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15/12/27

APPROVED
DEC 27 1974
Statement Issued
12/27

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: December 27

December 23, 1974

To Archive
12/31

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLE *C*
SUBJECT: H.R. 16424
Commission on Federal Paperwork

Attached for your consideration is H.R. 16424, sponsored by Representatives Horton, Holifield and Yatron.

The enrolled bill would establish a temporary Commission on Federal Paperwork and direct it to make a comprehensive study of all Federal paperwork generated by various reporting requirements, and report its findings and recommendations to the Congress and the President within two years.

The fourteen-member Commission would consist of two senators and two congressmen who are members of different political parties to be appointed by the presiding officers of their respective Houses; the Director of OMB; one other Federal executive branch official, to be appointed by the President; the Comptroller General; two State and local officials of different political parties, to be appointed by the President; and five persons from the private sector, to be appointed by the President.

OMB recommends approval and provides you with additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval. Paul Theis has approved the text of the signing statement.

RECOMMENDATION

That you sign H.R. 16424 (Tab B)

Approve Signing Statement (Tab C)

RCF

Disapprove Signing Statement



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16424 - Commission on Federal
Paperwork
Sponsors - Rep. Horton (R) New York, Rep. Holifield
(D) California, and Rep. Yatron (D) Pennsylvania

Last Day for Action

December 27, 1974- Friday

Purpose

Establishes a temporary commission of experts to study Federal paperwork generated by various reporting requirements.

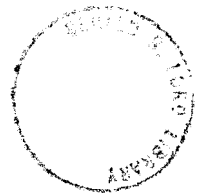
Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
General Services Administration	Approval (Informally)
Civil Service Commission	Approval

Discussion

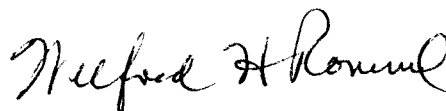
The enrolled bill, which was supported by the Office of Management and Budget, the General Services Administration, the Justice Department, and the Civil Service Commission in hearings before the House Committee on Government Operations, would:

- establish a Commission on Federal Paperwork to examine statutes, policies, rules, regulations, procedures and practices of the Federal Government relating to information gathering, processing, and dissemination, and the management and control of these information activities;



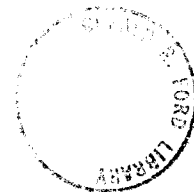
- authorize the new Commission to hold hearings, subpoena witnesses and require the production of information documents;
- require the Commission to report within two years to the Congress and the President, recommending appropriate changes to existing statutes, policies, rules, regulations, and procedures;
- charge the Office of Management and Budget (upon submission of the Commission's final report) with responsibility for coordinating the formulation of executive agencies' views on the Commission's recommendations and the implementation of such recommendations;
- provide for the Commission to terminate 120 days after the submission of its final report; and
- authorize appropriations of "such sums as may be necessary to carry out the provisions of this Act."

The fourteen-member Commission would consist of two senators and two congressmen who are members of different political parties, to be appointed by the presiding officers of their respective Houses; the Director of OMB; one other Federal executive branch official, to be appointed by the President; the Comptroller General; two State and local officials of different political parties, to be appointed by the President; and five persons from the private sector, to be appointed by the President.



Assistant Director for
Legislative Reference

Enclosures



STATEMENT BY THE PRESIDENT

I am pleased to sign today H.R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are not pleasant, frequently annoying, sometimes overwhelming and often costly and time-consuming. To the Government, adequate information is vital if it is to have responsible policy-making and effective operation of agency activities.

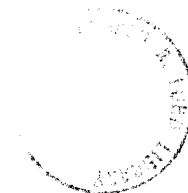
For over 30 years, we have had a public policy of holding Government reporting and recordkeeping requirements to a minimum. These efforts have achieved substantial results, but have not stemmed the increasing tide of Government reporting requirements.

Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

It has a broader scope. It will look at laws, regulations, rules, policies, procedures and practices relating to the gathering, processing, and dissemination of information as well as at the management and control of these activities.

No less important is the composition of the Commission. It brings together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All are involved in the paperwork problem in one way or another. It is fitting that we all share the opportunity and responsibility of reexamining our present policies and procedures and recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public.

I look forward to seeing the results of the Commission's work.



UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, DC 20405



DEC 20 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Ash:

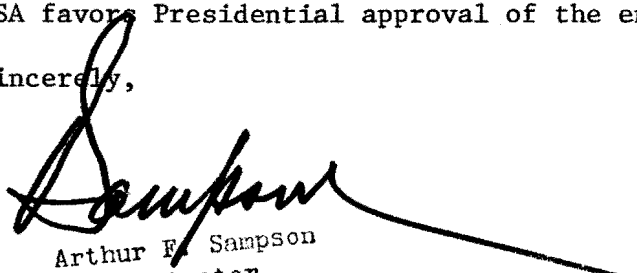
By referral dated December 19, 1974, from the Assistant Director for Legislative Reference, your office requested the views of the General Services Administration on enrolled bill H.R. 16424, 93rd Congress, an act "To establish a Commission on Federal Paperwork."

The bill would establish a 14-member Commission on Federal Paperwork. The purpose of the Commission would be to reduce the paperwork burden, caused by Federal information reporting requirements, upon private citizens, recipients of Federal assistance, business, governmental contractors, and State and local governments. The Commission would deal with the broad range of paperwork involving the collection, processing, use, and disposition of recorded information by Government agencies.

We believe that establishment of the Commission as proposed would further the accomplishment of the objective which is sought, and contribute greatly to efficiency and economy in Government.

GSA favors Presidential approval of the enrolled bill.

Sincerely,


Arthur F. Sampson
Administrator



Keep Freedom in Your Future With U.S. Savings Bonds



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

December 18, 1974

Honorable Roy L. Ash
Director
Office of Management and Budget

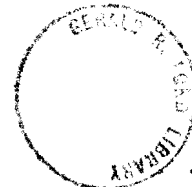
Attention: Assistant Director for
Legislative Reference

Dear Mr. Ash:

This is in response to your request for the views and recommendation of the Civil Service Commission on enrolled bill H.R. 16424, a bill "To establish a Commission on Federal Paperwork."

Enrolled bill H.R. 16424 would establish a fourteen-member Commission on Federal Paperwork to study the reporting requirements the Federal Government imposes on private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments. The commission would make a final report of its findings to the Congress and the President within two years of the date of its first meeting, and would cease to exist four months after making this final report.

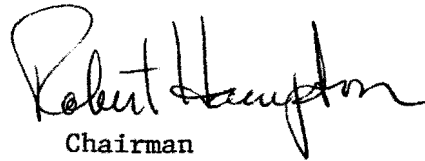
We have reviewed the personnel provisions of this enrolled bill, and we have no objections to these provisions. The seven members of the Paperwork Commission who would not be full-time officers or employees of the Government would be paid at the rate for GS-18, which is the rate generally provided for members of important advisory groups of this sort. The employees of the Paperwork Commission would be excepted from the competitive service and the General Schedule classification and pay system, but could not be paid more than the maximum rate of the General Schedule. In view of the limited duration of the Paperwork Commission, we do not object to this provision. The Commission would be authorized to procure the services of experts and consultants at rates not to exceed the maximum rate of the General Schedule, which is the maximum generally authorized for payments to experts and consultants.



