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*REPORT OF THE
COMPTROLLER GENERAL
OF THE UNITED STATES*

Work Performed And Underway
By GAO On Federal Regulatory
Activities January 1, 1973,
Through April 30, 1976

This report summarizes GAO's work dealing with regulatory activities of the Federal Government. It has been prepared to assist the Senate Committees on Government Operations and Commerce in carrying out a joint study of the effectiveness of Federal regulatory agencies pursuant to Senate Resolution 71, approved July 26, 1975.

The report shows the range of GAO's past and present work grouped by problem areas selected for specific study under the Resolution or by other broad categories of investigating regulatory activities.

The report also may be of interest to other Committees and Members of Congress.

CED-76-122

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JULY 20, 1976

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

B-163628

The Honorable Abraham Ribicoff
Chairman, Committee on
Government Operations

The Honorable Warren G. Magnuson
Chairman, Committee on Commerce
United States Senate

This report summarizes our work performed during the last 3 years through April 1976 covering Federal regulatory activities. Included are the activities of the independent regulatory agencies as well as those of Federal departments and agencies which perform regulatory functions affecting industry, commerce, or the public at large. The report also lists GAO work underway at the close of April 1976.

Work, where the primary focus is on a program function of the Federal Government (such as a grant or subsidy program) and where the regulatory function is only incidental, is not included in the compilation.

The report categorizes our work, to the extent practicable, according to the seven problem areas which have been selected for specific study in carrying out Senate Resolution 71. Other GAO work, not directly related to these areas, is grouped under five additional broad categories. For each of these problem areas and categories, our work is further subdivided to show how it either affects a major segment of the economy (such as transportation) or seeks to accomplish a major regulatory objective (such as consumer protection).

The report contains an index by regulatory area and Government agency to facilitate ready reference to our work on either basis.

Our compilation states briefly the corrective actions taken or planned by the agencies in response to our recommendations. The effectiveness of these actions depends on the manner in which they are carried out and, in many cases, may require further review and evaluation by our Office.

The summaries presented in this compilation point up the diversity and range of GAO's work in the regulatory area. Our present work plans contemplate an expansion of our efforts in this area, to deal with current problems of special concern to the Government and the public.

We hope that this compilation will be useful to the Senate Committees carrying out the study under Senate Resolution 71.

A handwritten signature in black ink, reading "Thomas B. Stants". The signature is written in a cursive style with a large initial 'T'.

Comptroller General
of the United States

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a/No GAO work in these areas.

ABBREVIATIONS

AEC	Atomic Energy Commission
CAB	Civil Aeronautics Board
DOL	Department of Labor
DOT	Department of Transportation
EPA	Environmental Protection Agency
ERDA	Energy Research and Development Administration
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FDA	Food and Drug Administration
FEA	Federal Energy Administration
FPC	Federal Power Commission
FTC	Federal Trade Commission
GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
HUD	Department of Housing and Urban Development
ICC	Interstate Commerce Commission
IRS	Internal Revenue Service
NRC	Nuclear Regulatory Commission
OMB	Office of Management and Budget
OSHA	Occupational Safety and Health Administration
SBA	Small Business Administration
SEC	Securities and Exchange Commission
USDA	Department of Agriculture

ELIMINATING UNDUE DELAY IN REGULATORY PROCESS

CONSUMER PROTECTION

Reports issued

1. HEW, FDA--Extending effective date of diagnostic X-ray standard (Report to Representative Edward I. Koch, MWD-74-180, Sept. 23, 1974)

Summary

GAO presented information on the circumstances under which FDA extended the effective date of the standard for diagnostic X-ray equipment. One of the reasons the effective date was extended was to insure the uninterrupted availability of the equipment to the public. However, GAO noted FDA delays in interpreting the standard and publishing guidelines. GAO recommended that for future standards covering radiation-emitting electronic products FDA provide guidelines at the time the standards are promulgated.

The report also discussed the applicability of the standard to existing equipment--it was not to apply to equipment manufactured before August 1, 1974. Regarding the question of whether X-ray equipment could be regulated as drugs, FDA told GAO that this matter had not been adjudicated in court.

Agency action

HEW concurred with GAO's recommendation and cited examples of more adequately publicizing and interpreting standards developed subsequent to GAO's review.

2. HEW, FDA--Need to establish the safety of color additive FD&C Red No. 2 (Report to Senator Gaylord Nelson, MWD-76-40, Oct. 20, 1975)

Summary

For 15 years FDA permitted the use of Red No. 2 without making a final determination of its safety, although the law requires such determinations for color additives and scientific studies had raised questions about its safety. GAO concluded that permitting continued use of Red No. 2 before resolving the safety questions exposed the public to unnecessary risk and recommended that FDA promptly establish the safety of Red No. 2 or take appropriate regulatory actions to prevent its use in food, drugs, and cosmetics.

Agency actions

FDA complied with the recommendation and took appropriate regulatory action.

EMPLOYEE PROTECTION

Report issued

3. HEW, National Institute for Occupational Safety and Health and DOL, OSHA--Slow progress likely in development of standards for toxic substances and hazardous physical agents found in workplaces (Report to Senate Committee on Labor and Public Welfare, B-163375, Sept. 28, 1973)

Summary

Since the Institute began operations in June 1971, through March 1973, it had developed only six comprehensive recommended standards. With limited funding and staff restrictions the Institute determined that it was not able to reach a planned production level of 20 to 30 recommendations a year, whereas 1,000 to 2,000 substances and agents required standards.

OSHA had developed three emergency temporary standards and only one of these had been superseded by a comprehensive permanent standard. The Institute considered it virtually impossible to develop such a standard within the required 6 months, except in the few cases in which adequate research has already been performed.

GAO recommended that HEW consider the adequacy of the Institute's resources.

Agency action

HEW agreed to evaluate the use of its personnel resources and needs. In its future work GAO will review how effectively the two agencies are using their available resources for these control activities.

ENERGY

Report issued

4. FPC--Problems in licensing hydroelectric projects (Report to the Congress, RED-76-13, Sept. 23, 1975)

Summary

FPC's backlog of hydroelectric project applications had grown from 219 in June 1963 to 502 in December 1974. The age of the applications and the slow rate of their processing were matters of concern because these projects offer considerable public benefits by increasing power and recreation facilities. GAO made several recommendations to speed processing of applications and recommended that FPC systematically insure that all constructed projects are licensed.

Agency action

FPC established followup procedures and standards insuring that information needed for application processing is pursued aggressively and enforcement action is taken. FPC is formalizing the role of other Federal agencies. Also, FPC has established a program to determine which constructed projects are subject to licensing, but its implementation has been delayed by insufficient manpower.

Assignment in process

5. FPC--Review of regulations which permit utility rate increases prior to formal Commission action (congressional request)

Objectives

To provide information on the length of time taken to process certain electric rate increase cases and on procedures to insure that any overcharges together with interest are refunded to utility wholesale customers.

ENVIRONMENTAL PROTECTION

Assignment in process

6. NRC--Nuclear powerplant licensing program

Objectives

To identify those elements of the licensing process that can be expedited or eliminated without sacrificing safety. NRC's licensing program has come under repeated criticism from the nuclear industry for causing unnecessary delays.

TRANSPORTATION

Reports issued

7. DOT, FAA--Improved procedures needed for implementing safety recommendations (Report to Representative R. H. Metcalfe, RED-75-334, Mar. 6, 1975)

Summary

GAO was asked to review FAA's responsiveness to safety recommendations made by the National Transportation Safety Board. GAO found that FAA did not always take prompt and effective action on such recommendations. FAA's initial responses often were that it would (1) study the problem or the need for revising its regulations, (2) take some corrective action, or (3) disagree and explain why. Also, FAA did not adequately monitor the results of actions promised, which remained dormant or were forgotten entirely.

The Board's procedures for evaluating FAA's actions have not been effective in determining whether FAA had adequately considered the recommendations and made adequate progress in correcting the problems.

Agency action

FAA and the Board agreed to hold quarterly meetings to discuss and to set criteria for determining the status of open recommendations. Subsequent meetings have established criteria and procedures to obtain understanding and agreement.

8. DOT, National Highway Traffic Safety Administration--Delays in establishing uniform quality grading system for motor vehicle tires (Report to Senator Gaylord Nelson, RED-75-344, Mar. 28, 1975)

Summary

The National Traffic and Motor Vehicle Safety Act of 1966 called for a quality grading system for tires by 1968 but the Administration had not implemented such a system as of January 1975.

The delay could largely be attributed to technical difficulties in developing acceptable tire testing and grading procedures. Another major cause of the delay was the inability to resolve internal technical and policy disagreements and to provide leadership.

The tire industry generally opposed the Administration's 1971 and 1973 tire grading proposals. Most manufacturers had offered the support of their technical staffs, suggestions for testing programs, and other assistance. Administration officials, however, said that, due to their rulemaking position, they could not properly take advantage of these offers.

Agency action

In May 1975, the Administration published a tire grading rule which, however, was challenged in court by the manufacturers. Pending the outcome of the litigation, the Administration is continuing its tire testing program.

ELIMINATING INCONSISTENT,
OVERLAPPING, AND DUPLICATIVE REGULATORY FUNCTIONS

CONSUMER PROTECTION

Reports issued

9. HEW, FDA and USDA--Duplication in Federal food inspection activities (Reports to Administrator, FDA and Administrator, Animal and Plant Health Inspection Services, Jan. 28, 1976)

Summary

In a survey of Federal food inspection activities in the State of Michigan GAO observed that several food firms were inspected by both FDA and the Service for the same sanitary conditions. Because the duplication of effort may be significant nationwide and in view of FDA's limited staff and large workload, GAO recommended that the two agencies enter into cooperative agreements to avoid duplicate inspections of the same plants.

Agency action

FDA and the Service met and agreed to inventory the plants subject to regulation and planned to take appropriate steps for eliminating needless duplication in inspections.

10. Department of the Treasury, Bureau of Alcohol, Tobacco, and Firearms--Licensing and enforcement efforts on explosives in the Chicago region (Report to Representative John B. Anderson, B-179095, Apr. 5, 1974)

Summary

GAO reported that headquarters had not issued instructions to its regional offices calling for coordination with State agencies working in the explosives area. Such coordination, if pursued, could minimize duplication when it is found to exist, through cooperative Federal and State agreements and could focus both Federal and State resources on problems or recalcitrant operators.

GAO recommended that the Bureau require its regional offices to develop and implement Federal and State coordination plans designed to minimize duplication and strengthen overall licensing and enforcement activities.

Agency action

In September 1975, the Bureau issued a directive requiring its regional offices to contact State agencies responsible for regulating explosives and to seek coordinated compliance programs.

FINANCIAL AND COMMODITY REGULATIONS

Report issued

11. Information on consolidating bank regulatory agencies (Federal Deposit Insurance Corporation, Federal Reserve System, Comptroller of the Currency) (Report to the Senate Committee on Banking, Housing, and Urban Affairs, GGD-76-42, Dec. 5, 1975)

Summary

The report contains information on (1) cost incurred by the three Federal bank regulatory agencies during fiscal year 1974, (2) cost and other data relating to certain administrative expenses of the three agencies plus the Federal Home Loan Bank Board, the National Credit Union Administration, the Federal Power Commission and the Securities and Exchange Commission, (3) areas where the consolidation of the regulatory functions of the three bank regulatory agencies might produce cost savings.

The report contains no recommendations.

Assignment in process

12. Comptroller of the Currency, Federal Reserve System, Federal Deposit Insurance Corporation--Bank regulatory functions (congressional request)

Objectives

To review bank regulatory functions in light of recent disclosures of banks having financial difficulties.

TRANSPORTATION

Assignment in process

13. DOT, Federal Highway Administration and National Highway Traffic Safety Administration, and ICC--Review of Federal and State efforts to improve motor carrier safety

Objectives

To evaluate the management and execution of the Federal program for identifying, reducing, or eliminating the risks that cause or contribute to highway accidents involving commercial motor vehicles. Specific objectives include the adequacy of the inspection and enforcement procedures, quality of the regulators, and whether inconsistent, overlapping, and duplicative regulatory functions exist between Federal and State agencies with related responsibilities.

INSURING AGENCY INDEPENDENCE FROM POLITICAL
PRESSURES AND INDUSTRY DOMINATION

CONSUMER PROTECTION

Reports issued

14. USDA, Agricultural Marketing Service--Assessment of the national grain inspection system (Report to Subcommittee on Foreign Agricultural Policy, Senate Committee on Agriculture and Forestry, and House Committee on Agriculture, RED-76-71, Feb. 12, 1976)

Summary

GAO reported that serious weaknesses in the national grain inspection system require fundamental changes that will restore the system's credibility and attain its intended objectives. USDA as overall supervisor had not been able to insure the integrity of a system operated by a widely dispersed group of over 100 State and private agencies and trade associations. GAO proposed an essentially all-Federal inspection system, to be phased in gradually and operated on a reimbursable basis, to meet the following objectives:

- Restore integrity and confidence in the inspection system.
- Provide greater uniformity and consistency in inspection procedures and operations.
- Establish an independent system, eliminating actual and potential conflicts of interests.
- Increase foreign trade or at least reduce chances of customers choosing to buy from other sources.
- Develop an inspection force conforming to uniform hiring and training requirements.
- Permit rotation of the inspection force among specific localities.
- Provide for maximum use of standardized equipment and better maintenance of equipment.
- Reduce the number of multiple or duplicate inspections presently required.
- Reduce the number of inspection agencies to increase administrative efficiency.

- Place inspectors under direct control of Agriculture, to provide more effective authority to deal with inspection deficiencies.
- Eliminate present inequities whereby some inspectors earn annual salaries or incomes from \$30,000 to, in some cases, \$78,000.
- Give Agriculture direct responsibility and authority to deal with elevators whose complex grain-handling systems allow for easy circumvention of controls over drawing of representative samples.

Congress and agency actions

Legislation is pending in the 94th Congress which would reform the present grain inspection system and incorporate many of the features recommended by GAO. Regarding recommendations not requiring legislative action, USDA concurred with, and is taking action on, the need for improved handling of foreign buyers' complaints and for intensified research and development toward adequate U.S. grain standards.

15. HEW, FDA--A Financial disclosure system for employees needs tightening (Report to the Congress, FPCD-76-21, Jan. 19, 1976)

Summary

GAO found that:

- 25 employees owned 27 prohibited interests which were overlooked by FDA reviewing officials;
- 203 regulatory employees had not filed financial disclosure statements;
- FDA had not developed a policy on real estate holdings and, as a result, 50 employees owned farmland interests which had not been adequately reviewed to determine whether a real or potential conflict existed; and
- HEW's General Counsel had not promptly acted on several exception requests referred by FDA for review and consideration.

Although HEW's regulations and FDA's supplemental regulations as applied to its employees conformed generally to the Civil Service Commission's financial disclosure guidelines, several improvements were needed.

Agency action

GAO had received no response from the agency as of April 30, 1976.

ENERGY

Reports issued

16. FPC--Need for improving the regulation of the natural gas industry and management of internal operations. (Report to Representative John E. Moss, GGD-74-106 Sept. 13, 1974)

Summary

Among other deficient practices in the regulation of natural gas GAO found widespread noncompliance by FPC officials with the standards of conduct which were intended to prevent conflicts of interest. Most of these officials, including those responsible for obtaining and reviewing financial disclosure reports, had failed to file the required reports for several years. GAO recommended that FPC improve its procedures to insure that upper level officials do not own financial securities which could result in conflicts of interest.

Agency action

FPC has taken action in conformity with the recommendation.

17. Department of the Interior improves its financial disclosure system for employees (Report to the Congress, FPCD-75-167, Dec. 2, 1975)

Summary

GAO reported earlier (FPCD-75-131, Mar. 3, 1975), that the Department's financial disclosure system was not working in the Geological Survey and made recommendations for improvements. At the request of several Members of the Congress, GAO reviewed the effectiveness of the Department's system in four bureaus and two offices.

