

## **JCP TELLS GPO TO GRANT WAIVERS TO AGENCIES —BUT PROVIDES NO GUIDELINES**

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If you do not think Washington is a strange place, try to follow what happened during the end of 1998 and the beginning of 1999 on the print reform-GPO issue.

The JCP staff first supported S2288, a bill that would have dramatically reduced the printing over which the GPO has control by limiting its authority to “Government publications”—excluding printing used internally by the agencies. Then S2288 was amended to include all types of printing under the GPO’s authority and basically confirmed its long standing power over government printing.

Apparently Congress felt that S2288, which included a provision dissolving the Joint Committee on Printing was going to pass, and took away all the funding for the JCP staff. Although S2288 did not pass, and there is still a Joint Committee on Printing with all the powers it ever had, the Committee has no staff. As far as we know, the sole individual manning the Committee is Staff Director, Linda Kemp.

To make matters even more confusing, Senator John Warner, Chairman of the Committee through the end of 1998, sent Mike DiMario, the Public Printer, a letter on December 17, 1998, downloading some of the authority of the JCP (such as issuing printing and binding regs and establishing paper specs) to the GPO. This seemed appropriate, since the JCP has no staff to perform these functions. In the same letter, Warner directed the Public Printer to “grant waivers to agencies enabling them to directly procure printing” and “to grant waivers enabling agencies to directly procure work costing \$1,000 or less, thus enabling these agencies to procure their printing needs in the most efficient manner possible.” Outsiders who read the letter assumed that Warner was telling the GPO to begin letting agencies buy their own printing through the grant of waivers. Some insiders confirmed that was the intent.

Whatever the intent was, the language in the letter was not very clear. Did it mean that GPO should grant waivers under its statutory authority to do so if it thought that was the right thing to do? Or did it mean GPO should just grant waivers whenever the agencies asked for them? GPO obviously accepted the former interpretation, and saw Warner’s letter as no more than a confirmation of previously existing authority. As a result, it determined that it would not grant waivers just because agencies asked, unless the Public Printer determined they were appropriate. As of this writing, we do not know whether or not the new JCP Chairman, Bill Thomas (R-CA), will put some teeth into the Warner memo by adding specific instructions, or whether the matter will just die. One thing we do

know, however, it that Thomas himself may be prone to override the GPO's refusal to grant agency waivers where the agency presents a strong case for handling its own print purchasing. Recently, just such a waiver was granted by the JCP to the Social Security Administration so that they could handle the purchasing of their own Social Security checks.

It remains to be seen whether GPO will begin to grant some waivers either for small jobs for complex or unique jobs—or will continue their long standing policy of refusing to grant waivers except in the most unusual circumstances. It will also be interesting to see whether or not the new JCP, under the leadership of Chairman Thomas, will begin to grant a substantial number of waivers allowing agencies to purchase their own printing—which the JCP has authority to do under 44 U.S.C. §103 and 44 U.S.C. §504.

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