We recommend, from the standpoint of the personnel provisions of enrolled bill H.R. 16424, that the President sign this enrolled bill into law.

By direction of the Commission:

Sincerely yours,


Chairman



Note from Max Friedersdorf. Cong.
Horton requests signing ceremony.

Judy

Also, Powell Moore has comments on
action sheet re statement



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 807

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: Geoff Shepard *oh*
Phil Areeda *ok*
Max Friedersdorf *ok*cc (for information) Warren Hendriks
Jerry Jones*Paul Theris*

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 16424 - Commission on
Federal Paperwork

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

WASHINGTON

December 21, 1974

MEMORANDUM FOR: WARREN HENDRIKS

FROM: MAX L. FRIEDERSDORF

SUBJECT: Action Memorandum - Log No. 807
Enrolled Bill H.R. 16424 - Commission on
Federal Paper work

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Frank Horton requested signing ceremony.

Attachment



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 16424 - Commission on Federal
Paperwork
Sponsors - Rep. Horton (R) New York, Rep. Holifield
(D) California, and Rep. Yatron (D) Pennsylvania

Last Day for Action

December 27, 1974- Friday

Purpose

Establishes a temporary commission of experts to study Federal paperwork generated by various reporting requirements.

Agency Recommendations

Office of Management and Budget	Approval (Signing statement attached)
General Services Administration	Approval (Informally)
Civil Service Commission	Approval

Discussion

The enrolled bill, which was supported by the Office of Management and Budget, the General Services Administration, the Justice Department, and the Civil Service Commission in hearings before the House Committee on Government Operations, would:

- establish a Commission on Federal Paperwork to examine statutes, policies, rules, regulations, procedures and practices of the Federal Government relating to information gathering, processing, and dissemination, and the management and control of these information activities;

To
Sharon Hendricks
12-20-74
1:00 p.m.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 807

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda
Max Friedersdorf ✓
Paul Theis

cc (for information) Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 16424 - Commission on
Federal Paperwork

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks



REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

12/21/74

Some 26 Senators have written the TP recommending that he make an oral statement at signing to effect that he is calling upon the entire bureaucracy to immediately begin taking steps to cut-back on unnecessary paperwork. Suggest statement

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

(attached) be beefed up to reflect similar sentiment.
Warren K. Hendriks
For the President
(Podomell)

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 807

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda
Max Friedersdorf

cc (for information) Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 16424 - Commission on
Federal Paperwork

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Ok

A.L. Jones for G.C.S.



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

725

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 807

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda *ok*
Max Friedersdorf
Paul This

cc (for information) Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 16424 - Commission on
Federal Paperwork

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*W. Johnston
P. Areeda
12/23*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks _____
For the President

Date: December 20, 1974

Time: 9:30 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda
Max Friedersdorfcc (for information) Warren Hendriks
Jerry Jones*Paul Theris - gc 12/23/74*

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 16424 - Commission on
Federal Paperwork

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

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If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks _____
For the President

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

← I am pleased to ^(have) sign ~~today~~ H.R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are not pleasant, frequently annoying, sometimes overwhelming and often costly and time-consuming. To the Government, adequate information is vital if it is to have responsible policy-making and effective operation of agency activities.

← For over 30 years, we have had a public policy of holding Government reporting and recordkeeping requirements to a minimum. These efforts have achieved substantial results, but have not stemmed the increasing tide of Government reporting requirements.

← Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

← It has a broader scope. It will look at laws, regulations, rules, policies, procedures and practices relating to the gathering, processing, and dissemination of information as well as at the management and control of these activities.

← No less important is the composition of the Commission. It brings together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All are involved in the paperwork problem in one way or another. It is fitting that we all share the opportunity and responsibility of reexamining our present policies and procedures and recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public.

← I look forward to seeing the results of the Commission's work.

[Handwritten initials]



OCTOBER 27, 1974

Office of the White House Press Secretary
(Vail, Colorado)

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I am pleased to have signed H. R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are not pleasant, frequently annoying, sometimes overwhelming and often costly and time-consuming. To the Government, adequate information is vital if it is to have responsible policy-making and effective operation of agency activities.

For over 30 years, we have had a public policy of holding Government reporting and recordkeeping requirements to a minimum. These efforts have achieved substantial results, but have not stemmed the increasing tide of Government reporting requirements.

Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

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No less important is the composition of the Commission. It brings together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All are involved in the paperwork problem in one way or another. It is fitting that we all share the opportunity and responsibility of reexamining our present policies and procedures and recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public.

I look forward to seeing the results of the Commission's work.

#



STATEMENT BY THE PRESIDENT

I am pleased to sign today H.R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are not pleasant, frequently annoying, sometimes overwhelming and often costly and time-consuming. To the Government, adequate information is vital if it is to have responsible policy-making and effective operation of agency activities.

For over 30 years, we have had a public policy of holding Government reporting and recordkeeping requirements to a minimum. These efforts have achieved substantial results, but have not stemmed the increasing tide of Government reporting requirements.

Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

It has a broader scope. It will look at laws, regulations, rules, policies, procedures and practices relating to the gathering, processing, and dissemination of information as well as at the management and control of these activities.

No less important is the composition of the Commission. It brings together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All are involved in the paperwork problem in one way or another. It is fitting that we all share the opportunity and responsibility of reexamining our present policies and procedures and recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public.

I look forward to seeing the results of the Commission's work.



STATEMENT BY THE PRESIDENT

I am ~~particularly~~ pleased to sign today H.R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are ~~never pleasurable~~ ^{not pleasant}, frequently annoying ~~and~~ sometimes overwhelming, ^{and often costly and time-consuming.} To the Government, adequate information is vital if ~~we~~ ^{it is} to have responsible policy-making and effective operation of agency activities.

For over 30 years, we have had a public policy ~~to hold~~ ^{to hold} holding Government reporting and recordkeeping requirements to a minimum. ~~For over 30 years the Director of OMB and his staff have worked earnestly to implement that policy.~~ ^{rather} These efforts, ~~while achieving~~ ^{have} substantial results, ^{but} have not stemmed the ^{increasing} tide of Government reporting requirements, ~~as much as had been~~ hoped.

Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

^{has} It ~~will~~ have a broader scope. It will look at laws, regulations, rules, policies, procedures and practices relating to the gathering, ~~the~~ processing, and ~~the~~ dissemination of information as well as at the management and control of these activities.