GAO found:

- 62 Department employees, including the 49 Geological Survey employees cited in the previous report, had owned potentially conflicting security holdings.

--63 employees owned questionable property interests which had not been reviewed adequately to determine whether or not they violated Department regulations.

--About 1,400 employees, mainly mining inspectors, having responsibilities affecting private industry had not been required to file financial disclosure statements.

Agency action

The Department issued new guidelines as to which employees should file financial disclosure statements. In response to GAO's report on the Geological Survey, the Department has

- drafted a new employee conduct regulation,
- developed guidelines for reviewing statements,
- reemphasized conflict-of-interest regulations, and
- established procedures for monitoring the financial disclosure system.

In a followup report to Representative John E. Moss (FPCD-76-37, Feb. 2, 1976), GAO reported that 37 of the 49 Survey employees and consultants had divested themselves of their conflicting interests. One employee and one consultant terminated their employment with the Survey. The Department allowed 10 employees to retain the interests GAO questioned. GAO's seven recommendations to improve the Survey's financial disclosure system were acted on not only in the Survey but also in all other Interior bureaus.

FINANCIAL AND COMMODITY REGULATIONS

Report issued

18. USDA--Interim report on the Commodity Exchange Authority and on commodity futures trading (Report to the Congress, B-146770, May 3, 1974)

Summary

The Commodity Exchange Authority was responsible, until April 1975, for supervising commodity exchange and commodity futures traders. GAO concluded that, because of the unprecedented growth of futures trading, the need to instill

full public confidence, and the need to remove any appearance of conflict of interest, the Congress should establish an independent agency separate from the Department of Agriculture to regulate all futures trading.

GAO also suggested that the Congress amend the Commodity Exchange Act to provide authority for

- regulating all futures trading,
- restricting trading of floor brokers and futures commission merchants (brokerage firms) for their own accounts while trading for accounts of customers,
- seeking injunctions and imposing civil money penalties for violations of the act,
- establishing margin requirements in emergency situations only,
- requiring exchanges to designate additional delivery points or designating such points if the exchanges do not, and
- extending registration requirements to all persons handling customer accounts and/or funds.

Action taken

All of these amendments, except for the recommendation providing Government authority to establish margin requirements in emergency situations, were included in the Commodity Futures Trading Commission Act of 1974.

The Authority took action to correct several administrative weaknesses pointed out in GAO's report.

TRANSPORTATION

Reports issued

19. CAB--Effectiveness of the financial disclosure system for employees needs improvement (Report to the Congress, FPCD-76-6, Sept. 16, 1975)

Summary

In line with several congressional requests, GAO reviewed

- the effectiveness of the Board's financial disclosure system,
- the financial interests reported by employees, and
- whether agency officials not currently filing financial disclosure statements should be required to do so.

GAO found that four employees owned a total of six securities which represented potential conflicts of interest. Also, 58 employees not filing financial disclosure statements had responsibilities affecting the airline industry and warranting the filing of statements.

Although the Board's regulations generally conformed to the Civil Service Commission's guidelines, improvements were needed to insure an effective financial disclosure system.

Agency action

CAB generally agreed with GAO's recommendations but took issue with several points in the report. However, the agency took corrective action in ordering a complete review and revision of its conflicts of interests and standards of conduct regulations.

20. Federal Maritime Commission--Improvements needed in the financial disclosure system for employees (Report to the Congress, FPCD-76-16, Oct. 22, 1975)

Summary

After several congressional requests, GAO reviewed

- the effectiveness of the Commission's financial disclosure system,
- the financial interests reported by employees, and
- whether agency officials not currently filing financial disclosure statements should be required to do so.

GAO found that 9 employees owned 27 securities which represented apparent or potential conflicts of interest. Also, 43 employees not filing financial disclosure statements had responsibilities affecting the maritime industry and warranting the filing of statements. Further, each Commissioner has a confidential assistant who should file financial disclosure statements based on their responsibilities.

Agency Action

The Chairman took action to insure

- prompt filing of required financial disclosure statements,
- effective disclosure of all apparent and potential conflicts of interest that may be listed by employees, and
- prompt remedial action on interests questioned during the annual review.

The Chairman also ordered a review of the Commission's regulations, forms used, and overall conflict of interest disclosure systems with a view to making appropriate recommendations to the Commission.

GOVERNMENT-WIDE

Assignments in process

21. Financial disclosure system for highranking Federal officials

Objectives

To determine whether the Civil Service Commission has established an effective system in accordance with Executive Order 11222 and all statements under this system have been timely and properly filed, and adequately reviewed for potential conflicts of interest.

22. Financial disclosure systems in the executive, legislative, and judicial branches of Government

Objectives

To determine effectiveness of the financial disclosure systems in the three branches of Government and draft model legislation to make these systems effective and consistent.

23. Review of financial disclosure systems in selected executive agencies

Objectives

To determine whether these agencies have

--effective financial disclosure systems for revealing
conflict-of-interest situations,

--all required financial disclosure statements were
filed promptly and properly, and

--the statements were adequately reviewed and analyzed.

IMPROVING CONGRESSIONAL OVERSIGHT

ENERGY

Report issued

24. FPC--Need to evaluate the effectiveness of the natural gas curtailment policy (Report to Representative Pierre S. du Pont, RED-76-18, Sept. 19, 1975)

Summary

FPC lacked authority to obtain the necessary information to evaluate the effectiveness of its natural gas curtailment policy. Without reliable information on how natural gas is being used and on the economic impact that gas shortages are having on areas of the Nation, FPC was not in a position to determine if interstate pipeline companies were effectively carrying out approved curtailment plans or to make decisions about future use of natural gas. FPC, in cooperation with FEA, was attempting to obtain the needed information.

GAO recommended that FPC report to the Congress on the results of its coordinated effort with FEA and, if the effort was not practicable, seek legislative revisions to the Natural Gas Act to expand FPC's authority to obtain the needed information.

Agency action

FPC advised GAO of recent actions to increase the amount and reliability of the data it depended on for formulating curtailment policies. FPC believed, however, that expansion of its authority to obtain natural gas data would facilitate the discharge of its statutory responsibilities. The details of the FPC-FEA coordinated efforts had not been finalized as of April 30, 1976.

TO WHAT EXTENT IS REGULATION APPROPRIATE

EMPLOYEE PROTECTION

Assignment in process

25. DOL, Labor-Management Services Administration, IRS, and Pension Benefit Guaranty Corporation--Effects of Employees Retirement Income Security Act of 1974 on the small businessman (congressional request)

Objectives

To evaluate the act's overall impact and burden imposed on small businessmen in maintaining pension plans.

ENERGY

Reports issued

26. FEA--Program for set-aside of fuel supplies in each State (Report to Administrator, OSP-75-13, May 8, 1975)

Summary

Under the set-aside program each State Office of Petroleum Allocation withholds, on a monthly basis, from the normal distribution a predetermined percentage of available fuels. The set-aside fuel is to be used to resolve emergencies and hardships.

GAO recognized the important role played by the State offices in alleviating temporary shortages of petroleum products during the embargo. However, because of the increased availability of petroleum products and the lax manner in which the program was being administered, GAO recommended that FEA reevaluate its set-aside program and consider (1) reducing the amount of fuel allocated to the set-aside program, (2) restricting the program to those petroleum products for which hardship or emergency requirements exist, or (3) stopping the program until such time as a shortage may again develop.

Agency action

FEA concurred with GAO's recommendations and held regional public hearings to assist in determining the course of action to be taken.

27. FEA--Project Utility (Report to Administrator, OSP-76-2, July 15, 1975)

Summary

In December 1974 FEA initiated investigations to uncover potentially widespread price-gouging activities involving sales of fuel into public utilities. The program was subsequently named Project Utility.

GAO recommended that FEA return to balanced compliance operations encompassing producers, refiners, wholesalers, and retailers by phasing out Project Utility as a special effort and including any remaining utility cases in the wholesale investigation program. In addition, GAO recommended the refinement of wholesale investigations by implementing consistent criteria for selecting suppliers and identifying suspicious transactions.

Agency action

FEA generally concurred with GAO's recommendations and steps have been taken to implement them. In December 1975 FEA discontinued Project Utility as a special effort and folded it into the wholesale investigations program.

28. FPC--Reliable contract sales data needed for projecting amounts of natural gas that could be deregulated (Report to Senator Henry M. Jackson and Representative John E. Moss, RED-76-11, Sept. 8, 1975)

Summary

The reliability of FPC's data on interstate pipeline company contracts and on the amount of natural gas which would be released from Federal price regulations upon expiration of the contracts was questionable. FPC had made only a limited verification to determine if the data was complete and accurate. The data is critical to various deregulation studies on which important decisions may be based.

GAO recommended that FPC (1) keep apprised of the status of gas flowing under contracts subject to its jurisdiction and (2) independently verify, at least on a sample basis, the reliability of the data.

Agency action

The Chairman expressed general agreement with GAO's recommendation and described the actions taken or planned to implement it. The Chairman, however, pointed out existing manpower and budget limitations.

On December 17, 1975, FPC issued a Notice of Proposed Rulemaking aimed at keeping itself apprised of the status of gas flowing under contracts subject to its jurisdiction.

29. FPC--The economic and environmental impact of natural gas curtailments during the winter of 1975-76 (Report to House Committee on Government Operations, RED-6-39, Oct. 31, 1975)

Summary

Curtailments of natural gas were expected to be greatly increased in the 1975-76 winter over those experienced in 1974-75; however, if the winter would be normal and if alternative fuels were available, widespread unemployment and extensive plant closures were not expected.

Localized areas in a number of States were expected to have a severe economic impact if projected curtailments would come about--particularly in areas with industries dependent on gaseous fuels for processing or as feedstock.

Alternative fuels can cost three to four times more than natural gas. This increased cost of industry operations would be passed on to the consumer wherever possible.

The report contained no recommendations.

30. Multiagency--Implications of deregulating the price of Natural gas (Report to House Committee on Government Operations, OSP-76-11, Jan. 14, 1976)

Summary

GAO concluded that higher prices would bring some additional supplies of natural gas over what would otherwise occur. However, supplies are constrained by factors in addition to price, such as the ability to discover new reserves at a sustained, high rate. These factors indicate that the Nation will probably never again attain recent production levels.

Even with deregulation, natural gas production would be likely to continue to decline. Deregulation, however, could slow the rate of decline.

The price of natural gas will continue to rise, under either regulation or deregulation. However, with deregulation, price rises would be more rapid, except in the unlikely event that regulated prices were deliberately raised to intrastate levels and held there.

Therefore, while additional gas supplies are likely from the higher deregulated prices, this advantage must be weighed against higher prices to consumers.

No GAO recommendations were included in the report. GAO testified before the Subcommittee on Energy and Power, House Committee on Interstate and Foreign Commerce on January 15, 1976, and the report was cited frequently during the congressional debate.

ENVIRONMENTAL PROTECTION

Report issued

31. EPA--Ban on DDT and its emergency use against the tussock moth (Report to Representative Mike McCormack, B-125053, Feb. 26, 1974)

Summary

The report contained information on EPA's reasons for refusing to allow emergency use of DDT against the tussock moth in 1973. EPA considered that the risks of using DDT outweighed the benefits and that the expected flareup of a virus which usually occurs in the third year of infestation (1973) would control the moth without the use of DDT.

The report contained no recommendations.

TRANSPORTATION

Report issued

32. CAB, Federal Maritime Commission, and ICC--Selected views related to regulatory reform in the transportation industry (staff paper prepared for Subcommittee on Oversight and Investigation, House Committee on Interstate and Foreign Commerce, OPA-76-13, Jan. 13, 1976)

Summary

The purpose of this study was to:

- State the views of individuals involved in different sections of the transportation industry.
- Contrast these views with differing views within the industry, the historical development of regulation, and the general arguments for deregulation.

--Raise questions for discussion.

The recommendations made by those interviewed, along with those who advocate deregulation, can be simplified into three proposals:

1. Make only minor changes to the regulatory system which will better accommodate certain transportation modes or interest groups.
2. Revitalize the regulatory system much within the current structure, but with some deregulation and an alteration of both the regulatory functions and duties of regulatory personnel.
3. Deregulate the major portion of the transportation industry and allow the natural forces of the marketplace to provide sound and economic transportation.

From its interviews, research, and analysis, GAO found evidence of clusters of opinion around these three viewpoints and that the major controversies arising in the regulatory reform debate are often conflicts between these three basic positions.

Assignments in process

33. CAB--Evaluation of effectiveness of regulation of airlines (congressional request)

Objectives

To determine the adequacy, accuracy, reliability, and implications of quantitative studies of airline fare levels and service.

34. ICC--Regulation of motor carriers

Objectives

To examine several areas in which ICC regulation is alleged to have had bad effects on the motor freight industry.

35. ICC--Economic effects of rail line abandonment

Objectives

To (1) determine whether ICC procedures for considering abandonment requests can be improved and (2) assess the

effect on shippers and communities of abandonments that have actually occurred.

36. ICC--Review of railroad car hire rates

Objectives

To determine whether car hire rates are set properly to encourage an adequate car supply and improved car utilization.

37. ICC--Effect of regulations and policies on piggyback shipments

Objectives

To determine the extent of regulatory limitations on piggyback growth, and the implications for the national transportation system.

38. ICC--Movement of household goods

Objectives

To determine what ICC has done to assure that shippers of household goods receive better cost estimates from carriers, more reliable delivery date information is provided, and loss and damage service provided by carrier is adequate.

39. ICC--ICC actions to alleviate the small shipments problems

Objectives

To determine what ICC has done to insure that (1) small shipments receive adequate service relating to the availability of origin and destination, (2) frequency of service is adequate, (3) timeliness of service is reasonable, and (4) requirements of section 216B of the Interstate Commerce Act relating to rates, fares, charges, and classifications are adhered to.

GOVERNMENTWIDE

Report issued

40. All regulatory agencies--An economic evaluation of the OMB paper on "The Costs of Regulation and Restrictive Practices" (staff paper prepared for Subcommittee on Oversight and Investigation, House Committee on

Interstate and Foreign Commerce, OPA-76-14,
Sept. 5, 1975)

Summary

At the request of the Subcommittee GAO evaluated certain cost estimates made by OMB with respect to the overall costs of regulation to the American people. GAO concluded that OMB's effort fell short of providing an adequate basis for analyzing these costs. GAO pointed out several shortcomings, including

- lack of specific criteria for including various costs,
- no clear distinction made between gross and net costs,
- no consistent differentiation of economic costs from income transfer between sectors of the economy, and
- shortcomings in the literature and other sources cited in support of the OMB paper.

The problems identified do not allow a final point estimate or a range of potential costs of regulation.

Assignments in process

41. Multiagency, especially CAB, FCC, FPC, and ICC--Government regulation of economic activity in a market economy: An economic overview (congressional request)

Objectives

To examine government regulation from an economic perspective and present conclusions based on economic analysis. The study will deal with a number of questions such as justification, in an economic sense, of regulation by the Federal Government, circumstances leading to creation of regulatory agencies, costs and benefits of government regulation, and how the mandated responsibilities of the four regulatory commissions compared to the theoretical basis and objectives of regulation.

42. An overview of regulation: Justification, methods, and alternatives (congressional request)

Objectives

This study is being prepared to assist the Senate Committee on Government Operations in its investigation of Federal regulatory agencies.

The study will address "market failure" as a justification for Federal regulation for improving the functioning of a market economy. It will also discuss other reasons for regulation being used in lieu of taxing and spending powers to achieve certain governmental objectives.

Other topics will be reasons for instituting regulation of specific industries and the influence of changing circumstances; the economic impact of regulation; an evaluation of the regulatory process (considering the mandate, incentives, any distortions); and policy alternatives.

DEVELOPING REGULATORY STANDARDS

COMMUNICATIONS

Report issued

43. FCC--Actions taken or needed to curb widespread abuse of the Citizens Band radio service (Report to the Congress, GGD-75-88, Oct. 14, 1975)

Summary

Citizens Band represents FCC's single largest group of licenses granted to the general public as a low-cost, short-distance, voice-communications service. This service has increased rapidly, but has been adversely affected by widespread violation of FCC regulations.

