, essentially fair, and conducive to sound and effective administration. *GAO*

In testimony before the Subcommittee, we and others recognized that one unusual and crippling feature of the present lobbying law is that the officials responsible for administration act only as repositories of information; they lack authority to provide meaningful assistance and guidance to lobbyists, to provide oversight to ensure that information received is accurately reported in a timely and complete manner, and to handle minor or routine compliance problems for which prosecution is neither necessary nor desirable. Our 1975 report on the present law, together with studies performed by others, confirmed, among other matters, the near total ineffectiveness of this kind of administration.

Before the Subcommittee revised H.R. 81 (now H.R. 4395), the bill proposed a scheme of administration and enforcement almost identical to that of the present law. We considered effective administration under those conditions to be impracticable, and were concerned that the Comptroller General would be placed

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in the anomalous and awkward position of appearing responsible for administration and for providing complete lobbying information, when, in fact, he would lack the tools to administer the law effectively. Our position was based on the experience of the present law, whose reporting requirements are minimal and almost completely dissimilar to the comprehensive reporting requirements envisioned by H.R. 4395. We believed the problems encountered in administering the very limited requirements of the present law would be compounded if the present law's statutory scheme of administration were retained.

As reported by the Subcommittee, H.R. 4395 corrects, among other matters, the bulk of the (administrative and enforcement deficiencies contained in existing law. The Comptroller General would be in a better position under H.R. 4395 to apply his resources productively to provide meaningful and complete lobbying information to the Congress and the public, to provide assistance and guidance to lobbying organizations, and to attempt correction of minor or routine compliance problems for which prosecution is neither necessary nor desirable.) We believe these amendatory actions are sound and conducive to effective administration.

Finally, a question was raised during the Subcommittee's proceedings on H.R. 81 whether GAO would be in a position to provide the computer and technical services required by the bill. These services would involve, among others, cross-indexing, computerized retrieval of reported information, and microfilming of registration statements and quarterly reports. We have the capacity to perform these services; we have for some time provided computer support and related technical services in connection with the preparation of Reports to the Congress and other functions of this Office. Because the comprehensive disclosure requirements of H.R. 4395 are not analogous to the limited requirements of existing law, however, we believe our technical staff will need to develop and tailor reporting forms and computer programs to the requirements of the new law, rather than to rely on existing forms and programs developed under the current but dissimilar Federal Regulation of Lobbying Act.

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We hope this information will prove useful to the Committee, and will be pleased to provide any additional assistance or information you might require.

Sincerely,

W. F. Kittling
Deputy Comptroller General
of the United States