^{no} ~~Not~~ less important is the composition of the Commission. It ~~will bring~~ ^{bring} together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All ~~of us~~ are involved in the paperwork problem in one way or another. It is ~~only~~ fitting that we all



share the opportunity and responsibility of reexamining our present policies and procedures and ~~and~~ recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public, ~~in the process of collecting it.~~

I ~~shall~~ look forward to seeing the results of the Commission's work. ~~In the meantime, I shall continue to look to the Director of the Office of Management and Budget to continue to carry out his duties under the Federal Reports Act fully and effectively.~~



COMMISSION ON FEDERAL PAPERWORK

OCTOBER 1, 1974.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOLIFIELD, from the Committee on Government Operations, submitted the following

REPORT

[To accompany H.R. 16424]

The Committee on Government Operations, to whom was referred the bill (H.R. 16424) to establish a Commission on Federal Paperwork, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

On page 5, immediately after line 2, insert the following:

(d) Upon submission of the Commission's final report, the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six months, the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report shall be submitted within two years.

PURPOSE AND SUMMARY

The bill, H.R. 16424, would establish a temporary commission of experts to study Federal paperwork generated by various reporting requirements. It would be a mixed commission of 14 members from government and the private sector. The government commissioners would be drawn from Federal and State and local bodies. The Federal Government representatives would include membership of the House, the Senate, and the executive branch. The Commission membership would be bipartisan and would elect its Chairman and Vice Chairman.

Two members of the Commission are specified in the statute—the Comptroller General and the Director of the Office of Management and Budget.

Recognizing that the issues involved in Federal paperwork involve great detail and broad policies, the bill calls for a high-level study effort to determine what changes in Federal policy and procedures will be required to minimize Federal paperwork consistent with the Government's need for information to set policy and operate its lawful programs.

The Commission would have a broad mandate to study and investigate "statutes, policies, rules, regulations, procedures, and practices of the Federal Government relating to information gathering, processing and dissemination, and the management and control of these activities." Its findings and recommendations must be reported to Congress and the President. The Commission would have 2 years to submit its report and would terminate 120 days thereafter.

Finding that "Federal information reporting requirements have placed an unprecedented paperwork burden on private citizens, recipients of Federal assistance, business, governmental contractors, and State and local government" and affirming a policy to minimize the reporting burden, the bill requires the Commission to consider several general areas for its investigation. The functions of the Commission are to study and investigate and not in any way to regulate or modify existing policies or statutory requirements.

The Commission would: (a) study and investigate statutes, policies, rules, regulations, procedures, and practices of the Federal Government relating to information-gathering, processing and dissemination, and the management and control of these responsibilities; (b) ascertain what changes are possible and desirable in existing statutes, policies and practices; and (c) make a final report to the Congress and the President within 2 years containing a review of its findings and its recommendations for change. The Commission is given a broad mandate to look into all aspects of Federal information activities and all issues which impact upon Federal information activities. Its recommendations are to include both policy and organization changes aimed at bringing about immediate and continuing improvements. The Congress, the President, and the agencies would then, of course, be free to accept, modify or reject the recommendations of the Commission.

The broad mandate for the Commission study is not limited to the specified subject for consideration. The Commission's function is to make a comprehensive study and meaningful recommendations to the Congress and the President for both administrative and legislative remedies to the great and growing paperwork burden.

NEED FOR THE BILL

Several committees of Congress have held lengthy hearings on various aspects of the paperwork burden. Its impact on small business has been dramatically documented in hearings held in May and June of 1972 before the Subcommittee on Government Regulation of the Senate Select Committee on Small Business. In the Congress, legislation has been introduced to relieve particular aspects of the burden by eliminating specific reporting requirements.

Fragmented attacks have been made on the problem.

An amendment to the Trans-Alaska Pipeline Authorization Act added a new section to the Federal Reports Act (44 U.S.C. 3512) which transferred from the Office of Management and Budget to the General Accounting Office responsibility for reviewing forms to be sent by independent regulatory agencies to collect information from the public. (The Office of Management and Budget retains responsibility for such reviews of other executive agency information requests.) The Comptroller General is also required to review all information-gathering practices of independent regulatory agencies. At the request of the Senate Committee on Government Operations, the General Accounting Office is conducting a study of the forms and reporting requirements of the Department of Labor. Not since 1942, however, has there been a comprehensive investigation of the Federal Government's information-gathering activities. That investigation resulted in passage of the Federal Reports Act in 1942. Since that time, the size of the Federal Government, the scope of its regulatory programs, and its capacity to collect, store and utilize information have expanded exponentially.

The problem is complex, with policy, economic, technical, and other related consideration. Chairman Holifield underscored this difficulty in this part of his opening statement at the hearings:¹

The question of how to curtail effectively and responsibly the paperwork burden imposed is very complex and necessitates thorough study. The needs of the Government for policymaking information, the economy and efficiency with which such information is collected, the cost both to the Government and respondents, the related issues of dissemination and duplication by various agencies within the Federal Government and State and local governments must all be considered by the proposed Commission.

Congressman Frank Horton, the ranking minority member on the Government Operations Committee, highlighted the need for a study as proposed in the bill in these terms:²

The Commission approach has two principal advantages. First, it provides a focal point for a short-term, high-level effort to study and make recommendations on complex problems. Second, it forces the consideration of the problem from a number of different perspectives, and certainly that is what is required when dealing with Federal paperwork. We have seen the advantages of the Commission approach in the work of the Commission on Government Procurement. That Commission's work was of a very high quality and produced recommendations to the Congress and the President which had considerable momentum and important public support. The Commission on Federal Paperwork, I believe, would be equally successful in building a case for significant changes and creating the momentum to make the changes.

¹ "Commission on Federal Paperwork," hearings before the Legislation and Military Operations Subcommittee of the Committee on Government Operations, U.S. House of Representatives, 93d Cong., 2d sess.

² Id.

In a report to the Congress, the General Accounting Office attempted to identify some of the costs of the Federal paperwork burden. The report stated:³

Storage of agencies' inactive records, which totaled over 11.5 million cubic feet at the end of fiscal year 1972, is a costly function of NARS (National Archives and Records Service). NARS officials estimate that about 5 percent of the records have permanent value and the rest will eventually be destroyed.

In 1955 a Hoover Commission task force report on records management stated that Federal agencies were spending about \$4 billion a year on paperwork. No one knows how much these agencies have actually spent in fiscal year 1973, but estimates indicated it could be as much as \$15 billion. . . .

No one really knows how much of the estimated \$15 billion spent on paperwork in fiscal year 1973 could be saved if agencies made a greater effort to control it. The potential benefit from improvements in this area can be illustrated by the calculation that Government-wide cost reductions of only 1 percent of the estimated \$15 billion would produce savings of \$150 million.

Mr. Phillip S. Hughes, Assistant Comptroller General of the United States, testified:⁴

Examples of data and information collection problems abound. For instance, during a study of data collection in the energy area, we found that there is no central agency in the Government responsible for directing or coordinating the collection of energy data, nor is there any agency whose principal responsibility is the analysis of energy data, as such. Yet, the magnitude and scope of energy data collection is enormous. As of March 1973, 15 major Federal agencies were circulating 145 energy-related questionnaires to the States and the private sector. These questionnaires require 11 million responses.