FCC has made changes in its regulatory practices and has requested additional legislative authority for enforcement. However, FCC is largely relying on voluntary compliance of Citizens Band operators. Proposals for improving the service are under study but would take several years before becoming fully effective.

GAO recommended that FCC reassess this and other special services to the general public to develop clear policy guidance, consider a broader compliance program, and improve the effectiveness of enforcement.

Agency action

FCC was generally receptive to and is studying GAO's recommendations. The Commission is making an overall evaluation of Citizens Band radio enforcement methods and in this connection issued in April 1976 a report entitled: "Enforcing Citizens Radio Regulations: Conventional Enforcement Techniques."

CONSUMER PROTECTION

Reports issued

44. Consumer Product Safety Commission--Banning of two toys and certain aerosol spray adhesives (Report to Senator John Tower, MWD-75-65, Apr. 7, 1975)

Summary

The report contained information on the banning of (1) two plastic toy balls which were inaccurately described

in a Commission publication and (2) certain spray adhesives for which the ban was later withdrawn.

GAO concluded that the ban of the balls was appropriate in view of pertinent legal requirements, but the retraction of an erroneous listing was not timely. Also, GAO did not question the ban of the sprays but the method employed in reaching the decision and the contents of the public announcements of the ban.

GAO recommended that the Commission establish appropriate policies and procedures for (1) retracting inaccurate information that may have been publicly disclosed and (2) evaluating and documenting potential "imminent hazards" as the basis for banning consumer products.

Agency action

The Commission is developing procedures for retracting inaccurate or misleading information publicly disclosed under laws it administers. An advisory committee is being formed to provide the Commission with a source of expert advice relative to policy development and imminent hazard evaluation.

45. HEW, FDA--Protecting the consumer from potentially harmful shellfish (clams, mussels, and oysters) (Report to the Congress, B-164031(2), Mar. 29, 1973)

Summary

FDA seldom used its regulatory powers for fresh and frozen shellfish shipped interstate but relied on its participation in a voluntary, tripartite cooperative program of Federal, State, and shellfish industry representatives. GAO reviewed this program in four States and found that potentially harmful shellfish were reaching the consumer. FDA had not established Federal standards for bacteria or toxic metals, except mercury, in shellfish and had not requested EPA--which regulates pesticides--to establish pesticide standards.

GAO also found there was a need for improved monitoring of shellfish-growing waters, shellfish were processed under insanitary plant conditions, and there was a lack of control over the quality of imported shellfish.

GAO made a number of recommendations regarding both FDA's participation in the voluntary program and its statutory responsibilities and recommended certain changes to strengthen the existing program. GAO also recommended that the Congress

consider enacting legislation permitting controls over imported fresh, frozen, and processed shellfish.

Agency action

HEW and the State agencies responsible for shellfish activities agreed generally with GAO's findings. FDA published in the June 1975 Federal Register proposed comprehensive shellfish safety regulations which are subject to revision based on any comments received.

46. HEW, FDA, and USDA, Animal and Plant Health Inspection Service--Need for regulating the food salvage industry to prevent sales of unwholesome and misbranded foods to the public (Report to the Congress, MWD-75-64, May 20, 1975)

Summary

Outlets selling salvaged foods are offering food to the public and institutions that may not have been properly reconditioned or packaged. Because of the potential harm to consumers, it is especially important that such outlets properly sort, clean, repackage, label, and store products before offering them for sale.

In the absence of complete, specific laws, regulations, or guidelines governing the sale of salvaged food, GAO recommended that FDA (1) develop a national uniform code of practice for food salvage outlets, (2) establish a program for regulating such outlets through FDA inspections, and (3) alert responsible health agencies in all States about the potential harmful effects of allowing institutions to buy misbranded or damaged salvaged food products.

Agency action

FDA stated that it was developing a regulatory program and has alerted responsible health agencies. USDA said it would cooperate with HEW in the program. HEW pointed out, however, that because of FDA's limited manpower the program program could best be handled on the State and local level.

47. HEW, FDA and Center for Disease Control--Recalls of large volume parenterals (liquid drugs administered intravenously or by other nonoral means) (Report to Senator Gaylord Nelson, MWD-76-67, Mar. 12, 1976)

Summary

In the last 10 years, manufacturers recalled about 600 chemical large volume parenteral products, mostly because of manufacturing problems associated with product contamination.

FDA does not believe that present regulations, providing criteria for determining whether drugs have been manufactured in accordance with good manufacturing practices, are adequate for large volume parenterals and is developing regulations to improve quality controls over these products.

GAO recommended that FDA give high priority to issuing the new regulations and consider entering into a formal interagency agreement with the Center for Disease Control to facilitate effective coordination of their respective responsibilities.

Agency action

FDA has issued proposed regulations providing criteria for good manufacturing practices for large volume parenterals. Also, FDA and the Center for Disease Control will jointly determine an appropriate mechanism to insure effective coordination.

48. HEW, Social Security Administration--Comments on proposed regulations regarding qualifications of directors of laboratories certified under medicare (Report to Representative B. F. Sisk, MWD-75-10, Aug. 1, 1974)

Summary

GAO ascertained that HEW's regulations caused hardships to certain laboratories in California which under State licensing law could not qualify for Medicare. To remedy the situation, GAO recommended that the effective cutoff date of the regulation be advanced by 1 year to give laboratory directors credit for an additional year of experience.

Agency action

HEW accepted GAO's recommendation.

Assignment in process

49. Consumer Product Safety Commission--Development of safety standards for consumer products

Objectives

To (1) determine the adequacy of the Commission's information and research available to identify the need for regulatory action and (2) evaluate the timeliness of the Commission's initiation and implementation of safety standards.

EMPLOYEE PROTECTION

Reports issued

50. DOL, Employment Standards Administration--Data available to measure impact of minimum and overtime wage provisions of Fair Labor Standards Act on working parents employing domestic service workers as babysitters (Report to Subcommittee on Intergovernmental Relations and Human Resources, House Committee on Government Operations, MWD-75-75, June 3, 1975)

Summary

GAO reported that the impact of extending the minimum and overtime wage provisions on working parents--particularly working mothers--employing domestic service workers as babysitters could not be accurately measured because adequate data was not available. Certain ongoing studies assisted by the Census Bureau would not provide the needed information.

DOL agreed that such impact information was needed and said additional studies would be made when funds and personnel were available.

Agency action

DOL suggested, but the Census Bureau rejected, the use of a supplemental questionnaire in connection with the current population survey. DOL had no suggestions regarding an alternative source for the desired information. GAO is planning to make a followup review of DOL's procedures.

51. DOL, OSHA--Answers to questions on the issuance of an emergency temporary standard for certain chemicals considered to be carcinogens (Report to eight members of the House of Representatives, MWD-75-33, Jan. 6, 1975)

Summary

On the basis of animal experiments and epidemiological studies available to OSHA and criteria provided by an ad hoc

committee advising the Surgeon General, all 14 chemicals for which OSHA issued the emergency temporary standard could be carcinogenic to man. GAO concluded, therefore, that OSHA was justified in initiating action to safeguard workers exposed to the 14 chemicals and that the decision to issue the emergency temporary standard was reasonable.

The report contained no recommendations.

52. DOL, OSHA--Emergency temporary standards on organophosphorous pesticides (Report to eight members of the House of Representatives, MWD-75-55, Feb. 24, 1975)

Summary

The report contained information on the events before and after the issuance of the two emergency standards and the adequacy of the data used by OSHA in support of the standards which were to protect employees from grave danger caused by exposure to the pesticides.

The comments by two expert committees and a court decision indicated that the data used in issuing the standards would not have met the criteria for "grave danger," as defined by the Department of Labor subsequent to the issuance of the standards.

The two standards, however, did not become effective because the first was withdrawn and revised and the second was stayed and later voided by a U.S. Court of Appeals. Subsequently, EPA issued regulations establishing a general standard for all agricultural pesticides and specific time periods during which workers may not enter areas treated with pesticides.

The report contained no recommendations.

Assignments in process

53. HEW, National Institute for Occupational Safety and Health and DOL, OSHA--Effectiveness in providing criteria and support for health standards

Objectives

To evaluate NIOSH and OSHA standard setting activities, and NIOSH's efforts in hazard surveillance, safety and health research, and developing support for OSHA standards.

54. DOL, OSHA--Development and promulgation of safety and health standards

Objectives

To evaluate the process by which OSHA develops and promulgates new standards and determines the need to revise or revoke existing standards.

ENERGY

Assignments in process

55. FPC--Proposed rulemaking to allow inclusion of construction work in process in the rate base of utilities (congressional request)

Objectives

To determine propriety of proposed rulemaking, the benefit that will accrue to the utility, and the impact on the rates paid by utility customers.

56. FPC--Availability of utilities' tax information in rate increase cases (congressional request)

Objectives

To determine extent of any discrepancy between actual amount of Federal income taxes paid by utilities and amount claimed by them in requests for rate increases.

57. FPC--Procedures for approving rates to be charged electric utility customers

Objectives

To identify FPC activities having an impact on its ratemaking procedures and any improvements to better meet objective of just and reasonable rates.

58. FPC and IRS--Federal Government regulation of advertising expenditures by electric utilities and natural gas companies (congressional request)

Objectives

To review audit procedures used by FPC to insure that consumers do not bear the cost of advertising expenditures which are political in nature and aimed at influencing legislation. Also, to review auditing procedures by the IRS applicable to tax returns of electric and gas utilities.

ENVIRONMENTAL PROTECTION

Reports issued

59. EPA and HEW, FDA--Improved Federal and State programs needed to insure the purity and safety of drinking water in the United States (Report to the Congress, B-166506, Nov. 15, 1973)

Summary

At the time of GAO's review, Federal law did not specifically provide for regulating the quality of public water supplies. Federal authority was limited to regulating drinking water used on interstate carries and bottled drinking water sold interstate.

Potentially dangerous water was being delivered to some consumers, particularly by small water treatment systems, as in many cases water supply systems were not tested as frequently as recommended by EPA guidelines.

The Federal Government did not have a formal program of setting standards for, and monitoring, the quality of bottled water. GAO made recommendations to EPA and FDA to improve their programs.

Action taken

Enactment of the Safe Drinking Water Act in December 1974 provides reasonable solutions to the problems identified by GAO. EPA and FDA have taken some of the actions recommended by GAO.

60. NRC--Opportunities for improvements in the administration of nuclear standards development program (Report to Executive Director for Operations, May 21, 1975)

Summary

NRC needed to improve its priority system for developing standards for the construction and operation of safe nuclear plants, and for evaluating old standards. NRC also needed to establish project files to properly manage a standards development program.

Agency action

NRC is implementing GAO's recommendations to make needed improvements.

61. DOT, FAA, and EPA--Control of aircraft noise and air pollution; meetings between FAA and the public (Report to Representative Joseph P. Addabbo, RED-75-384, June 19, 1975)

Summary

The report presented information on progress made by FAA in developing civil aircraft noise abatement regulations, considering EPA's proposals, and public comments on proposed regulations. The report also presented certain information on the development of aircraft air emission regulations and statistics on meetings held by high-level FAA officials with the public during 1974.

The report contains no conclusions or recommendations.

Assignments in process

62. EPA--Control over chlorine discharges by industries and municipalities

Objectives

To determine whether (1) EPA standards and guidelines, based on inadequate and outdated research, have promoted overchlorination of wastewater, (2) inadequate equipment and inefficient operation of wastewater treatment plants are resulting in the use of excessive amounts of chlorine to compensate for these deficiencies, and (3) disinfection standards for wastewater treatment plants are sometimes not being met because of inefficient plant operation. Also, to inquire into the use of alternative disinfection methods used by foreign countries that may be better than chlorination.

63. EPA--Environmental, economic, and health effects of leachate from land disposal sites

Objectives

To ascertain the efforts made by Federal, State, and local agencies to identify the scope of the leachate problem and prevent contamination of ground water and surface water from leachate (contaminated water which occurs as a result of water percolating through waste at a landfill).

TRANSPORTATION

Reports issued

64. DOT--FAA's airport certification program: Has it

resulted in safe airports? (Report to the Congress, RED-76-5, Aug. 8, 1975)

Summary

The airport certification program was intended to raise the standards of safety at U.S. airports. GAO could not determine whether the safety level was adequate because FAA had no objective bases for establishing what the standards of safety at airports should be.

GAO recommended that FAA

- reevaluate the bases of its standards for airport safety and the effects of exemptions,
- adopt a standard for measuring runway friction,
- develop specific criteria to replace generalities used in the standards,
- develop standards for airports awarded limited certificates,
- inspect airports on site for compliance with standards prior to certification, and
- include in its certification program airports which serve commuter air carriers exclusively.

Agency action

DOT agreed to take action on several of GAO's recommendations, but pointed out that further tests and studies are needed before a standard for runway friction can be adopted and that overall standards are not needed for airports awarded limited certification. DOT believes--but GAO does not agree--that additional legislative authority is needed to certify airports serving only commuter airlines.

65. DOT, National Highway Traffic Safety Administration--Need to improve benefit-cost analyses in setting motor vehicle safety standards (Report to Senate Committee on Commerce, RED-74-251, July 22, 1974)

Summary

GAO identified several problems in the Administration's procedures for making benefit-cost analyses.

- Estimates of motor vehicle accident costs (used to measure benefits from proposed safety standards) were much higher than similar estimates by other organizations because data sources, statistical bases, assumptions, and cost calculations varied.
- Available accident data was of limited value for projecting the proposed safety standards' effectiveness because of the inherent problems associated with data collection and the lack of necessary information on accident causes.
- The Administration lacked the necessary data for reliable cost and leadtime estimates.

GAO recommended that the Administration explore ways of developing an authoritative accident cause data system and make a concerted effort to obtain cost and leadtime data from major domestic and foreign motor vehicle manufacturers.

GAO also recommended that the Committee (1) discuss with the Administration the need to reevaluate the data, data bases, and assumptions used in estimating accident costs and (2) consider legislation requiring the industry to furnish cost and leadtime data, if the Administration's efforts to obtain such data fail.

Agency action

DOT recognized the need for revising its cost estimates and for collecting and analyzing real world accident data. Several improvements have been made. Also, Public Law 93-492 was enacted on October 27, 1974, to give DOT authority to obtain and subpoena needed information from manufacturers.

66. DOT, National Highway Traffic Safety Administration--
Improvements needed in planning and using motor vehicle safety research (Report to Senate Committee on Commerce, RED-75-265, Sept. 16, 1974)

Summary

The report contains information on the research and development activities which support the promulgation of Federal motor vehicle safety standards. GAO found that

1. The planning of research projects for fiscal years 1973 and 1974 needed closer coordination between the Research and Development Office, which was responsible for planning and conducting

research, and the Motor Vehicle Program Office, which was responsible for developing safety standards.

2. Motor vehicle research contractors' findings were not promptly used to develop safety standards or to contract for additional research when considered necessary.
3. Little progress had been made in applying the experimental safety vehicle program results to formulating new or improved safety standards.

GAO recommended developing a coordinated program plan for establishing safety standards which delineates the research requirements for each standard; periodic updating of the plan; and monitoring the plan's implementation. GAO also recommended that the Administration critically evaluate research findings, promptly use such findings, if determined to be feasible and desirable, to develop safety standards, or obtain any additional research needed to support rulemaking.

Agency action

The Department said its plans for developing an improved program plan and new procedures for evaluating research findings were expected to lead to increased use of research in support of rulemaking.

In October 1975 the Administration advised that its multiyear plans will now include a description of the research required to support rulemaking, what tangible product is required by the research and the required completion dates. The capability for computerizing the plans has been established and will eventually be used to revise and update the plans.