Over time, the Government needs to establish an integrated, comprehensive energy data system, building where possible on existing data collection systems and programs. As a useful first step, a single reference source or directory should be developed both to alleviate current confusion and aid in the long-range development of a comprehensive data system. We believe the Federal Energy Administration should take the lead in developing such a directory. The FEA has recently announced the creation of a National Energy Information Center to make available all energy-related information collected in all FEA programs, as well as information collected by other Federal agencies.

I think you will agree, Mr. Chairman, that despite all the attention given to the problem of paperwork, our approach

³ Report to the Congress by the Comptroller General of the United States, "Ways To Improve Records Management Practices in the Federal Government," (B-146743; Aug. 13, 1973), (pp. 5, 6, and 15).

⁴ Supra, footnote 2.

has been fragmented and many areas remain to be studied. The creation of a new special study commission will not be a panacea, but it is equally obvious that there is much work still to be done. We hope the Commission proposed in H.R. 16424 can begin to come to grips with the issue as a whole.

Another aspect of the problem has been the piecemeal attention of reporting requirements in individual statutes establishing agencies and programs over the years. These statutes, coming as they do from numerous committees of jurisdiction, have necessarily resulted in a duplication of collection effort and multiplication of forms to be filled out by the public. A commission is the logical vehicle for studying such overlap and preparing comprehensive legislation to coordinate statutory reporting requirements.

BACKGROUND AND HEARINGS

As mentioned above, a comprehensive study of the Federal paperwork problem has not been made in over three decades. After numerous fragmentary attempts by various committees of the Congress to deal with aspects of the problem, H.R. 12181 was introduced to require the General Accounting Office to conduct such a comprehensive review. That bill, introduced by Representative Gus Yatron with numerous cosponsors, was actively supported by many segments of the business community.

Hearings were held on June 5 and 6 on H.R. 12181, during which Mr. Yatron testified, "That is approximately the amount [\$36 billion] wasted each year by business and Government to produce, handle, process, and in many cases simply shuffle the paperwork generated by the burgeoning Federal bureaucracy. This places a tremendous drain on the vitality of the private sector and is perhaps the most obvious manifestation of bureaucratic redtape."⁵

The Comptroller General, however, opposed its enactment. In hearings on that bill he testified, "We informed the committee that such a study, involving about 6,000 forms, would require a very substantial amount of time, effort, and money. We estimated that it would take approximately 100 man-years of audit effort and about 2 years to complete."⁶

Members of the committee agreed that the burden must be reduced. The question was: What is the appropriate vehicle for making such a reduction? Recognizing the immensity of the task and the inability of the General Accounting Office to accomplish it without impairing its existing statutory audit, investigative, and other responsibilities, Mr. Horton suggested and the committee members discussed the possibility of establishing a temporary commission. After further discussions with Mr. Yatron, other Members of the House and Senate, the Comptroller General and the Director of the Office of Management and Budget, Mr. Horton introduced the bill H.R. 16424. That proposal drew widespread acceptance in the Congress, the executive branch, and the private sector.

⁵ "Bills Relating to the General Accounting Office," hearings before the Legislation and Military Operations Subcommittee of the Committee on Government Operations, U.S. House of Representatives, 93d Cong., 2d sess., p. 85.

⁶ Id., p. 40.

Following the hearings June 5 and 6 on H.R. 12181, additional hearings were held on H.R. 16424 on September 12, during which witnesses were heard and additional statements were received for the record. Senator Lloyd Bentsen stated:

I believe the bipartisan Commission is the right approach in view of the enormous scope of this sensitive area which outstrips the review capabilities of the GAO or congressional committees. The Paperwork Commission can be of service to the country in making specific proposals to assure better controls to eliminate excessive and duplicative Federal forms which are a substantial cost burden to the public and private sectors.⁷

Mr. Phillips S. Hughes, Assistant Comptroller General of the United States testified:

We endorse the concept of a commission to address the enormous and far-reaching problems involved in Federal reporting requirements.⁸

Mr. Dwight A. Ink, Deputy Administrator of the General Services Administration, testified:

We would welcome the establishment of this Commission to perform the paperwork tasks specified by this bill. These tasks cover enormous paperwork problems that have plagued Federal Government operations for many decades. I am pleased that the proposed Commission will be dealing with the broad range of paperwork involving the collection, processing, use and disposition of recorded information by Government agencies. We regard paperwork in a broad sense as including the management of forms, reports, directives, correspondence, machine readable records, recordkeeping and disposition of records, as well as the management of reporting requirements levied upon the public and State and local governments.⁹

Mr. Robert H. Marik, Associate Director for Management and Operations, Office of Management and Budget, testified:

I am glad to have the opportunity to be here this morning to give OMB's whole-hearted support to the proposal contained in H.R. 16424 to establish a Federal Paperwork Commission to undertake a broad examination into the Federal Government's information policies and procedures.¹⁰

Thomas S. Kleppe, Administrator of the Small Business Administration, wrote the Committee saying:

⁷ Supra, footnote 2.

⁸ Id.

⁹ Id.

¹⁰ Id.

SBA endorses the objectives of this bill and hopes the creation of such a commission to study the Federal paperwork problem will expedite the initiation of needed reforms.¹¹

Expressions of support were received from various organizations. No statements were received in opposition to the bill.

The General Accounting Office recommended that the act require that the executive branch review the recommendations of the Commission and report to the Congress on its findings and actions to implement the recommendations. The committee amendment requires such reports at least every 6 months for 2 years, at which time a final report will be submitted. The goal of achieving a reduction in paperwork must be achieved without enacting a statutory requirement for an additional permanent reporting requirement.

COMMITTEE ACTION

H.R. 16424 was introduced on August 14, 1974, by Representatives Horton, Holifield, and Yatron. Identical bills subsequently were introduced, cosponsored by 122 other Members of the House. Sponsors include 31 members of the Committee on Government Operations and all 12 members of the Subcommittee on Legislation and Military Operations.

On September 19, the Government Operations Committee ordered the bill reported favorably with amendments by a unanimous vote of 33 ayes, the Subcommittee on Legislation and Military Operations having previously recommended the bill to the full committee by a unanimous voice vote.

COST ESTIMATE

The bill provides for the appropriation of such sums as may be necessary. Drawing upon the previous experience of the Commission on Government Procurement, on which both the chairman and ranking minority member of the Government Operations Committee sat, this committee estimates that the 2-year Commission study will cost \$4 million. The Office of Management and Budget concurred in this estimate during the hearings on the bill.

SECTION-BY-SECTION ANALYSIS

Declaration of Purpose

Section 1 is a declaration of purpose consisting of three subsections. Subsection 1(a) is a congressional finding that Federal information reporting requirements have placed an unprecedented burden on people, businesses, and State and local governments. Section 1(b) declares it to be Federal Government policy to minimize the reporting burden consistent with its need for information. Section 1(c) is a congressional determination of the need for a renewed effort to imple-

¹¹ Id.

ment this policy, and for a reexamination of current Federal policies and procedures to ascertain what changes are desirable.

Establishment

Section 2 establishes a Commission on Federal Paperwork.

Functions of the Commission

Section 3 prescribes the functions of the Commission. Subsection 3(a) requires it to study Federal statutes, policies, rules, regulations, and procedures relating to information gathering, processing, and dissemination, and the management and control of these activities. The Commission is to consider (1) the nature and extent of current Federal requirements for information; (2) the effect of current statutes on Federal information requirements and authorities of Federal agencies to collect information; (3) the management and control over determinations of need and the choice of methods for information gathering, processing, and dissemination; (4) Federal agency cooperation with State and local governments and private agencies in information activities; (5) the procedures used and the impact of considerations of economy and efficiency, particularly with respect to costs burdening the Federal Government and others; (6) the impact of policies and practices for maintaining the confidentiality of information; and (7) other matters deemed relevant by the Commission.

Subsection 3(b) requires the Commission to ascertain changes desirable in statutes, policies, rules, regulations, procedures and practices relating to information activities to (1) assure availability of necessary information to Federal officials; (2) minimize the paperwork burden on others; (3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government; (4) maximize the usefulness of information to the Federal Government and the public; (5) reduce duplication of information gathering by Federal, State, and local governments, and by others; and (6) reduce the costs of Federal paperwork.

Subsection 3(c) requires the Commission to make a final report to the Congress and the President within two years of its first meeting, covering findings and recommendations for changes in statutes, policies, rules, regulations, procedures, and practices. When Congress is not in session, the report is to be submitted to the Clerk of the House and the Secretary of the Senate. The Commission may make interim reports.

Subsection 3(d) requires the executive branch to take follow-up action on the Commission report. It directs the Office of Management and Budget, in coordination with the Federal agencies, to formulate views on Commission recommendations, carry out those they agree with insofar as practicable, and propose legislation where necessary to carry out other recommendations with which they agree. Upon submission of the Commission's final report, the Office of Management and Budget is to report at least every six months and submit a final report within two years.

Membership of the Commission

Section 4 prescribes the membership of the Commission. Under subsection 4(a), there are to be 14 members consisting of two members

of the Senate, of different political parties, appointed by the President of the Senate; two members of the House, of different political parties, appointed by the Speaker of the House; the Director of the Office of Management and Budget; another official or employee of the executive branch appointed by the President; the Comptroller General of the United States; two appointed by the President from State or local government officials of different political parties; and five appointed by the President from among persons in the private sector, including small business, labor, and other interested groups, no more than three to be from the same political party.

Subsections 4 (b), (c), and (d) provide for the Commission members to select a Chairman and Vice Chairman from among themselves, for seven members to constitute a quorum, and for the filling of vacancies in the original manner of appointment without any effect meanwhile on the powers of the Commission.

Compensation

Section 5 provides for compensating members, other than full-time Federal Government officers or employees, at the equivalent of grade GS-18 for each day devoted to Commission work, and for payment to them of their diem and travel expenses while away from home or regular places of business in the same manner as provided by 5 U.S.C. 5703(b) for intermittent Government employees.

Powers of the Commission

Section 6 deals with the powers of the Commission. Under subsection 6(a), the Commission, or, at its direction, any member may hold hearings, take testimony and evidence, administer oaths, and require attendance of witnesses and production of evidence at any place within the United States.

Subsection 6(b) contains provisions (1) for the Commission to issue subpoenas signed by the Chairman or Vice Chairman to be served as a United States District Court subpoena; (2) for enforcement of testimony or subpoenas by the United States District Court on application of the Attorney General of the United States and for punishment of any disobedience of a court order as a contempt; and (3) for excusing any person from testifying or producing evidence on grounds of self-incrimination.

Subsection 6(c) authorizes the Commission to appoint and compensate its employees without regard to the competitive service requirements of title 5 of the U.S. Code, or the classification requirements and General Schedule pay rates prescribed by subchapter III of Chapter 53, title 5 of the United States Code, but at a rate not to exceed the maximum of the General Schedule. It also authorizes the Commission to employ experts and consultants under 5 U.S.C. 3109 at rate equivalent to the maximum authorized by the General Schedule.

Subsection 6(d) authorizes the Commission to negotiate and enter into contracts for studies and reports.

Cooperation with Federal Agencies

Section 7 provides for cooperation with other Federal agencies by directing them to furnish the Commission information not otherwise prohibited by law. It also authorizes such agencies, on request of the

Chairman or Vice Chairman of the Commission, to provide services on a reimbursable or nonreimbursable basis. The General Services Administration is expected to provide administrative support to the Commission in the usual way.

Termination of the Commission

Section 8 provides that the Commission shall terminate 120 days after submission of its final report.

Authorization of Appropriations

Section 9 authorizes **appropriations as needed** to carry out this Act.



COMMISSION ON FEDERAL PAPERWORK

DECEMBER 11, 1974.—Ordered to be printed



Mr. JACKSON, from the Committee on Government Operations,
submitted the following

REPORT

[To accompany H.R. 16424]

The Committee on Government Operations, to which was referred the bill (H.R. 16424) to establish a Commission on Federal Paperwork, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

H.R. 16424 would establish a temporary Commission on Federal Paperwork, direct it to make a comprehensive study of all Federal paperwork generated by various reporting requirements, and report its findings and recommendations to the Congress and the President within 2 years.

More specifically, the Commission would be required to (1) study and investigate statutes, policies, rules, regulations, procedures, and practices of the Federal Government relative to information-gathering, processing and dissemination, and the management and control of these information activities; (2) ascertain what changes are possible and desirable in existing statutes, policies, and practices; and (3) make a final report to the Congress and the President within 2 years of its first meeting, containing a review of its findings, and recommendations for changes in such statutes, policies, procedures, and practices. Its ultimate objective would be to (1) assure the availability of necessary information to Federal officials; (2) minimize the paperwork burden on others; (3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government; (4) maximize the usefulness of information to the Federal Government and the public; (5) reduce duplication of information-gathering by Federal, State, and local governments, and by others; and (6) reduce the costs of Federal paperwork.

The Commission would be composed of 14 members drawn from Federal, State, and local governments, and from the private sector. The Federal Government members would include two each from the Senate and the House of Representatives, appointed on a bipartisan basis by the presiding officers of their respective Houses; the Comptroller General of the United States; the Director of the Office of Management and Budget; and a Federal official or employee, appointed by the President of the United States. Two members would be appointed by the President, on a bipartisan basis, from State and local governments; and five members would be appointed by the President, on a bipartisan basis, from the private sector, including representatives of small business, labor, and other interested groups.

Finally, the Office of Management and Budget would be required in coordination with other Federal agencies, to formulate views on the Commission's recommendations, carry out other recommendations with which they are in agreement. Upon submission of the Commission's final report, the Office of Management and Budget is required to report to the Congress and the President on the action being taken, at least once every 6 months, and submit a final report within 2 years.

BACKGROUND

Over a period of many years, numerous studies have been conducted by government agencies and congressional committees with respect to the nature, extent, and cost of Federal paperwork, and the burden it imposes on the people of this Nation.