67. DOT, U.S. Coast Guard--Vessel traffic systems--
What is needed to prevent and reduce vessel accidents
(Report to the Congress, RED-75-319, Jan. 21, 1975)

Summary

The Coast Guard has made only limited use of its authority under the Ports and Waterways Safety Act of 1972 to regulate vessel movements in U.S. ports and waterways. Regulatory actions which should help improve vessel safety include vessel speed limits, controls over the movements of dangerous cargos, and limitations on the size of tows.

GAO recommended that the Coast Guard give national

emphasis and direction to establishing standards as authorized by the 1972 act to control vessel traffic.

Agency action

The Department agreed to undertake a high-level review of the vessel traffic program because of the issues GAO raised. The Coast Guard has since developed a flexible regulatory plan, but as of April 1976 implementing regulations had not been promulgated.

GOVERNMENT-WIDE

Report issued

68. Reporting requirements and public dissemination of information on ownership and structure of corporations under jurisdiction of Federal regulatory agencies (Report to Senator Lee Metcalf, B-166177, Apr. 19, 1973)

Summary

GAO identified the reporting requirements imposed on regulated companies by seven Federal regulatory agencies with respect to stock ownership, control, diversification, debts, and officers. GAO questioned whether the use of nominees by stockholders could impair the data received by the agencies. For large regulated companies the names of nominees are often shown in lieu of the names of stock owners. It was possible to determine who the nominees were by using the nominee list published by the American Society of Corporate Secretaries, but GAO could not ascertain who owned and/or voted the stock held in the nominees' name.

GAO made no formal recommendations but suggested that, in order to identify who owns and who votes the stock, the agencies would have to obtain information from (1) stockholders holding stock in their own names, (2) those holding stock as trustees or in some other fiduciary capacity, and (3) trust beneficiaries.

COMPLIANCE WITH STATUTORY REQUIREMENTS

COMMUNICATIONS

Report issued

69. FCC--Procedures to implement the National Environmental Policy Act of 1969 (Report to the Chairman, Feb. 12, 1975)

Summary

GAO found a need to improve FCC's regulations in several respects:

1. FCC had relaxed without obtaining comments of interested agencies its criteria for what constitutes a major Federal action requiring the preparation of an environmental impact statement because of workload considerations, rather than the action's environmental effect.
2. FCC's rules were not in accordance with Federal guidelines which provide for a minimum delay of 120 days before action is taken on a proposed Federal project to allow for comments on the environmental impact by other interested agencies.
3. FCC's rules did not call for negative declarations when it decided not to prepare an environmental impact statement. Federal guidelines require a public record in such cases.

GAO recommended appropriate improvements in FCC's procedures.

Agency action

FCC is reconsidering its rules for preparing environmental impact statements, because of petitions challenging certain provisions, and will consider interested agencies' comments during such reconsideration. Also, FCC believes that, as a practical matter, its processing of impact statements will provide ample time for comments before Federal action is taken, but will reevaluate its time requirements after more experience has been gained.

Further, FCC plans to make a record, whenever it determines that a significant action does not require an impact statement. However, most of its actions are not expected to involve significant environmental impacts.

CONSUMER PROTECTION

Reports issued

70. HEW, FDA--Implementation of the Poison Prevention Packaging Act of 1970 (Report to Senator Joseph M. Montoya, B-164031(2), May 15, 1973)

Summary

The report contained information on the implementation of the 1970 act and on activities of poison control centers and the National Electronic Injury Surveillance System. GAO made no recommendations.

71. HEW, FDA--Approval of term "potato chips" for products made from dried or dehydrated potatoes (Report to Subcommittee for Consumers, Senate Committee on Commerce, B-179195, Mar. 21, 1974)

Summary

GAO concluded that FDA's policy change, permitting the use of the term "potato chips," was in accordance with its customary procedures. The question whether FDA had statutory authority for this change is for the Federal courts to determine and there had been no court tests on this issue. The validity of FDA's final regulation is also a matter for the courts to determine.

72. HEW, FDA and other agencies--Food labeling: Goals, shortcomings, and proposed changes (Report to the Congress, MWD-75-19, Jan. 19, 1975)

Summary

Although most food products were found to comply with Federal packaging and labeling laws, improvements were needed so that labeling tells consumers what they need to know to compare and select those products suited best to their needs and wants.

GAO recommended that FDA require that labels of food products identify specific vegetable oils used; monitor the effectiveness of relying on public service announcements to present its consumer nutritional labeling education program; and identify those foods that would be appropriate for percentage of ingredient labeling.

GAO also recommended that USDA's Agricultural Marketing Service make existing grade designations uniform and easier for consumers and industry to understand.

Further, GAO recommended that the Congress consider certain amendments strengthening the food labeling laws.

Agency action

FDA issued regulations requiring that labels identify specific vegetable oils used. USDA is revising its regulations to require uniform grade designations within broad food categories--a process expected to take several years to complete. Legislation to strengthen food labeling has been introduced and is pending in the Congress.

73. HEW, FDA--Public hazards from unsatisfactory medical diagnostic products (Report to the Congress, MWD-75-52, Apr. 30, 1975)

Summary

Eighteen months after issuance of regulations, FDA's control over certain diagnostic products had not been effectively implemented. Manufacturers generally had not registered--FDA provided for voluntary registration--and FDA had established neither performance standards, manufacturing criteria, nor an adequate surveillance program. Also, GAO found weaknesses in the regulation of exported diagnostic products.

GAO made several recommendations for strengthening FDA's program of control over diagnostics. GAO also recommended that the Congress clarify and strengthen FDA's statutory authorities.

Agency action

HEW generally agreed with GAO's recommendations and made several changes in its program to control medical diagnostic products. The Congress recently passed legislation (Public Law 94-295, May 28, 1976), which clarifies and strengthens FDA's statutory authority over such products.

74. HEW, FDA--Use of cancer-causing drugs in food-producing animals may pose public health hazards: The case of nitrofurans (Report to Subcommittee on Oversight and Investigations, House Committee on Interstate and Foreign Commerce, MWD-76-85, Feb. 25, 1976)

Summary

Residues of nitrofurans--a class of animal drugs shown to cause cancer--may be present in food taken from treated animals. Some nitrofurans metabolites may also cause cancer, but FDA had not obtained data on the extent of metabolite residues in food.

Continued use of nitrofurans without data showing the absence of residues of the drugs and of any cancer-causing nitrofurans metabolites in food may pose an imminent hazard to the health of man. GAO recommended prompt consideration of the need to suspend nitrofurans for which such information has not been developed.

Agency action

FDA believes that nitrofurans pose no imminent health hazards and that publication in the near future of a revised notice for a hearing, rather than immediate suspension, is the best course of action to resolve the nitrofurans safety question. GAO, however, believes that FDA's authorizing act and recent court decisions support an interpretation of imminent hazard that is more liberal than FDA's stricter interpretation.

Assignments in process

75. HEW, FDA--Radiological health programs

Objectives

To evaluate (1) the adequacy of FDA's regulations of X-rays for diagnostic purposes, (2) the extent to which States have implemented programs to control X-rays, and (3) the need for trained and qualified X-ray equipment operators to reduce unnecessary radiation exposure.

76. HEW, FDA--Program for surveillance of imported products

Objectives

To evaluate the effectiveness of the program to insure that imported (1) food products are safe, pure, and wholesome, (2) human and animal drugs, biological products, and medical devices are safe and effective, (3) cosmetics are safe, and (4) electronic products do not emit dangerous levels of radiation.

77. HEW, FDA--Regulation of diathermy medical devices (congressional request)

Objectives

To determine whether FDA has adequately carried out its statutory responsibility with respect to diathermy and similar electromagnetic therapy devices, including promulgation of standards and regulations, research and testing and priorities for spending regulatory time and resources.

78. HEW, FDA--Regulation of cosmetics

Objectives

To evaluate (1) the extent to which cosmetic products pose a hazard to consumers, (2) the adequacy of FDA's existing authority to regulate cosmetics, and (3) the effectiveness of FDA's program to insure that cosmetics are safe.

79. HEW, FDA--Regulation of food additive saccharin

Objectives

To review FDA's methods for determining the safety of food additive saccharin with emphasis on (1) history of its regulation, (2) current status of testing, (3) consideration of alternatives, and (4) compliance with statutory requirements.

80. HEW, Social and Rehabilitation Service--Intermediate care facilities program

Objectives

To determine why such facilities are not in compliance with Federal standards.

EMPLOYEE PROTECTION

Reports issued

81. Department of the Interior, Mining Enforcement and Safety Administration--Analysis of closure orders issued under the Federal Metal and Nonmetallic Mine Safety Act of 1966 (Report to Senate Committee on Labor and Public Welfare, RED-76-64, Feb. 12, 1976)

Summary

The report contains information on closure orders issued to noncoal mines from January 1, 1972, to September 1, 1975. The orders are summarized and analyzed on several bases, including the health and safety standards cited; extent of

mine closure and time required to abate (correct) the violations; and the location, types, and sizes of the mines and mills cited.

The report contains no recommendations.

82. Department of the Interior, Bureau of Mines (succeeded by Mining Enforcement and Safety Administration)--Followup on the implementation of Federal Coal Mine Health and Safety Act of 1969 (Report to Representative Ken Hechler, B-170686, July 5, 1973)

Summary

The Bureau of Mines made progress in 1971 and 1972 in carrying out safety and health inspections and other activities required under the act, and in monitoring actions taken by the mine operators. However, to obtain full compliance with the statutory provisions, continuing efforts by the Bureau were needed, with respect to

- making four regular safety and health inspections a year of each underground mine and making special 5-day spot inspections of mines having hazardous conditions;
- educating mine operators to make health and safety inspections, including sampling respiratory dust concentrations and conducting daily or weekly safety inspections; and
- review and approval of mine operations' operating plans for roof control, ventilation, and emergency action.

The Bureau told GAO that shortages of certain types of equipment needed for safe operations in the mines no longer existed, and the Bureau had hired about 95 percent of its authorized complement of 1,350 coal mine inspectors. Also, the Bureau had improved its mine accident investigation procedures and issued needed guidelines for use by its inspectors and by mine operators.

The report contained no recommendations.

83. Department of the Interior, Mining Enforcement and Safety Administration and HEW, National Institute for Occupational Safety and Health--Improvements still needed in coal mine dust-sampling program and penalty assessments and collections (Report to Senate Committee on Labor and Public Welfare, RED-76-56, Dec. 31, 1975)

Summary

Significant improvements have been made in reducing the amounts of coal dust in mines since the dust sampling program was begun in 1970. However, measurements of respirable dust have been unreliable because of uncertainty as to the accuracy of the dust sampling equipment, improper or inadequate procedures followed by operators and miners taking the samples, and errors in weighing the samples.

GAO recommended that Interior and HEW seek further improvements in dust sampling equipment and make a joint study, with assistance of the National Bureau of Standards, to determine the accuracy of dust measurements taken with current equipment.

Concerning penalty assessments and collections, GAO noted certain improved procedures, but found them not effective in several respects:

- Penalty assessments, settlements, and collections continued to be untimely.
- Factors used to determine penalty amounts were applied inconsistently.
- Penalties were significantly lower than amounts originally assessed and were a questionable deterrent to noncompliance.
- The Mining Enforcement and Safety Administration could not insure that all violations were assessed, settled, and/or collected.

GAO recommended that the Administration clarify the assessment factors, insure their uniform application, and evaluate and revise the penalty assessment program so that it will serve as an effective deterrent to violations.

Agency action

The Administration, in cooperation with HEW's National Institute of Occupational Safety and Health and the National Bureau of Standards, has started a study of the accuracy and possible need for improvement of dust-sampling equipment. The Administration also is developing procedures designed to speed up and control notices of violations but advised GAO of no further action to strengthen the penalty assessment program.

84. Departments of Labor, Justice, and State--Administration of the alien labor certification program should be strengthened (Report to House Committee on the Judiciary, MWD-75-2, May 16, 1975)

Summary

The Immigration and Nationality Act authorizes a labor certification program under which DOL can bar issuance of a visa to an alien seeking permanent employment when such immigration would adversely affect the American labor market. Certain aliens coming to the United States to perform temporary work are required by immigration regulations to obtain a labor certification.

GAO found that the program had little influence on protecting the American labor force because a large number of aliens entering this country--many of whom may enter the labor force--were not required to obtain a certification. Labor's Employment and Training Administration and Justice's Immigration and Naturalization Service needed to improve internal management controls to make the administration of the program more effective in meeting its legislative intent. GAO made recommendations to both Labor and Justice and suggested that the Congress consider expanding the coverage of the program under the current act so that control can be exercised over a greater number of incoming alien workers.

Agency action

Labor said that, in general, action would be taken to implement GAO's recommendations. Policies and procedures for making labor certification have been or are being strengthened and a comprehensive monitoring system is being designed. Justice acknowledged that the recommendations have some merit but pointed out that they would require significant increases in personnel.

Assignments in process

85. HEW, National Institute for Occupational Safety and Health--Health hazard evaluation program

Objectives

To evaluate the effectiveness of the program established for responding to employer and employee requests for health hazard evaluations.

86. DOL, OSHA--Gaps in State plans

Objectives

To determine the effects on worker protection of OSHA's procedures for evaluating and approving State occupational safety and health plans.

ENERGY

Reports issued

87. FEA--Problems of independent refiners and gasoline retailers (Report to Senate Committee on Government Operations, OSP-75-11, Apr. 4, 1975)

Summary

Under FEA's crude oil allocation and pricing regulations small and independent refiners operated at supply levels below the major oil companies and paid higher prices for the oil they refined than the majors. FEA adopted new regulations aimed at equalizing crude oil costs among refiners.

GAO found that, at the retail level, FEA was not prompt in developing and reporting data on the market share of independents as required by the Emergency Petroleum Allocation Act. Studies by two firms, FEA, and responses to a GAO questionnaire indicated that, while the number of independent retail dealers appeared to have decreased, the proportion of refiner owned and operated stations increased.

GAO made no recommendation.

88. FPC--Need for improving the regulation of the natural gas industry and management of internal operations (Report to Representative John E. Moss, GGD-74-106, Sept. 13, 1974)

Summary

Extensions granted by FPC to producers making emergency gas sales were improper because they were not authorized by FPC regulations and were contrary to its stated objectives. Some of the extensions granted by FPC negated the effect of a federal court's stay of an FPC order.

GAO also pointed out that FPC relied on incomplete and inaccurate data on the emergency sales programs in its decisionmaking process. In addition, customers paid higher prices for natural gas than may have been just and reasonable,

because FPC did not take required action in a timely manner on applications under its optional certificate procedures.

GAO recommended that FPC improve its (1) monitoring of emergency gas sales and (2) optional certificate procedures.

Agency actions

FPC informed GAO of corrective actions taken. GAO made a followup of such actions and reported thereon to the Subcommittee on Oversight and Investigations, House Committee on Interstate and Foreign Commerce (RED-76-108, May 24, 1976).

ENVIRONMENTAL PROTECTION

Reports issued

89. EPA--Implementation of Federal Water Pollution Control Act Amendments is slow (Report to Subcommittee on Environmental Pollution, Senate Committee on Public Works, RED-75-291, Dec. 20, 1974)

Summary

Many municipalities were unlikely to achieve water quality goals as they could not meet EPA's administrative requirements and in view of the slow pace at which EPA was awarding Federal grants.

There were delays in EPA publishing guidelines on effluent limitations for various industrial categories, and industrial discharge permits were issued on an interim basis. As a result, some dischargers may be unable to meet the legislative requirement that they apply the best practicable control technology by July 1, 1977.

Also, EPA had not published final guidelines for developing areawide waste treatment management plans which may delay implementation of several statutory requirements for control or treatment of pollution.

GAO proposed a change in the 1972 act but had no recommendations for action by EPA.

90. EPA--Cleaning up the Great Lakes: United States and Canada are making progress in controlling pollution from cities and towns (Report to the Congress, RED-75-338, Mar. 21, 1975)

Summary

The United States had made substantial progress in controlling pollution from municipal sources but much remained to be done. The pollution problem in the U.S. portion of the basin was much more serious than in the Canadian and required considerably more funds. Greater progress had not been made because many municipalities did not meet the administrative and legislative requirements for Federal funding. Also, Federal funding for research on the Great Lakes ecological system had been delayed because of transfers to another program and impoundment of funds.