In a report to the Congress, in August 1973 (B-14673), the General Accounting Office attempted to identify some of the costs of the Federal paperwork burden, stating:

In 1955 a Hoover Commission task force report on records management stated that Federal agencies were spending about \$4 billion a year on paperwork. No one knows how much these agencies have actually spent in fiscal year 1973, but estimates indicated it could be as much as \$15 billion. . . .

No one really knows how much of the estimated \$15 billion spent on paperwork in fiscal year 1973 could be saved if agencies made a greater effort to control it. The potential benefit from improvements in this area can be illustrated by the calculation that Government-wide cost reductions of only 1 percent of the estimated \$15 billion would produce savings of \$150 million.

In April 1973, the Senate Select Committee on Small Business issued a report on the Federal Paperwork Burden (S. Rept. 93-125) in which it was stated that:

The Federal paperwork problem has been described as reaching crisis proportions. Congressional offices receive thousands of constituent letters each year complaining about the burden of complying with the Federal bureaucracy's demands for more information. This proliferation of paperwork has been termed by Senator McIntyre as "Federal Forms Pollution," a vivid and apt description of the millions of cubic feet of paper churned out by the Federal bureaucracy for reporting purposes each year.

It has been estimated that the amount of paper flowing into Federal agencies each year fills 4½ million cubic feet of space. Federal paperwork management costs in excess of \$8 billion annually. The Federal bureaucracy generates more than two billion pieces of paper per annum. According to these figures, there are 10 forms to be filled out each year for every man, woman and child in the United States.

As of December 31, 1971, the Office of Management and Budget reported that there were 5,298 different types of approved public use forms, excluding all tax and banking forms. Individuals and business firms, by a conservative estimate, spend 130.5 million man-hours per year filling out all of the necessary Federal report forms. This estimate is in addition to the millions of hours spent on such reporting tasks as the IRS tax forms.

The small businessman carries the heaviest portion of this burden. A firm employing not more than 50 people, for example, is required to fill out as many as 75 to 80 different types of forms in the course of one year. Many of these reports are several pages long. The cost of compliance is immense as Senator McIntyre, subcommittee chairman, noted in opening the first hearing.

"In sheer dollars and cents terms, we are paying out billions of dollars in unnecessary taxes and in higher prices on consumer products. By one estimate, it's costing about \$18 billion a year at all levels of Government to print, shuffle, and sort all of these forms. It is also costing small businessmen about \$18 billion to fill out the different forms, Internal Revenue forms, wage and price forms, social security forms, quarterly this and monthly that. And the cost of the small businessman must necessarily be passed on to you and me, to the consumer."

On September 11 and 12, 1973, the Senate Committee on Government Operations held hearings on two bills, S. 200 and S. 1812, which were designed to reduce the paperwork burden on Americans, generally, and on the small business community, in particular. S. 200 would have required that new forms and reports, and revisions of existing forms and reports, resulting from legislation, be contained in reports of all standing committees reporting such legislation. This bill was opposed by virtually all Senate standing committee Chairmen on the ground that it would be burdensome and impractical and that its effectiveness and feasibility were doubtful. S. 1812 would have transferred the administration of the Federal Reports Act of 1942 from the Office of Management and Budget to the General Accounting Office; made the Internal Revenue Service subject to the provisions of that Act; and made the Comptroller General responsible for the supervision of all Federal tax forms. This bill was opposed by the Comptroller General on the ground that it would have involved the Comptroller General, and the General Accounting Office, in the day-to-day performance of executive branch activities in a manner inconsistent with its role as an agency in the legislative branch and as an independent auditor for the Congress. The Office of Management and Budget and the Treasury Department also opposed enactment of S. 1812.

Having concluded that neither of these bills would meet the problem and that further study was required, this Committee directed the Comptroller General to make a pilot study and supply the Committee with recommendations for remedial action.

With the approval of this Committee, the General Accounting Office undertook an in-depth study of the manner in which the Office of Management and Budget was carrying out its responsibilities under the Federal Reports Act with particular reference to the Department of Labor which, as of December 1973, had 296 public-use forms and receives annually 44 million forms which take the public 16 million man-hours to complete.

In May 1974, representatives of the General Accounting Office conducted a briefing session, attended by Senator Sam Nunn, who had chaired the earlier hearings, and the Committee staff, and submitted a progress report. The study is expected to be completed in January 1975.

The Committee has been informed that the Office of Management and Budget has contracted with a well-known management firm, at a cost of approximately \$100,000, for a study of the problem to determine how the Office of Management and Budget is performing its tasks under the Federal Reports Act of 1942 in controlling the generation of paperwork. The contractor is to make recommendations with respect to (a) how the present operation can be improved, using the present level of resources; and (b) a model system which would not be constrained by the present level of resources. Each of these recommendations is to be accompanied by an estimate of the extent to which they will result in a reduction of the Federal paperwork burden. An additional task is to determine what proportion of the small business paperwork burden is related to reports covered by the Federal Reports Act, with special attention to the extent of the burden imposed by required reports which are not covered by the Act. The contractor is to furnish a progress report in December 1974, and a final report in March 1975.

CONCLUSIONS

It is evident that the paperwork burden imposed on the American people is growing with each passing year, and the taxpayers of this Nation are supplying huge sums of money and unconscionable amounts of time and effort to support the ever-growing reporting requirements in the form of taxes paid and time and services required to enable them to meet these requirements.

That there is no immediate end in sight and the growth continues in a disorganized manner is further evidenced by a recent communication from the Deputy Comptroller General of the United States in which he states that:

Examples of data and information collection problems abound. For instance, during a study of data collection in the energy area, we found that there is no central agency in the Government responsible for directing or coordinating the collection of energy data, nor is there any agency whose prin-

cipal responsibility is the analysis of energy data, as such. Yet, the magnitude and scope of energy data collection is enormous. As of March 1973, 15 major Federal agencies were circulating 145 energy-related questionnaires to the States and the private sector. These questionnaires require 11 million responses.

It should be stated that the Committee has some doubts with respect to the advisability of creating another agency, although temporary, to study this problem, prior to the receipt of the findings and recommendations which will result from the two ongoing studies. However, a consideration of alternatives indicated that this action can be expected to supply the information required to decrease the costs and burdens which now exist.

It is apparent that the study provided for in this bill is much broader than the ongoing studies and is expected to cover all possible aspects of the problem, including the burdens imposed by required State and local government reports and the duplication which these entail.

The broad mandate of the Commission is not limited to the specified subjects for consideration. The Commission's function is to make a comprehensive study and provide meaningful recommendations to the Congress and the President for both administrative and legislative remedies to relieve the great and ever-growing paperwork burden.

SECTION-BY-SECTION ANALYSIS

Declaration of Purpose

Section 1 is a declaration of purpose consisting of three subsections. Subsection 1(a) is a congressional finding that Federal information reporting requirements have placed an unprecedented burden on people, businesses, and State and local governments. Section 1(b) declares it to be Federal Government policy to minimize the reporting burden consistent with its need for information. Section 1(c) is a congressional determination of the need for a renewed effort to implement this policy, and for a reexamination of current Federal policies and procedures to ascertain what changes are desirable.