GAO recommended that EPA seek to expand the joint research and development program with Canada and prepare for the Congress' information an estimate of funds needed for (a) research and (b) monitoring and surveillance.

Agency action

EPA agreed generally with GAO's findings, but no specific action had been taken as of April 30, 1976.

91. EPA and HEW, FDA--Federal pesticide registration program: Is it protecting the public and the environment adequately from pesticide hazards? (Report to the Congress, RED-76-42, Dec. 4, 1975)

Summary

The American consumer has not been adequately protected because of inadequate efforts to implement provisions of the Federal laws. GAO recommended improvements to remedy the following conditions:

- Safety and efficacy data had not been submitted by manufacturers to support a pesticide's registration.
- Reviews of inert ingredients were not subjected to the full range of safety testing.
- Many labels did not comply with the requirements.
- Pesticide residue tolerances were not adequately monitored or reviewed.
- The safety of residues in some foods had not been determined.
- Statutory registration requirements were not met on a timely basis.

Agency action

EPA generally agreed with GAO's findings and is implementing procedures under its new registration regulation. EPA pointed out, however, limitations in staff and time. FDA will coordinate its pesticide monitoring with EPA but disagreed with GAO's recommendations to periodically test all pesticide residues in food.

92. EPA--Implementing the national water pollution control permit program: progress and problems (Report to Subcommittee on Investigations and Review, House Committee on Public Works and Transportation, RED-76-60, Feb. 9, 1976)

Summary

Before the national permit program can become the key to cleaning up the Nation's waterways, the Agency needs to overcome major problems, including

- having to issue thousands of additional permits,
- resolving lawsuits challenging a majority of the industrial effluent limitation guidelines,
- adjudicating appeals of permit conditions by many dischargers,
- tracking adherence to permit conditions by the thousands of dischargers and taking enforcement actions against noncompliers, and
- reissuing expiring short-term municipal permits and modifying almost all other municipal permits to reflect achievable or changing permit requirements.

GAO recommended that EPA encourage the States' assuming the permit program and to this end resolve differences between State and Federal requirements.

Agency action

EPA concurred with GAO's recommendations but, as of April 30, 1976, had not advised GAO of specific actions taken.

93. NRC and ERDA--Federal investigations into certain health, safety, quality control, and criminal allegations at Kerr-McGee Nuclear Corporation (Report to Subcommittee on Budgeting, Management, and Expenditures, Senate Committee on Government Operations, RED-75-374, May 30, 1975)

Summary

This report provided information on the status of NRC and ERDA activities to investigate the allegations. Aspects of the agencies' investigations, which GAO reviewed, included (1) what information had been made public and reasons for not disclosing certain data, (2) adequacy of coordination among the investigating agencies, and (3) independence of a task force appointed to examine the quality assurance program at Kerr-McGee.

94. NRC--Organizational structure under the Energy Reorganization Act of 1974 (Report to Senate Committee on Government Operations, RED-76-3, July 18, 1975)

Summary

GAO concluded that NRC had not violated the 1974 act by establishing five major offices instead of only the three specified in the act. The report contained no recommendations.

95. NRC--Environmental protection program in the licensing of commercial nuclear power reactors (Report to Executive Director for Operations, Oct. 22, 1975)

Summary

NRC needed to provide its licensing staff with guidance on verifying data in applicants' environmental reports.

Agency action

NRC is developing such guidance.

Assignments in process

96. EPA--Progress made toward meeting primary ambient air quality standards

Objectives

To determine the progress made by the States and the reasons why the standards were not met within the period specified by the Clean Air Act.

97. EPA--Special registration activities under the Federal Insecticide, Fungicide, and Rodenticide Act

Objectives

To determine the health and environmental effects of pesticides used in emergency situations or for experimental purposes and EPA efforts to minimize such effects.

98. EPA and other agencies--Progress toward controlling and eliminating ocean dumping of municipal and industrial wastes

Objectives

To review Federal efforts in compliance with the Marine Protection, Research and Sanctuaries Act of 1972.

99. EPA--Implementation of the Noise Control Act of 1972

Objectives

To determine effectiveness of EPA's efforts to coordinate noise research and control activities of other Federal agencies, to establish noise emission standards, and to provide technical assistance to States and local governments.

100. NRC--Decommissioning and decontamination of radioactive facilities

Objectives

To evaluate NRC's program for regulating the decommissioning and decontamination of licensed nuclear facilities, to insure that any residual radiation does not pose a threat to public health and safety or to the environment.

TRANSPORTATION

Report issued

101. Department of the Army, Corps of Engineers--Need to establish fees for processing permit applications (Report to Secretary of the Army, RED-75-274, Sept. 25, 1974)

Summary

The Corps charged fees for certain types of permits affecting navigable waters, but not for permits issued under

sections 9 and 10 of the River and Harbor Act of 1899 which allow for construction such as bridges, wharves, and piers or for excavating and filling. These activities benefit the recipients of the permits, by providing protection from storms and erosion and by providing better access to waterways for water sports and recreation.

GAO recommended that, in line with general law and executive directives, the Secretary require the Corps to establish fair and equitable fees for these permits.

Agency action

The Department agreed to institute a fee system but implementation has been delayed due to overall changes in, and challenges to, the Corps' regulatory activities.

Assignments in process

102. Postal Rate Commission--Review of selected aspects (Congressional request)

Objectives

To provide specific information on cost, functions, continuity of management, the relationship of the Commission to the Postal Service, and the extent to which the Commission's accomplishments meet the objectives established by the Congress.

103. DOT, National Highway Traffic Safety Administration and Federal Highway Administration--Implementation of the 55 mile per hour national speed limit.

Objectives

To determine the level of compliance and enforcement by DOT and the States and the adequacy of sanctions that can be invoked.

104. DOT, Office of Pipeline Safety--Pipeline safety program

Objectives

To evaluate how DOT has discharged its responsibilities under the authorizing legislation, evaluate planned activities regarding the Alaska and offshore pipelines, and review coordination with other Federal agencies (FPC, U.S. Coast Guard, Interior).

GOVERNMENT-WIDE

Assignments in process

105. Review of independent regulatory agencies' information-gathering activities

Objectives

To provide GAO a reasonable basis from which to (1) approve future agency reporting submissions in a timely manner, (2) advise the Congress as to how well the agencies' overall information-gathering activities are working, and (3) advise and assist the regulatory agencies in developing adequate information-gathering systems where appropriate.

106. Status of GAO's responsibilities under the Federal Reports Act

Objectives

To report to the Congress on GAO's experience in clearing information requests by independent Federal regulatory agencies in compliance with section 409 of Pub. L. 93-153. This law requires GAO to insure that (1) the information is obtained with a minimum burden upon business enterprises, especially small business enterprises, and other persons required to furnish information and (2) unnecessary duplication of efforts in obtaining information already filed with other Federal agencies or departments is eliminated as rapidly as practicable.

MANAGEMENT PRACTICES

CONSUMER PROTECTION

Reports issued

107. HEW, FDA--Supervision over investigational use of selected drugs (Report to Subcommittee on Reorganization, Research, and International Operations, Senate Committee on Government Operations, B-164031(2), July 23, 1973)

Summary

GAO found several weaknesses in FDA's procedures to insure safety of testing drugs in humans and in prompt action to stop further experimentation until safety evaluations are made when serious drug-related adverse effects are encountered. GAO accordingly made several recommendations to improve these procedures.

Agency action

HEW concurred in the recommendations. In particular, FDA now requires a written determination that a drug's benefits outweigh the possible risks of its experimental use before allowing clinical tests to start or continue when serious safety questions arise.

108. HEW, FDA--Assessment of handling reports on adverse reactions from the use of drugs (Report to the Congress, B-164031(2), Mar. 7, 1974)

Summary

FDA's adverse drug reaction reporting system had not been used adequately to regulate drugs. Some medical officers in the regulatory divisions (1) did not use it, (2) did not know it existed, or (3) were uncertain whether FDA had the burden of proving a specific drug's adverse reaction. Moreover, the regulatory divisions did not receive complete or adequate information from FDA's monitoring units which have the responsibility to collect information on adverse drug reaction.

GAO made a number of recommendations to improve the adverse drug reaction reporting system and its use as an aid in drug regulation.

Agency action

FDA took action to develop a National Center for Drug Experience Information and to form a committee whose primary objective will be to insure that adverse reaction information will be of maximal use in drug regulation.

109. HEW, FDA, and USDA Animal and Plant Health Inspection Service--Salmonella in raw meat and poultry: An assessment of the problem (Report to the Congress, MWD-74-149, July 22, 1974)

Summary

Salmonella-contaminated raw meat and poultry products were reaching the market and consumers had not been adequately alerted to the problem nor to the safeguards they must take to minimize the spread of this bacteria during food handling. Federal efforts have not had a major impact in controlling human salmonellosis and resulted in certain industry segments being regulated for salmonella contamination while others were not.

GAO made several recommendations to HEW and USDA to more quickly and effectively control the salmonella problem.

Agency action

HEW and USDA took action on most of the recommendations which should improve their salmonella programs.

Assignment in process

110. HEW, Health Services Administration--Professional standards review program

Objectives

To determine the status of the program and to develop a strategy to assess HEW's program administration and the efficiency of operations of professional standards review organizations throughout the country and the program's impact on the quality of health care.

EMPLOYEE PROTECTION

Reports issued

111. DOL, Employment and Training Administration--Certification of foreign workers for New Hampshire 1974 apple harvest (Report to Representative James C. Cleveland, MWD-76-53, Feb. 6, 1976)

Summary

GAO was asked to examine whether DOL certified foreign workers soon enough in 1974 and whether growers were required to accept unskilled domestic crews, with serious adverse effects on the harvest.

GAO concluded that:

- DOL delayed the certification because it was concerned that due to high unemployment qualified domestic workers might be available.
- Growers requesting foreign workers did not advertise for domestic workers, and the State employment agency did not make reasonable efforts to recruit domestic workers.
- Growers employing foreign workers paid less money for each bushel picked than growers who hired only domestic workers. These lower rates may adversely affect growers' ability to hire domestic workers.

GAO recommended certain improvements in the certification procedures.

Agency action

Both DOL and State employment security agencies took or planned measures to improve the certification procedures.

112. DOL, OSHA--Dissemination of safety and health standards to businesses subject to the Occupational Safety and Health Act of 1970 (Report to Senate Committee on Labor and Public Welfare, B-163375, Dec. 13, 1973)

Summary

The report contained information on OSHA's efforts to publish and disseminate safety and health standards and included no recommendation.

113. DOL, OSHA and SBA--Administration of small business loan program under the Occupational Safety and Health Act (Report to Senate Committee on Labor and Public Welfare, B-163375, Apr. 4, 1974)

Summary

SBA and OSHA jointly administer this program which

provides financial assistance through loans and loan guarantees to small businesses who would suffer substantial economic injury in complying with OSHA's requirements.

GAO reported that SBA had not defined the term "substantial economic injury" and had not established procedures on how to determine the existence of such a condition. SBA and OSHA were not following prescribed procedures in processing loans and were not very successful in the program's initial operations.

GAO recommended that the two agencies make appropriate program improvements.

Agency action

SBA and OSHA advised GAO that they had taken, or planned to take, actions similar to those recommended.

Assignments in process

114. DOL, Labor-Management Services Administration--Selected aspects of implementation of Employee Retirement Income Act (congressional request)

Objectives

To determine the timeliness of DOL responses to inquiries on the new act's requirements, and the extent of staffing its pension activity in relation to congressionally authorized staffing levels.

115. DOL, OSHA--Data used for setting priorities

Objectives

To determine whether actions proposed for improving data on work-related injuries and illnesses will enable OSHA to establish priorities for developing standards, inspecting workplaces, and educating employers and employees.

ENERGY

Reports issued

116. FEA--Problems in implementation of emergency petroleum allocation programs at the regional and State levels (Report to Subcommittee on Reorganization, Research, and International Organizations, Senate Committee on Government Operations, OESP-75-15, July 23, 1974)

Summary

GAO found that FEA's regional offices were not promptly or correctly processing applications for allocations, the management information system designed to keep track of allocation cases was ineffective, and the enforcement and compliance effort was rather limited and may have been misdirected.

At the State level, GAO reported that the State set-aside program was not being properly administered. For example, many priority users, such as agricultural producers, were requesting and receiving set-aside fuels, even though such priority users should have been receiving all of their current requirements from regular supplies.

No GAO recommendations were included in the report because allocation problems had subsequently lost some of their urgency and GAO planned to further review compliance efforts and the set-aside program.

117. FPC--Activities relative to maintenance of distribution systems by electric utilities (Report to Representative Elizabeth Holtzman, B-176199, July 19, 1973)

Summary

GAO ascertained that FPC

- keeps informed on larger interruptions in bulk power supply;
- receives annual reports including data on generation, transmission, and distribution facilities; and
- investigates major power failures.

Since maintaining distribution systems is the primary concern of State regulatory agencies, FPC has no specific information on most distribution systems. But, if necessary, the Commission may work through the Regional Reliability Councils to bring about needed improvements in a utility's distribution system.

GAO's report included no recommendations.

118. FPC and SEC--Receipt and coordination of natural gas reserve data (Report to Representative Henry B. Gonzalez, B-178912, Apr. 30, 1974)

Summary

The report contained information pertaining to (1) what natural gas reserve information FPC and SEC receive, (2) whether FPC verifies that sufficient gas is available when interstate gas sales are approved, and (3) whether SEC and FPC coordinate their efforts so that disparities in the data are disclosed.

GAO found that FPC and SEC could improve coordination through exchanging natural gas reserve data. GAO recommended that SEC give FPC the supplementary gas reserve data it receives pertaining to interstate operations when submitting prospectuses to FPC for review and comment. GAO also recommended that FPC and SEC jointly evaluate the results achieved and determine whether to continue or eliminate the practice.

Agency action

SEC and FPC have determined that it is beneficial for FPC to receive the supplementary gas reserve data from SEC and have implemented the procedure on a permanent basis.

119. FPC--Contract award for developing and installing a regulatory information system (Report to Representative John E. Moss, RED-76-59, Apr. 2, 1976)

Summary

Certain Commission actions in awarding a contract may have detracted from the competitiveness of the award; however, the award was in technical conformance with Federal procurement regulations.

This report also discusses

- the need to test available data management systems to insure procurement of the most suitable system for FPC's needs,
- the need to require the contractor to maintain documentation supporting conclusions reached during its evaluation of data management systems,
- the need to periodically evaluate the security of regulatory information in the system to preclude unauthorized access, and

--GAO's concern that the General Services Administration's review procedures regarding delegations of procurement authority under the Brooks Act (Public Law 89-306) should also apply to facilities services contracts.

GAO recommended improved procedures for future contract awards.

Agency action

The Commission did not agree with GAO's findings but stated it will cooperate to improve its procedures as may be warranted.

ENVIRONMENTAL PROTECTION

Reports issued

120. AEC--Improper use of contractor-furnished employees at AEC's regulatory organizations (Report to Chairman, AEC, B-164105, Nov. 1, 1973)

Summary

AEC's use of such employees was improper and more costly than doing the work inhouse.

Agency action

AEC stopped using many of these employees, saving about \$163,000.

121. EPA--Need to control discharges from sewers carrying both sewage and storm runoff (Report to the Congress, B-166506, Mar. 28, 1973)

Summary

Combined sewer discharges of untreated or inadequately treated sewage was a major pollution problem and prevented many areas from attaining Federal and State water quality goals. Generally, EPA funds were not available for projects to control such discharges.

Many municipalities could achieve substantial benefits by abating combined sewer discharges under a program of phased construction.

The 1972 water pollution control law should enable EPA to deal more effectively with the combined sewer problem.

GAO recommended that States and municipalities give increased attention to the control and abatement of combined sewer discharges and that EPA consider awarding grants for phased construction projects.

Agency action

EPA implemented GAO's recommendations.

122. EPA--Adequacy of safety and efficacy data provided by nongovernmental pesticide laboratories (Report to Administrator, RED-76-63, Jan. 26, 1976)

Summary

EPA had no program to accredit and/or inspect these laboratories and insure that they have the requisite resources for performing reliable tests. Other public agencies using such laboratory data have found some to be unsatisfactory and therefore carry out inspection or accreditation programs. GAO recommended that EPA determine the need for such a program, particularly since EPA has accepted pesticide studies containing laboratory disclaimers and inadequate identification of compounds being tested.

Agency action

EPA expressed general agreement with GAO's findings and initiated a study of the problem. EPA also will institute procedures to control such laboratory testing.

123. NRC--Development of interagency relationships in the regulation of nuclear materials and facilities (Report to Senate Committee on Government Operations, RED-76-72, Mar. 10, 1976)

Summary

The Commission has developed working relationships with other Federal agencies, chiefly ERDA. GAO, however, found a need to (1) develop or modify existing or proposed relationships in the Commission's use of ERDA's research facilities, and (2) review physical protection systems in its export license program. The report contains appropriate recommendations.

Agency action

An agency response had not been received as of April 30, 1976.

124. NRC and other agencies--Stronger Federal assistance to States needed for radiation emergency response planning (Report to the Congress, RED-76-73, Mar. 18, 1976)

Summary

Federal efforts in assisting States to voluntarily develop plans to cope with emergency radiation incidents at nuclear facilities have resulted in published guidelines and free formal training courses for State and local officials. But no State plan had been found adequate by the Commission. GAO offered recommendations on how NRC and ERDA can help States improve their plans and on how NRC can keep the Congress better informed.

Agency action

NRC and ERDA agreed to implement GAO's recommendations.

Assignments in process

125. EPA--Water pollution control activities on the Mississippi River

Objectives

To develop a case study which will identify Federal, State, and local water pollution control efforts on the segment of the Mississippi River at St. Louis and measures needed to correct two major water quality problems.

126. EPA--Nonpoint sources of water pollution

Objectives

To identify Federal, State, and local agencies with responsibilities for controlling nonpoint sources of water pollution (sources of pollution not specifically identifiable), what they are doing to control it, and what more needs to be done.

127. NRC and ERDA--Information on this country's most expensive light water reactor safety test facility

Objectives

To identify and evaluate--with input from 5 GAO technical consultants--the reasons for the 9-year and \$124 million overruns on this project; and to determine whether the

project can have a positive impact on NRC's regulation of commercial nuclear powerplants.

128. NRC and ERDA--Efforts to solve spent fuel storage and high level waste problems

Objectives

To evaluate NRC and ERDA efforts and timetables for resolving these problems, and their coordination with other affected Federal agencies such as EPA and U.S. Coast Guard.

FINANCIAL AND COMMODITY REGULATIONS

Report issued

129. Commodity Futures Trading Commission--Improvements needed in regulation of commodity futures trading (Report to the Congress, RED-75-370, June 24, 1975)

Summary

GAO's review showed that

- trading abuses were occurring,
- improvements in exchange records were needed, and
- a modified marketwide surveillance program using computers was needed.

GAO recommended that the Commission:

- Improve effectiveness of trade practice investigations by requiring accurate and useful trade records, instituting a modified marketwide surveillance program using computers, and acting quickly on violations and publicizing penalties imposed.
- Complete complaint investigations promptly to increase public confidence in the futures markets and to deter trading abuses.
- Work with the Administrator of the Agricultural Marketing Service and with other Federal agencies to insure that adequate cash-price information will be provided for all commodities traded in the futures markets.

- Redirect the Commission's audit function to a strong oversight role and transfer the primary responsibility for enforcing the required financial provisions and regulations to the exchanges.
- Implement a formal research program for commodity futures trading and consider such areas as foreign and trader influence on the futures markets when establishing priorities.

Agency action

The Commission established

- an advisory committee to study GAO's recommendations (its report was expected in May or June 1976),
- a Bureau of Research and Education, and
- a new division to act promptly on violations.

TRANSPORTATION

Assignments in process

130. CAB--Subsidy program for local service carriers

Objectives

To determine whether CAB is achieving the subsidy program's objectives as economically as possible.

131. DOT, Federal Highway Administration--Highway safety improvement program

Objectives

To determine the extent of States' implementation of the highway safety standards; to determine if States are using a systematic approach for identifying, selecting and implementing highway safety construction projects; and to evaluate the adequacy of the Administration's management practices for the highway safety program.

132. DOT, National Highway Traffic Safety Administration--Study of the effectiveness and costs of Federal motor vehicle standards (Congressional request)

Objectives

To (1) demonstrate the probable effectiveness of motor vehicle safety standards, (2) develop the total costs to the

consumer for the entire motor vehicle safety program, and (3) compare and contrast the estimates included in economic studies which have been done for a few existing standards.

INSPECTION AND ENFORCEMENT PROCEDURES

CONSUMER PROTECTION

Reports issued

133. USDA, Agricultural Marketing Service, and HEW, FDA-- Processed fruits and vegetables: Potentially adulterated products need to be better controlled--sanitation in some plants needs improvement (Report to the Congress, B-164031(2), Feb. 21, 1973)

Summary

During a 15-month period beginning in 1970, the Agricultural Marketing Service identified 39 million pounds of processed fruits and vegetables that did not meet U.S. grade standards because the products contained excessive foreign materials or were packed under unsanitary conditions. HEW's FDA is responsible for insuring that unwholesome food does not enter interstate commerce.

The Service had not notified FDA of either (1) potentially adulterated food uncovered during grading or (2) plants where, because of sanitation deficiencies, grading service was withdrawn or suspended.

GAO recommended that FDA, under the authority of the Federal Food, Drug, and Cosmetic Act, routinely obtain from Agriculture such information as is necessary for FDA to take appropriate actions regarding processed fruits and vegetables which fail to meet U.S. grade standards for reasons which, under FDA standards, would render the products adulterated. GAO also recommended that the Service cooperate in providing such information on a timely basis and develop procedures for notifying FDA of those plants where, because of sanitation deficiencies, its grading service had been withdrawn or suspended, its contracts had been terminated, or requests for its service had been disapproved.

Agency action

The Service agreed to cooperate with FDA by providing the information necessary to prevent adulterated food from reaching consumers and by reporting plants which were denied grading service because of unsanitary conditions.

A revised agreement concerning the inspection and grading of food products was entered into between the two agencies effective August 28, 1973. The agreement covers the main elements of GAO's recommendations.

134. USDA, Animal And Plant Health Inspection Service-- Consumer protection would be increased by improving the administration of intrastate meat plant inspection programs (Report to the Congress, B-163450, Nov. 2, 1973)

Summary

Under the Wholesome Meat Act of 1967, States must maintain inspection and sanitation requirements on intrastate meat plants equal to those on federally inspected meat plants. The Department assumes inspection and responsibility for plants in States that do not comply with this requirement.

The Animal and Plant Health Inspection Service needed to (1) improve and clarify its criteria for rating sanitation and other conditions at intrastate meat plants and (2) develop definitive standards and criteria for determining whether State programs are comparable to the Federal program and when a State should be notified that its plants may be designed for Federal inspection. Also administrative costs could be reduced and other benefits could result if the Department reviewed State-inspected meat plants on a statistical sampling basis to determine if State inspection and sanitation requirements are equal to Federal requirements.

GAO recommended that the Service:

1. Provide reviewers with improved plant-rating criteria that can be applied with a high degree of uniformity and that specify review findings which require a plant to be rated unacceptable.
2. Establish and advise the State of the criteria, including the percentage of a State's plants that must meet Federal requirements, that will be used in determining when a State's program is equal to and when a State will be notified formally that the Department is considering designation for Federal inspection.
3. Consider using quarterly random samples of plants as a basis for determining, and reporting to the Congress, the status of State meat inspection programs.

Agency action

The Department issued a directive, effective January 1, 1974, to implement GAO's recommendations.

135. Consumer Product Safety Commission (Successor to FTC)
--Need to improve enforcement of standards under the
Flammable Fabrics Act (Report to Chairman, Sept, 11,
1974)

Summary

Enforcement efforts by FTC (predecessor agency responsible for administering the act) were minimal and little was done to implement the Commission's broad overall plan of action. FTC considered the expenditure of substantial resources on enforcement not justified because it had received no complaints against domestic manufacturers.

GAO, however, noted problems concerning the flammability of imported materials and a need for better coordination with the U.S. Customs Service. Also, GAO pointed out certain shortcomings in inspection procedures, delays in testing fabric samples, and failure to delay the distribution of suspect fabrics. Moreover, the flammable standard for basic wearing apparel seemed to require revision as authorized by the 1967 amendments to the act.

Agency action

The Commission issued a new compliance policy for imported fabrics and a new enforcement policy for its inspection programs. Also, it agreed to strengthen its general wearing apparel standard.

136. HEW, FDA--Problems in obtaining and enforcing compliance with good manufacturing practices for drugs
(Report to the Congress, B-164031(2), Mar. 29, 1973)

Summary

FDA did not always aggressively enforce drug producers' compliance with the requirement that drugs be produced in conformity with good manufacturing practices, as indicated by the large number of producers with continuing deviations on successive inspections. Efforts to obtain voluntary compliance often were not effective because FDA did not properly notify producers of needed corrections and inspections were not timely or effective.

FDA lacked an effective means to insure biennial inspection of all drug producers. Also, the agency did not have a complete and accurate list of producers required to be registered and inspected.

GAO made several recommendations to strengthen enforcement and inspection procedures.

Agency action

HEW concurred with and implemented GAO's recommendations.

137. HEW, FDA--Activities involving sanitation conditions at food storage warehouses (Report to the Commissioner, July 30, 1974)

Summary

GAO representatives accompanied FDA and/or State inspectors on inspection of 22 food storage warehouses in two regions. Sanitation conditions were found to be adequate except at two warehouses which were subject to two of the largest food seizures in FDA history.

GAO's review showed that some of the underlying factors affecting the adequacy of inspections of the two warehouses were (1) need for more specific guidelines and/or training to assist inspectors, (2) need for criteria as to when followup inspection should be made, and (3) need for better monitoring of State inspection programs under FDA contract. GAO made appropriate recommendations to FDA.

Agency action

FDA has issued revised guidelines for food warehouse inspections, additional training instructions, and procedures for evaluating inspections performed under contract.

138. HEW, FDA--Excluding substandard canned pineapple from the United States (Report to Senator Daniel K. Inouye, MWD-75-40, Mar. 3, 1975)

Summary

The effectiveness of FDA's surveys in 1973 and 1974, to determine sources and evidence of substandard canned pineapple, was limited because of questionable rejection criteria, insufficient random sampling, and lack of uniformity in applying food quality standards. GAO recommended that FDA make special inspections of imported pineapple, reevaluate its criteria for accepting or rejecting products, and provide additional training of inspection personnel to insure that quality standards are properly applied.

Agency action

FDA agreed to inspect imported pineapple as part of its regular compliance program and to provide additional training to its inspectors.

139. HEW, FDA--Investigation of defective cardiac pacemakers recalled by the General Electric Company (Report to Senate Committee on Government Operations, MWD-75-71, Mar. 10, 1975)

Summary

GAO reported on FDA's efforts to (1) investigate the 1972 recall of malfunctioning cardiac pacemakers and (2) establish safety and performance standards for pacemakers.

FDA did not make a complete visual inspection of the manufacturing facilities to determine the cause of the pacemaker's defect and did not collect and examine samples of the recalled pacemaker to determine the need for regulatory action. Also, FDA did not publicly disclose the recall and did not verify that all physicians and others using pacemakers received notification. Further, FDA lacked inspection guidelines, safety and performance standards, and good manufacturing criteria for complex medical devices such as pacemakers.

GAO made several recommendations to strengthen FDA's regulation.

Agency action

FDA has issued proposed regulations on good manufacturing practices for complex medical devices, including cardiac pacemakers, and is developing safety and performance standards and inspection guidelines for such devices.

140. HEW, FDA--Federal support for restaurant sanitation found largely ineffective (Report to the Congress, MWD-76-42, Dec. 8, 1975)

Summary

GAO concluded on the basis of random sampling that many restaurants are unsanitary. FDA has relied on State and local governments to regulate restaurants and has established an advisory and voluntary food service sanitation program which, however, has not been effective.

Because of shortages of money, manpower, or authority, FDA's, State, and local food sanitation programs have not been effective to insure that restaurants maintain the sanitation conditions required by the statutes. GAO recommended that FDA strengthen the program and encourage the States to improve their's and to bring any need for additional resources to the Congress' attention.

Agency action

FDA plans a survey of State inspection efforts and plans to assist States in improving their food service sanitation programs.

141. HEW and Justice--More effective action needed to control abuse and diversion in methadone treatment programs (Report to the Congress, GGD-76-51, Mar. 9, 1976)

Summary

Methadone--a synthetic narcotic with a high potential for abuse--has been used increasingly in treatment programs. Its diversion and abuse have resulted in a number of deaths. Some of the treatment programs seriously and persistently violate Federal regulations.

GAO concluded that improvements were needed in

- FDA's program for compliance investigations at treatment programs,
- FDA's mechanism for taking enforcement action against treatment programs violating Federal regulations, and
- coordinating FDA's and the Drug Enforcement Administration's efforts to regulate treatment programs.

Agency action

HEW has begun action to use sanctions for serious violations. Justice generally agreed with GAO's report and is developing closer coordination with FDA over methadone treatment programs.

142. HEW, Social and Rehabilitation Service and Social Security Administration--Many Medicare and Medicaid nursing homes do not meet Federal fire safety requirements (Report to the Congress, MWD-75-46, Mar. 18, 1975)

Summary

HEW needed to improve its (1) administration and enforcement of Federal fire safety requirements to insure the safety of nursing home patients and (2) monitoring of State inspection and certification activities. GAO found that many skilled nursing facilities did not meet fire safety standards, were improperly exempted from sprinkler requirements or granted waivers, and had not corrected fire safety deficiencies.

GAO made numerous recommendations to HEW to improve fire safety conditions in Medicare and Medicaid-financed nursing homes.

Agency action

HEW generally concurred with GAO's recommendations and took or planned to take necessary corrective action.

In a subsequent review made at the request of a congressional committee, GAO investigated reasons for the severity of two recent nursing home fires and possible actions to avoid similar situations. In its report entitled "Federal Fire Safety Requirements Do Not Insure Life Safety in Nursing Home Fires" GAO recommended that HEW and HUD revise their procedures to facilitate Federal loan insurance for the installation of fire safety equipment in nursing homes. GAO also recommended that the Congress enact legislation requiring all nursing facilities to be fully protected with automatic sprinkler systems and HEW to establish rigid standards to be met by nursing facilities (report to the Congress, MWD-76-136, June 3, 1976).

143. HEW, Social and Rehabilitation Service and Social Security Administration--Increased compliance needed with nursing home health and sanitary standards (Report to the Secretary, MWD-76-8, Aug. 18, 1975)

Summary

GAO found that many skilled nursing facilities did not comply with HEW regulations requiring regular patient visits by a physician. Additional regulations requiring that such facilities retain a full- or part-time medical director became effective in December 1975.

GAO recommended that implementation of the new regulations be expedited for those facilities not meeting Federal standards for physician care and that any waivers consider the record of past compliance with the standards. GAO also recommended that HEW review the adequacy of State standards of nursing care.

Agency action

HEW issued regulations requiring State nursing facilities to retain medical directors and is seeking to develop a uniform system for inspecting and rating nursing care facilities.

144. HUD--Need for improved consumer protection in interstate land sales (Report to the Congress, B-118754, June 13, 1973)

Summary

Because HUD's Office of Interstate Land Sales Registration had only a small headquarters staff and no field support, it could not identify all unregistered land developers, effectively coordinate consumer protection activities with the States, or adequately verify land developers' registration information. Also, the Office could not investigate all significant violations of the law or take prompt enforcement action against developers.