Establishment

Section 2 establishes a Commission on Federal Paperwork.

Functions of the Commission

Section 3 prescribes the functions of the Commission. Subsection 3(a) requires it to study Federal statutes, policies, rules, regulations, and procedures relating to information gathering, processing, and dissemination, and the management and control of these activities. The Commission is to consider (1) the nature and extent of current Federal requirements for information; (2) the effect of current statutes on Federal information requirements and authorities of Federal agencies to collect information; (3) the management and control over determinations of need and the choice of methods for information gathering, processing, and dissemination; (4) Federal agency cooperation with

State and local governments and private agencies in information activities; (5) the procedures used and the impact of considerations of economy and efficiency, particularly with respect to costs burdening the Federal Government and others; (6) the impact of policies and practices for maintaining the confidentiality of information; and (7) other matters deemed relevant by the Commission.

Subsection 3(b) requires the Commission to ascertain changes desirable in statutes, policies, rules, regulations, procedures and practices relating to information activities to (1) assure availability of necessary information to Federal officials; (2) minimize the paperwork burden on others; (3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government; (4) maximize the usefulness of information to the Federal Government and the public; (5) reduce duplication of information gathering by Federal, State, and local governments, and by others; and (6) reduce the costs of Federal paperwork.

Subsection 3(c) requires the Commission to make a final report to the Congress and the President within two years of its first meeting, covering findings and recommendations for changes in statutes, policies, rules, regulations, procedures, and practices. When Congress is not in session, the report is to be submitted to the Clerk of the House and the Secretary of the Senate. The Commission may make interim reports.

Subsection 3(d) requires the executive branch to take follow-up action on the Commission report. It directs the Office of Management and Budget, in coordination with the Federal agencies, to formulate views on Commission recommendations, carry out those they agree with insofar as practicable, and propose legislation where necessary to carry out other recommendations with which they agree. Upon submission of the Commission's final report, the Office of Management and Budget is to report at least every six months and submit a final report within two years.

Members of the Commission

Section 4 prescribes the membership of the Commission. Under subsection 4(a), there are to be 14 members consisting of two members of the Senate, of different political parties, appointed by the President of the Senate; two members of the House, of different political parties, appointed by the Speaker of the House; the Director of the Office of Management and Budget; another official or employee of the executive branch appointed by the President; the Comptroller General of the United States; two appointed by the President from State or local government officials of different political parties; and five appointed by the President from among persons in the private sector, including small business, labor, and other interested groups, no more than three to be from the same political party.

Subsections 4 (b), (c), and (d) provide for the Commission members to select a Chairman and Vice Chairman from among themselves, for seven members to constitute a quorum, and for the filling of vacancies in the original manner of appointment without any effect meanwhile on the powers of the Commission.

Compensation

Section 5 provides for compensating members, other than full-time Federal Government officers or employees, at the equivalent of grade GS-18 for each day devoted to Commission work, and for payment to them of their diem and travel expenses while away from home or regular places of business in the same manner as provided by 5 U.S.C. 5703(b) for intermittent Government employees.

Powers of the Commission

Section 6 deals with the powers of the Commission. Under subsection 6(a), the Commission, or, at its direction, any member may hold hearings, take testimony and evidence, administer oaths, and require attendance of witnesses and production of evidence at any place within the United States.

Subsection 6(b) contains provisions (1) for the Commission to issue subpoenas signed by the Chairman or Vice Chairman to be served as a United States District Court subpoena; (2) for enforcement of testimony or subpoenas by the United States District Court on application of the Attorney General of the United States and for punishment of any disobedience of a court order as contempt; and (3) for excusing any person from testifying or producing evidence on grounds of self-incrimination.

Subsection 6(c) authorizes the Commission to appoint and compensate its employees without regard to the competitive service requirements of title 5 of the U.S. Code, or the classification requirements and General Schedule pay rates prescribed by subchapter III of Chapter 53, title 5 of the United States Code, but at a rate not to exceed the maximum of the General Schedule. It also authorizes the Commission to employ experts and consultants under 5 U.S.C. 3109 at rate equivalent to the maximum authorized by the General schedule.

Subsection 6(d) authorizes the Commission to negotiate and enter into contracts for studies and reports.

Cooperation with Federal Agencies

Section 7 provides for cooperation with other Federal agencies by directing them to furnish the Commission information not otherwise prohibited by law. It also authorizes such agencies, on request of the Chairman or Vice Chairman of the Commission, to provide services on a reimbursable or nonreimbursable basis. The General Services Administration is expected to provide administrative support to the Commission in the usual way.

Termination of the Commission

Section 8 provides that the Commission shall terminate 120 days after submission of its final report.

Authorization of Appropriations

Section 9 authorizes appropriations as needed to carry out this Act.

COST ESTIMATE

H.R. 16424 authorizes the appropriation of such sums as may be needed to carry out the Act. According to an estimate by the Office of

Management and Budget, the cost of a 2-year study will be about \$4 million.

ROLLCALL VOTE ON FINAL PASSAGE

FINAL PASSAGE: 6 yeas, 5 nays.

Yeas:

Jackson
Allen
Huddleston
Percy
Javits
Ervin

Nays:

Ribicoff
Metcalf
Chiles
Nunn
Brock

○

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To establish a Commission on Federal Paperwork.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

DECLARATION OF PURPOSE

SECTION 1. (a) The Congress hereby finds that Federal information reporting requirements have placed an unprecedented paperwork burden upon private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments.

(b) The Congress hereby affirms that it is the policy of the Federal Government to minimize the information reporting burden, consistent with its needs for information to set policy and operate its lawful programs.

(c) The Congress hereby determines that a renewed effort is required to assure that this policy is fully implemented and that it is necessary to reexamine the policies and procedures of the Federal Government which have an impact on the paperwork burden for the purpose of ascertaining what changes are necessary and desirable in its information policies and practices.

ESTABLISHMENT OF THE COMMISSION

SEC. 2. To accomplish the purpose set forth in the first section of this Act, there is hereby established a Commission on Federal Paperwork (hereinafter referred to as the "Commission").

FUNCTIONS OF THE COMMISSION

SEC. 3. (a) The Commission shall study and investigate statutes, policies, rules, regulations, procedures, and practices of the Federal Government relating to information gathering, processing, and dissemination, and the management and control of these information activities. The Commission shall consider—

(1) the nature and extent of current Federal requirements for information from other public and private entities;

(2) the effect of existing statutes on the information requirements of the Federal Government and authorities of existing Federal agencies to collect information;

(3) the nature and extent of management and control over the determination of Federal information needs and the choice of information gathering, processing, and dissemination methods;

(4) the nature and extent to which Federal agencies cooperate with State and local governments and private agencies in collecting, processing, and disseminating information;

(5) the procedures used and the extent to which considerations of economy and efficiency impact upon Federal information activities, particularly as these matters relate to costs burdening the Federal Government and providers of information;

(6) the ways in which policies and practices relating to the maintenance of confidentiality of information impact upon Federal information activities; and

(7) such other matters as the Commission may decide affect Federal reporting requirements.