Agency action

In response to GAO's recommendations, HUD assigned some responsibilities to its field offices and took steps to act more effectively against violators. It signed work agreements with the States and instituted followup procedures to inspect subdivisions, investigate complaints, and resolve violations.

145. Department of Justice, Drug Enforcement Administration --Security controls for Methadone distribution need improving (Report to Representative B. Rangel, GGD-75-50, Jan. 30, 1975)

Summary

Improvements were needed in the shipping procedures for methadone to prevent disclosure of contents of such shipments and in the receiving procedures at hospitals and treatment programs to insure that only authorized personnel signed and received the shipment. Also, the Administration needed to improve the reporting system for intransit thefts and losses of controlled substances and the monitoring of such thefts and losses to identify registrants that need to improve their procedures.

GAO recommended that the Administration (1) establish detailed guidelines to assist registrants in selecting carriers for shipping controlled substances, (2) revise the regulations on reporting thefts and losses, (3) insure that thefts and losses are reported to appropriate law enforcement agencies, and (4) develop procedures for following up and coordinating with other law enforcement agencies investigating intransit thefts or losses.

Agency action

The Administration revised Federal regulations for reporting intransit thefts and losses and its headquarters and regional offices will review these reports on a regular basis. It also revised its information system to provide statistics and increased information on intransit thefts and losses in order to improve its monitoring. Other actions recommended by GAO were still under consideration.

146. Department of Justice, Drug Enforcement Administration
--Improvements needed in regulating and monitoring the manufacture and distribution of licit narcotics (Report to Attorney General, GGD-75-102, Aug. 28, 1975)

Summary

The report contains recommendations to the Attorney General for improvements in

- setting and administering quotas for the production of narcotics,
- monitoring the compliance inspection activities and the practices and procedures for conducting such inspections, and
- training investigators who perform compliance inspections.

Agency action

The Administration established specific quota-setting procedures to control production of licit narcotics. Also, it published in the Federal Register its intention to adjust individual manufacturing quotas early in the quota year based on actual year end inventories and actual sales for the preceding year. To improve training of compliance investigators, it plans to provide an advanced 2-week training program in addition to the 6-week formal training initially provided. In addition, senior investigators on a regular basis are to be placed in a 2-week supervisory training course.

147. Department of the Treasury, Bureau of Alcohol, Tobacco, and Firearms--Opportunities to improve effectiveness of Federal gun control program (Report to the Director, GGD-76-15, Oct. 31, 1975)

Summary

The report concluded that the Bureau had not determined, based on empirical data, the extent to which its licensees need inspection and that without sound standards or criteria it is difficult to evaluate the effectiveness of the compliance program. The report recommended that the Bureau

- develop criteria for selecting licensees for compliance inspection which give priority in scheduling to those licensees who are more likely to violate Federal firearms laws and regulations, and
- develop the information necessary to assess the extent to which various types of Federal firearms licensees need compliance inspections.

Agency action

No action had been taken on our recommendations as of April 30, 1976.

Assignments in process

148. USDA, Animal and Plant Health Inspection Service--
Meat and poultry inspection program (congressional request)

Objectives

To compare the conditions and operations of State inspected plants under the Talmadge-Aiken Act with those of federally inspected plants.

149. USDA, Animal and Plant Health Inspection Service--
Need for continuous inspection at meat and poultry processing plants

Objectives

To determine whether inspections at processing plants (plants where products contain a certain percent of meat or poultry) could be reduced without affecting the quality and wholesomeness of their products. Also whether USDA is making efficient use of its inspection resources and, its inspections are adequate and meet the intent of the law.

150. Consumer Product Safety Commission--Defective product notification procedures and practices

Objectives

To determine procedures and practices for (1) notifying manufacturers, distributors, and retailers of their respon-

sibilities involving defective products, (2) requiring followup on substantial product hazards, (3) formalizing agreements with manufacturers, distributors and retailers to correct defective products, and (4) following up with manufacturers, distributors and retailers to insure defects have been corrected.

151. Consumer Product Safety Commission--Compliance and enforcement activities

Objectives

To review the Commission's practices in (1) reducing the manufacture, distribution and sale of violative consumer products and (2) initiating legal action for identified violations.

152. HEW, FDA--Monitoring of clinical investigations of new drugs

Objectives

To determine whether (1) provisions of the law and FDA regulations adequately protect test subjects and (2) FDA, through its monitoring and other controls, has adequate assurance that test results, used to approve a drug as safe and effective for marketing, are accurate and valid.

153. Departments of Justice and HEW--Diversion of methadone in New York City

Objectives

To identify the factors and circumstances contributing to the large number of methadone-related deaths in New York City through a review of the Medical Examiner's and other available reports on methadone deaths and discussions with medical examiners, treatment program medical directors, local police, and Federal and State drug law enforcement officials.

154. Department of Justice--Federal efforts to control diversion of controlled substances at the retail level

Objectives

To identify areas where Federal and State regulatory and antidiversion programs at the retail level need improvement.

EMPLOYEE PROTECTION

Reports issued

155. DOL, Employment Standards Administration--Limited survey of compliance and enforcement activities under Fair Labor Standards Act of 1938 and related acts (Report to Assistant Secretary, July 25, 1974)

Summary

GAO's survey indicated problems in the reporting of compliance officers' time and the results of their investigations. Also, the program planning system had not been completely successful in meeting its objective of redirecting compliance priorities from individual complaints to groups of firms where it was believed that substantial serious problems exist.

GAO made no recommendations but brought these problems to the attention of a DOL task force.

156. DOL, OSHA--Need to abate hazards noted by OSHA when monitoring State inspections (Report to Assistant Secretary, June 9, 1975)

Summary

GAO brought to DOL's attention that many hazards, identified by OSHA field units, were not cited by OSHA or State inspectors and required to be abated. Many of the hazards could be harmful to employees. OSHA guidelines provided only for monitoring but not for enforcement action. GAO made appropriate recommendations for improved procedures.

Agency action

DOL agreed that corrective action was needed but disagreed with GAO's recommendations. GAO will repeat its previous recommendations in another report to be issued on the need for strengthening Federal requirements to improve worker protection by the States.

157. DOL, OSHA--Worker protection must be insured when employers request permission to deviate from safety and health standards (Report to the Congress, MWD-76-19, Dec. 31, 1975)

Summary

Employers must comply with an established occupational safety and health standard unless they can provide equal or better protection to workers by other means. To deviate from a standard an employer must request a variance from OSHA or States operating under plans approved by OSHA. GAO reported on several weaknesses in Federal and State procedures, such as

- long delays in denying variance requests and in notifying employers that they were to comply with Federal or State standards,
- affected employers and employees and inspection officers not notified and workplace inspections not made when variance applications indicated potentially unsafe or unhealthful working conditions,
- sound and timely decisions not made on the effectiveness of protection furnished by employers who had received interim variance approvals, and
- decisions on variance applications made without onsite evaluations of working conditions or the adequacy of the proposed protection.

To correct these problems, GAO recommended that OSHA and the States make numerous improvements in their procedures.

Agency action

OSHA stated it would establish processing procedures as recommended but GAO believed that the proposed actions would not be adequate to remedy the situation. DOL's formal response had not been received as of April 30, 1976.

Assignments in process

158. Department of the Interior, Mining Enforcement and Safety Administration--Review of Federal metallic and nonmetallic mine health and safety program (Congressional request)

Objectives

To ascertain whether the Administration's closure orders do, in fact, involve only mostly minor violations. Also, to evaluate effectiveness of Interior's

- health and safety standards,
- procedures for inspecting mines and issuing violation notices and closure orders,
- health and safety education and training programs for miners and mine operators,
- oversight of State plans for mine health and safety, and
- closure order appeals process.

159. DOL, Employment Standards Administration--Enforcement of labor standards and other requirements under the Fair Labor Standards Act

Objectives

To determine the effectiveness of enforcement of the act and employers' compliance with the child labor and other provisions of the act; also to examine the impact of the 1974 amendments and their effect on the economy.

160. DOL, OSHA--Federal and State enforcement efforts in the private sector

Objectives

To examine OSHA's and State enforcement practices, including (1) penalty assessments, (2) inspections for compliance with health standards, (3) granting employers extensions of abatement periods, and (4) need for reinspections.

ENERGY

Reports issued

161. FEA--Effectiveness of Cost of Living Council's actions to assure that petroleum price increases were in accordance with pricing regulations (Report to Subcommittee on Legal and Monetary Affairs, House Committee on Government Operations, B-178205, June 24, 1974)

Summary

Prior to December 26, 1973, the Cost of Living Council was responsible for insuring that cost increases for petroleum products were made in accordance with the petroleum pricing regulations. GAO concluded that the Council's surveillance was not sufficient to insure that refiners

were complying with regulatory pricing requirements.

The report included no recommendations.

162. FEA--Problems in the compliance and enforcement effort (Report to Subcommittee on Reorganization, Research and International Organizations, Senate Committee on Government Operations, OSP-75-7, Dec. 6, 1974)

Summary

GAO found that:

- There was almost no direct audit of crude oil producer operations which provide the basis for the cost of crude oil processed in refineries.
- FEA concentrated its audits at the retail level and found numerous violations; however, there was evidence of large violations at the wholesale level where little audit effort has been directed.
- The audits of refiner operations were not completed.
- Substantive issues relating to the adequacy of regulations remain unresolved.
- Organizational disputes within FEA hindered the refinery audit effort.

Agency action

FEA revised its staffing plan to initiate audits of crude producers, increase the audit attention at the wholesale and refinery levels, and decrease the audit attention at the retail level. Also, operating procedures were developed to insure more uniform treatment of violations and to coordinate action among the regions and the national office.

163. FEA--Efforts to audit domestic crude oil producers (Report to Senate Committee on Government Operations, OSP-76-4, Oct. 2, 1975)

Summary

GAO concluded that FEA's audits of independent producers disclosed substantial violations of crude oil pricing regulations. FEA did limited audit work at the major oil companies that produce the majority of the domestic crude

oil and thus has been unable to determine their compliance with the regulations.

Agency action

FEA has revised its staffing plan to concentrate more heavily on audits of the major crude oil producers.

164. FEA--Regulation of natural gas liquids (Report to Subcommittee on Administrative Practice and Procedure, Senate Committee on the Judiciary, OSP-76-15, Feb. 25, 1976)

Summary

GAO concluded that the governing laws were not specific and FEA price regulations were poorly suited for application to natural gas liquid plants. As a result, there was considerable confusion within the industry. FEA did not implement a meaningful compliance and enforcement program; many processors were either unaware that the price regulations applied to their sales activities or unsure as to the effect of the regulations on the prices which could legally be charged for their products.

FEA recently started some limited compliance audits of gas processors. FEA officials acknowledged that, although the pricing of natural gas liquids was one of the most difficult regulatory questions FEA faced, the solution took longer than necessary.

No GAO recommendations were included in the report.

165. Department of the Interior, U.S. Geological Survey--Improved inspection and regulation could reduce possibility of oil spills on the Outer Continental Shelf (Report to Conservation and Natural Resources Subcommittee, House Committee on Government Operations, B-146333, June 29, 1973)

Summary

The Department's Geological Survey could improve its supervision of oil and gas operations on the Outer Continental Shelf by (1) strengthening enforcement actions against operators violating Survey regulations, (2) establishing a realistic policy on the frequency of inspections of various types of offshore operations, considering the resources available and the risks of oil spills, and (3) regulating certain operations which were not regulated at the time of GAO's review but which had pollution potential.

Agency action

Department officials cited actions which were underway and would be responsive to most of GAO's recommendations. Also, the Survey was implementing numerous recommendations made by recent Government-sponsored studies to improve Federal safety and pollution controls.

GAO further reported to the Subcommittee on agency actions in reports B-146333, of Feb. 26, 1974, and Nov. 21, 1975 (RED-76-48).

ENVIRONMENTAL PROTECTION

Reports issued

166. AEC--Improvements needed in reactor inspection program, (Report to Chairman, AEC, B-164105, Jan. 19, 1973)

Summary

AEC had not provided its field inspectors with adequate guidance on inspecting licensee quality assurance programs.

Agency actions

AEC agreed with GAO's recommendations and revised its guidelines.

167. AEC--Opportunities for improvements in administration of agreements with States regulating users of radioactive materials (Report to Joint Committee on Atomic Energy, B-155352, June 11, 1973)

Summary

AEC had not adequately assessed the capability of State personnel to license and inspect users of radioactive materials. AEC could improve its assistance to and cooperation with States by helping them to identify and solve certain common problems and by expanding training programs for State personnel.

Agency action

AEC provided additional guidance and training for State personnel.

168. AEC--Opportunity to improve procedures for making sure that containers used for transporting radioactive materials are safe (Report to the Congress, B-164105, July 31, 1973)

Summary

AEC had not defined the scope of its review of container design, extent of documentation required to support its decisions, and type of expertise required by its review staffs.

GAO recommended that AEC insure that container designs meet performance standards, their fabrication conform with approved designs, and all contamination problems in the transportation of radioactive materials be reported.

Agency action

AEC revised some of its procedures, but felt others were adequate in view of improvements in the quality of containers.

169. AEC--Improvements needed in the program for the physical protection of special nuclear materials (Report to the Congress, B-164105, Nov. 7, 1973)

Summary

The physical protection systems were inadequate at some of the licensee/contractor facilities that GAO examined. There were differences between AEC's protection requirements for contractor facilities and those proposed for licensees' facilities. Also, improvements were needed in AEC inspection practices.

Agency action

AEC generally agreed with GAO's recommendations for improving the in-plant physical protection of special nuclear material.

170. AEC--Protecting special nuclear material in transit: Improvements made and existing problems (Report to Joint Committee on Atomic Energy, B-164105, Apr. 12, 1974)

Summary

GAO observed that some shipments, although made in

accordance with AEC requirements, were inadequately protected to prevent or quickly detect a diversion of the special nuclear material. AEC decided to place more stringent requirements on the organizations shipping or receiving the material, but if these protection methods are inadequate, AEC should, as recommended by an internal study group, consider using a Government-operated or controlled transportation system. GAO proposed that the Joint Committee consider giving AEC statutory authority to predetermine the trustworthiness of personnel responsible for transporting the material.

Action taken

Legislation was enacted authorizing AEC to prescribe regulations for protecting these shipments.

171. AEC--Need for improved security programs at commercial nuclear power reactors (Report to the Chairman, AEC, RED-75-283, Oct. 16, 1974)

Summary

As a followup to reviews of inplant and transportation protection of special nuclear material, GAO examined existing security systems at several nuclear power plants and planned changes in AEC's requirements. GAO found that AEC should give licensees more specific guidance as to the threats which security systems must be prepared to handle, clarify the Government's responsibility for protecting the plants against sabotage, and establish performance criteria for licensees' total security systems.

Agency action

AEC issued revised instructions, but GAO believed that further action was needed.

172. AEC--Operating costs and environmental radiation monitoring at the Shippingport Atomic Power Station (Report to Senator Richard S. Schweiker, RED-75-325, Jan. 13, 1975)

Summary

In addition to providing information on costs and revenues in connection with the facility's operations GAO assessed the environmental radiation monitoring program. When approved by the agency and properly implemented, the monitoring program should provide greater insurance than before that

radiation levels are accurately measured and any hazardous buildup will be detected.

The report made no recommendations.

173. EPA--Efforts to remove hazardous pesticides from the channels of trade (Report to the Congress, B-133192, Apr. 26, 1973)

Summary

Suspensions and cancellations of the registration of certain hazardous pesticides were only partly effective because other pesticides containing the same ingredients and registered for the same uses were allowed to remain on the market.

Registrants who appealed EPA's cancellations were allowed to continue marketing the pesticides for all registered uses until the appeals were resolved. GAO believed that uses not appealed should have been prohibited.