(b) The Commission shall ascertain what changes are possible and desirable in existing statutes, policies, rules, regulations, procedures, and practices relating to Federal information activities in order to—



(1) assure that necessary information is made available to Federal officials and those acting on behalf of Federal officials;

(2) minimize the burden imposed by Federal reporting requirements on private citizens, recipients of Federal assistance, businesses, governmental contractors, and State and local governments;

(3) guarantee appropriate standards of confidentiality for information held by private citizens or the Federal Government, and the release thereof;

(4) provide that information held by the Federal Government is processed and disseminated to maximize its usefulness to all Federal agencies and the public;

(5) reduce the duplication of information collected by the Federal Government and by State and local governments and other collectors of information; and

(6) reduce the costs of Federal paperwork.

(c) The Commission shall make a final report to the Congress and the President within two years of the date of the first meeting of the Commission. The final report shall contain a review of its findings and its recommendations for changes in statutes, policies, rules, regulations, procedures and practices. In the event Congress is not in session at the end of such two-year period, the final report shall be submitted to the Clerk of the House and the Secretary of the Senate. The Commission may make such interim reports and recommendations as it deems advisable.

(d) Upon submission of the Commission's final report, the Office of Management and Budget, in coordination with the executive agencies, shall take action to (1) formulate the views of the executive agencies on the recommendations of the Commission; (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur. At least once every six months, the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report shall be submitted within two years.

MEMBERSHIP OF THE COMMISSION

SEC. 4. (a) The Commission shall be composed of fourteen members, as follows:

(1) two Members of the Senate (who shall not be members of the same political party) appointed by the President of the Senate;

(2) two Members of the House of Representatives (who shall not be members of the same political party) appointed by the Speaker of the House of Representatives;

(3) the Director of the Office of Management and Budget and one other official or employee of the executive branch of the Federal Government appointed by the President of the United States;

(4) the Comptroller General of the United States;

(5) two from among officials of State and local governments (who shall not be members of the same political party) appointed by the President of the United States; and

(6) five from among persons in the private sector, including small business, labor, and other interested groups (no more than three of whom shall be of the same political party), appointed by the President of the United States.

(b) The Commission shall select a Chairman and a Vice Chairman from among its members.

(c) Seven members of the Commission shall constitute a quorum.

(d) Any vacancies in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) Except as provided in subsection (b), members of the Commission shall each receive as compensation the daily equivalent of the annual rate of basic pay in effect for grade GS-18 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(b) Members of the Commission who are Members of Congress or who are full-time officers or employees of the United States shall receive no additional compensation for their service on the Commission.

(c) While away from their homes or regular places of business in the performance of service for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 (b) of title 5 of the United States Code.

POWERS OF THE COMMISSION

SEC. 6. (a) The Commission, or at its direction, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, sit and act at such times and places, take such testimony, receive such evidence and administer such oaths, as the Commission or such subcommittee or member may deem advisable. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such subcommittee or member.

(b) (1) The Commission may require by subpoenas the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers and documents as the Commission may deem advisable. Subpoenas may be issued under the signature of the Chairman or Vice Chairman and may be served by any person designated by the Chairman or Vice Chairman. The subpoenas of the Commission shall be served in a manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(2) If a person issued a subpoena under paragraph (1) is guilty of contumacy or refuses to obey such subpoena, any district court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may, upon application made by the Attorney General of the United States, order such person to appear before the Commission or a subcommittee or member thereof, to produce evidence or to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by such court as a contempt thereof.

(3) Notwithstanding paragraphs (1) and (2), a person shall be excused from testifying or from producing such books, records, correspondence, memoranda, papers or documents or other evidence in obedience to a subpoena if such person states in writing to the court ordering his attendance and testimony that the required testimony or

evidence may tend to incriminate him or subject him to a criminal penalty.

(c) The Commission may appoint and fix the compensation of such personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such personnel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at a rate not to exceed the maximum rate authorized by the General Schedule. In addition, the Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay in effect for the maximum rate authorized by the General Schedule.

(d) The Commission is authorized to negotiate and enter into contracts with private organizations and educational institutions to carry out such studies and prepare such reports as the Commission determines are necessary in order to carry out its duties.

COOPERATION WITH FEDERAL AGENCIES

SEC. 7. (a) Each department, agency, and instrumentality of the Federal Government is authorized and directed to furnish to the Commission, upon request made by the Chairman, such data, reports, and other information not otherwise prohibited by law as the Commission deems necessary to carry out its functions under this Act.

(b) The head of each department or agency of the Federal Government is authorized to provide to the Commission such services as the Commission requests on such basis, reimbursable or otherwise, as may be agreed between the department or agency and the Chairman or Vice Chairman of the Commission. All such requests shall be made by the Chairman or Vice Chairman of the Commission.

TERMINATION OF THE COMMISSION

SEC. 8. One hundred and twenty days after the submission of the final report provided for in section 3 of this Act, the Commission shall cease to exist.

AUTHORIZATION OF APPROPRIATIONS

SEC. 9. There are hereby authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*



Office of the White House Press Secretary
(Vail, Colorado)

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT



I am pleased to have signed H. R. 16424, a bill creating a temporary Commission on Federal Paperwork to study paperwork generated by various Government reporting requirements. To the public, the burden of filling out Government applications, reports, and other forms of various kinds are not pleasant, frequently annoying, sometimes overwhelming and often costly and time-consuming. To the Government, adequate information is vital if it is to have responsible policy-making and effective operation of agency activities.

For over 30 years, we have had a public policy of holding Government reporting and recordkeeping requirements to a minimum. These efforts have achieved substantial results, but have not stemmed the increasing tide of Government reporting requirements.

Two main features set the new Commission on Federal Paperwork apart from earlier attacks on the paperwork problem.

It has a broader scope. It will look at laws, regulations, rules, policies, procedures and practices relating to the gathering, processing, and dissemination of information as well as at the management and control of these activities.

No less important is the composition of the Commission. It brings together representatives of the legislative and executive branches of the Federal Government, representatives from State and local governments, and members from industry and the public. All are involved in the paperwork problem in one way or another. It is fitting that we all share the opportunity and responsibility of reexamining our present policies and procedures and recommending new ways to obtain more effectively the information the Government needs without unreasonably burdening the public.

I look forward to seeing the results of the Commission's work.

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December 16, 1974

Dear Mr. Director:

The following bills were received at the White House on December 16th:

✓ S.J. Res. 263	✓ H.R. 14349
✓ H.R. 1355	✓ H.R. 15067
✓ H.R. 5056	✓ H.R. 15818 ✓
H.R. 7072 ✓	H.R. 16006
✓ H.R. 7077 ✓ X	H.R. 16424 ✓ X
✓ H.R. 11013	



Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.