Also, EPA did not consistently apply its policy of requesting manufacturers to recall hazardous pesticides whose registrations had been suspended.

Agency action

In response to GAO's recommendations of stronger efforts to control hazardous pesticides, EPA pointed out legal and procedural limitations on its enforcement efforts. EPA stated its belief that procedures for pesticide cancellation or suspension actions are adequate.

GAO believes that its recommendations for stronger enforcement procedures are still valid and should be implemented by EPA.

174. EPA--Assessment of Federal and State enforcement efforts to control air pollution from stationary sources (Report to the Congress, B-166506, Aug. 23, 1973)

Summary

EPA and the States relied heavily on voluntary compliance with laws and regulations. The States have primary responsibility for enforcement but the Federal Government assumes this responsibility when the States fail to act. Both levels of Government, however, had been reluctant to enforce air-pollution-control laws and regulations.

GAO recommended that EPA monitor closely the States' implementation of their control plans and take enforcement action in the absence of State action.

Agency action

EPA stated that it would implement and enforce national standards. GAO is reviewing the progress made toward meeting primary ambient air quality standards. (See p.55.)

175. EPA--Pesticides: actions needed to protect the consumer from defective products (Report to the Congress, B-133192, May 23, 1974)

Summary

EPA's testing program was not adequate in that some pesticides were repeatedly sampled while others were not. Also, EPA did not have the capability, in its biological laboratories, to test most of the samples it collected for safety and effectiveness. The import sampling program which requires reporting by the Bureau of Customs also needed improvement.

EPA normally did not notify the public when it discovered an ineffective or chemically deficient product and did not use the enforcement alternatives of canceling registrations and recalling products. In addition, GAO reported that EPA should require showing the effective life of decomposable pesticides and testing of those pesticides found to have been repeatedly defective.

Agency action

EPA agreed with GAO's recommendations and improved its surveillance over pesticides by instituting a random sampling program and increasing the sampling of imported pesticides. EPA also began requiring label information on the shelf life of decomposable pesticides. The Bureau of Customs issued regulations that all pesticide imports be reported to EPA.

176. NRC and ERDA--Controlling the radiation hazard from uranium mill tailings (Report to the Congress, RED-75-365, May 21, 1975)

Summary

A remedial action program in the State of Colorado, to limit exposure of individuals to radiation from uranium

mill tailings used in certain construction projects, was not adequately carried out. Additional efforts by ERDA and the State Department of Health were needed.

Also, long-term monitoring and permanent control and stabilization of tailings were needed requiring NRC to make appropriate arrangement with State agencies and to determine what additional Federal authority, if any, was needed.

Agency action

Both agencies generally agreed with GAO's recommendations and revised some of their procedures.

177. NRC--Management of the licensing of users of radioactive materials should be improved (Report to the Congress, RED-76-62, Feb. 11, 1976)

Summary

The Commission needed to improve the management of its licensing program by requiring license applicants to describe detailed radiation safety programs; improving communications between its separate licensing and inspection staffs; and improving reviews of licensing actions for uniformity and completeness.

The Commission should encourage the 25 States, to which it has transferred licensing authority, to make similar improvements.

Agency action

NRC agreed to implement GAO's recommendation.

Assignments in process

178. EPA--Monitoring auto emission controls of vehicles actually on the road (congressional request)

Objectives

To review EPA's monitoring efforts, in particular (1) the inspection maintenance program established in cooperation with State and local government and (2) the in-use compliance program established to identify cars not meeting emission control specifications.

179. NRC--Effectiveness of systems used to account for and protect special nuclear material

Objectives

To evaluate NRC's system to account for and safeguard this material at all licensed nuclear facilities, considering that it is toxic, can be fashioned into a nuclear weapon, and must be protected from theft.

180. NRC--Regulation of radioactive materials users by agreement States

Objectives

To determine whether those States having agreements with NRC under which they regulate certain users of radioactive materials make regulatory efforts consistent with NRC's and whether NRC is providing adequate oversight of the States' programs.

181. NRC--Inspection program to assure the quality of reactor components

Objectives

To evaluate NRC's program to insure that components for commercial nuclear reactors are being manufactured and installed under adequate quality assurance/quality control programs.

TRANSPORTATION

Reports issued

182. ICC--Alleged discrimination and concessions in the allocation of rail cars to shippers (Report to Representative John Melcher, B-114824, Dec. 30, 1974)

Summary

The report contains information about grain transportation problems experienced by eight small grain elevators in Minnesota and Iowa. The report also contains information about the grain shipping practices of large grain companies, railroad tariffs permitting multiple-trip unit trains, and ICC regulation of the grain transportation system.

GAO made no recommendations.

183. DOT, FAA--Need for improved controls for identifying and correcting safety defects on light aircraft (Report to Government Activities Subcommittee, House Committee on Government Operations, B-164497(1), June 8, 1973)

Summary

The Subcommittee had information that some aircraft models had experienced unsatisfactory flight handling characteristics that required design modifications by the manufacturer and asked GAO to obtain information on the corrective action taken by FAA and the manufacturers.

GAO found cases in which years elapsed while FAA and the manufacturers disputed the meaning of the FAA regulation, the seriousness of the design weakness, or the adequacy of proposed corrective action. Under existing procedures the manufacturers have a delegated authority from FAA to determine aircraft safety compliance with FAA regulations which, however, are general in wording and subject to interpretation.

GAO proposed that FAA should participate fully in flight testing aircraft of new or modified design before it is certified for mass production. FAA should establish procedures for interpreting its safety regulations and provide criteria and guidance to its regional officials in identifying, assessing, and correcting design weakness problems.

Agency action

FAA revised its instructions to provide for greater involvement in the design and preflight testing of aircraft and established procedures for identifying and correcting design weaknesses.

184. DOT, FAA--Improved controls needed over private pilot licensing (Report to the Congress, RED-76-65, Feb. 26, 1976)

Summary

FAA did not have an effective system for determining whether private pilot flight tests and biennial flight reviews met agency standards. FAA relied on the judgment of examiners and instructors as to what specifics were included in the test or review, and whether the pilot was competent to fly safely.

Agency action

FAA and industry have developed advisory guidelines

for the conduct of the biennial flight review. Also, FAA agreed to study development of information on the content and evaluation of flight tests and biennial flight reviews.

185. DOT, Federal Railroad Administration--Need to improve monitoring of railroad safety programs (Report to Secretary, RED-75-348, Apr. 11, 1975)

Summary

In carrying out its responsibility under the Railroad Safety Act, the Administration had placed primary safety inspection responsibility on the railroads for insuring compliance with Federal safety standards. The inspection force was intended to monitor the railroad's inspection-repair program. In actual practice, however, inspectors were spending a considerable part of their time making inspections which were only supplemental to the railroads inspection rather than making tests of the railroads' inspection-repair program.

Agency action

A program was adopted which would correct the type of operational deficiencies mentioned in the report. The program establishes priorities for monitoring efforts, concentrating on track, freight car operating practices, and human factors, and reassigns the Administration's limited field personnel to achieve more equitable distribution of responsibility.

186. DOT, National Highway Traffic Safety Administration --For safer motor vehicles--More effective efforts needed to insure compliance with Federal safety standards (Report to the Congress, B-164497 (3), Apr. 24, 1973)

Summary

To strengthen the Administration's testing program--its major activity for determining manufacturers' compliance with Federal motor vehicle safety standards--GAO made several recommendations:

1. Systematic use of accident data and studies as a key factor in selecting vehicles, equipment, and standards areas for compliance testing.
2. Evaluation of compliance testing priorities on the basis of accident data and studies and the

results of prior compliance tests.

3. Expanded and systematic use of manufacturers' certification data to supplement and refine the Safety Administration's standard enforcement coverage.
4. Timely action in resolving test failure cases, particularly in having unsafe vehicles and equipment conditions corrected.

Agency action

The Department disagreed with GAO's recommendations and took no action on them.

187. DOT, National Highway Traffic Safety Administration --The auto safety program: Identifying defects and recalling defective vehicles (Report to Senate Committee on Commerce, RED-75-324, Feb. 11, 1975)

Summary

The report contains information on the program to identify motor vehicle safety defects and the effectiveness of recall campaigns.

GAO recommended that the Secretary undertake a broad study to identify the major reasons why defective motor vehicles are not being corrected and to determine the cost-effective alternatives for improving the effectiveness of recall campaigns. The Department said it concurred fully with GAO's findings and would take appropriate action to improve the recall system.

Agency action

A number of manufacturers have issued special or revised service bulletins to dealers to impress upon them the importance of correcting defective vehicles before they are sold.

A followup procedure has been established by the Safety Administration to insure that a high rate of completion has been achieved in all recalls which involve unsold vehicles in dealers' inventories. Finally, since manufacturers cannot compel dealers to cooperate, the Safety Administration intends to request that Congress take action to make it illegal for a dealer to knowingly sell a new vehicle with an uncorrected safety defect.

188. DOT--Need for improved inspection and enforcement in regulating the transportation of hazardous materials (Report to the Congress, B-164497, May 1, 1973)

Summary

Four units of the Department--the Federal Railroad Administration, the Federal Highway Administration, FAA, and the Coast Guard--are responsible for regulating the safe transportation of hazardous materials by railroads, motor carriers, civil air carriers, and vessels. GAO reported that the administrations had not developed basic management data on the extent of hazardous materials movements which would enable them to systematically direct their inspection activities to the highest risks. Also, the administrations did not systematically follow up on violations, although available inspection records showed that certain carriers repeatedly violated the regulations even after they had been fined or warned.

GAO recommended that the Secretary

1. establish a management information system to develop and maintain data on hazardous materials movements,
2. reassess the adequacy of the Department's effort compared with the volume and danger of the materials,
3. develop a plan for a more effective inspection and enforcement program, and
4. present the plan to the Congress for it to evaluate and consider needed resources.

The Department said it found much of value in GAO's recommendations and that it planned to initiate several actions similar to those suggested.

Agency action

The Department has implemented several improvements:

- FAA, the Coast Guard, and the Federal Highway Administration have improved their reporting systems on hazardous materials movements and violations.
- FAA conducted a study on high hazardous national traffic areas.
- No formal plans have been developed for an effective

inspection and enforcement program, but several specific actions have been taken such as (1) increased personnel responsible for hazardous material, (2) training programs for Department and industry personnel, and (3) additional or amended regulations.

Assignments in process

189. DOT, FAA--Aviation medicine program

Objectives

To (1) evaluate the appropriateness of FAA medical standards, (2) determine whether adequate testing is done to detect disqualifying factors, and (3) determine whether the standards are consistently applied and the activity is adequately monitored.

190. DOT, FAA--International activities

Objectives

To obtain information on international operations of U.S. carriers and on foreign carriers' service to and from the United States; statistics, causes, and analyses of international aviation accidents; and information about existing problems in international aviation. Also, to obtain information on FAA programs and activities concerning U.S. carriers in international operations; on standards established and practices recommended by the International Civil Aviation Organization; and about member nations' compliance with such standards and recommendations.

191. DOT, FAA--Effects of use of alcohol and drugs on flight safety

Objectives

- (1) Obtain available information about the effects of alcohol and drugs on pilot performance,
- (2) Determine if FAA regulations on alcohol blood levels and usage are strict enough in relation to recent research,
- (3) Analyze FAA's enforcement procedures,
- (4) Obtain information on scope of FAA's public information program, and
- (5) Identify alternate educational and enforcement

programs.

192. DOT, Federal Highway Administration--Administration and effectiveness of highway safety program standards

Objectives

To develop information about the effectiveness of the highway safety standards program concerning

1. reasonability of standards;
2. costs to the States and the public;
3. measurability of results in reducing accidents;
4. administrative and financial problems of States in complying with standards; and
5. the role of the National Highway Traffic Safety Administration in establishing and evaluating the standards, and in assisting the States to meet them by grants, research, and demonstration projects.

RESEARCH AND DEVELOPMENT EFFORTS
IN SUPPORT OF REGULATORY ACTIVITIES

CONSUMER PROTECTION

Report issued

193. HEW, FDA--Objectivity of evaluations by the National Academy of Science (Report to Senator Charles H. Percy, B-164031(2), Mar. 14, 1973)

Summary

The report presented information on certain evaluations made by the Academy under contract with FDA regarding the safety and suitability of monosodium glutamate, salt, and modified starches used in infant foods.

GAO's scope of review was limited because the Office has statutory authority only to examine the Academy's records which support reimbursable costs under its contract with FDA.

The report contained no recommendations.

ENVIRONMENTAL PROTECTION

Reports issued

194. AEC--Isolating high-level radioactive waste from the environment: Achievements, problems, and uncertainties (Report to the Congress, RED-75-309, Dec. 18, 1974)

Summary

This report provided information on existing problems and proposed solutions concerning the storage and disposal of high-level radioactive wastes.

The report contained no recommendations.

195. EPA and other agencies--Federal and State efforts to control water pollution caused by acid drainage from mines (Report to Conservation and Natural Resources Subcommittee, House Committee on Government Operations, B-177011, Aug. 14, 1973)

Summary

GAO concluded that until significantly more Federal

and State funds were made available for developing additional technology and for an action program to systematically identify and control acid drainage from abandoned mines, only limited progress will be made toward reducing pollution caused by discharges of acid into the Nation's streams, rivers, lakes, and ponds.

The report contained no recommendations.

196. EPA and other agencies--Research and demonstration programs to achieve water quality goals: What the Federal Government needs to do (Report to the Congress, B-166506, Jan. 16, 1974)

Summary

Federal programs had contributed to improving the quality of some waterways but much more remained to be done to achieve national goals established by the Federal Water Pollution Control Act Amendments of 1972.

At current funding levels, it was doubtful that the 1985 national goal of eliminating the discharge of pollutants into navigable waters would be met. Both management and coordination of Federal research and demonstration programs needed to be improved.

GAO made several recommendations to EPA and OMB.

Agency action

EPA and OMB generally agreed with GAO's recommendations but the March 1976 report by the National Commission on Water Quality showed that many of the problems addressed by GAO still exist.

197. EPA and FDA--Questions on the safety of the pesticide maleic hydrazide used on potatoes and other crops have not been answered (Report to Representative Julia Butler Hansen, RED-75-276, Oct. 23, 1974)

Summary

No consensus existed among researchers as to the safety of maleic hydrazide. GAO recommended that EPA determine, through additional testing and research, whether this pesticide will adversely affect human health or the environment. GAO also recommended that FDA periodically test potatoes and other crops and, when residue tolerances are exceeded, take action to remove the products from the market.

Agency action

EPA agreed to closely review the adequacy of safety standards on maleic hydrazide and is considering to require additional safety studies by the manufacturer.

198. EPA--Federal programs for research on the effects of air pollution (Report to Subcommittee on the Environment, Senate Committee on Commerce, RED-76-46, Dec. 11, 1975)

Summary

Much more research is needed on the health and ecological effects of air pollutants to adequately support and/or modify present national air standards and motor vehicle emission standards and to identify and set standards for other pollutants.

EPA needs to periodically prepare estimates of resources needed for an adequate research program; establish criteria for setting research priorities; develop an air pollution control strategy; and better coordinate research done by other Federal agencies.

Agency action

EPA cited some actions in line with GAO's recommendations, but generally had not sufficient time to act on the recommendations.

199. NRC and ERDA--Improvements needed in the land disposal of radioactive wastes--A problem of centuries (Report to the Congress, RED-76-54, Jan. 12, 1976)

Summary

Large volumes of other than high-level radioactive wastes, including some that are long lived and highly toxic, are disposed of at six licensed commercial and five principal federal facilities in the United States.

Some of these sites have been operating for more than 30 years, yet it is not known what mix of hydrogeological characteristics and engineering features offers the greatest insurance that radioactivity, once disposed of, will not create a possible public health hazard.

The report shows the need for a comprehensive study of existing disposal sites, the development of site selection

criteria, and other efforts to improve program management and regulation of disposal sites.

Agency action

The two agencies are working together to resolve the problems discussed in GAO's report.

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