



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

Lupton
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July 15, 1983

The Honorable Jesse Helms
United States Senate

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Dear Senator Helms:

This is in response to your June 27, 1983, letter concerning bumper stickers which promote compliance with the Federal 55 mile per hour speed limit. You state that many Government owned automobiles have bumper stickers that read: "55 mph - a law we can live with". You believe these bumper stickers may constitute a form of lobbying by the administration in violation of appropriation restrictions, inasmuch as legislation has been introduced in the 98th Congress (S.1121) that would repeal the 55 mile per hour speed limit. For the reasons set forth below, we cannot conclude that such bumper stickers constitute a violation of the applicable appropriation restrictions on lobbying.

The 55 mile per hour maximum speed limit for federally funded projects was enacted in 1975 as section 114(a) of Public Law 93-643 (23 U.S.C. § 154). We have been informally advised that several years ago the Department of Transportation (DOT) in an effort to promote safety ordered a supply of the bumper stickers. DOT distributed a stock of these stickers to the General Services Administration (GSA) which affixed them to many of its vehicles. Both the DOT and GSA supplies were exhausted several months ago and thus these stickers are not being attached to replacement vehicles that GSA places in service.

Since the early 1950's, various appropriation acts have contained general provisions prohibiting the use of appropriated funds for "publicity or propaganda". From 1975, the date of the 55 mile per hour law, an appropriation restriction on lobbying by Federal agencies has been contained in the annual Treasury, Postal Service, and General Government Appropriation Act or has been incorporated by reference in continuing resolutions. The provision reads as follows:

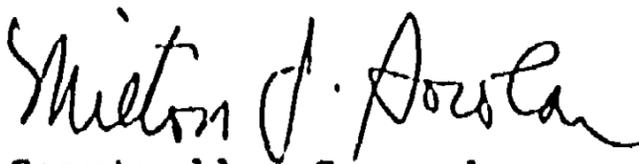
"No part of any appropriation contained in this or any other Act, or the funds available for expenditure by any corporation or agency, shall be used for publicity or propaganda purposes designed to support or defeat legislation pending before Congress."

This prohibition applies to the use of any appropriation "contained in this or any other Act." Thus in a given year, it would apply to appropriations contained in the Treasury, Postal Service, and General Government Appropriation Act, such as those for GSA which are contained in that Act. It would also apply to appropriations contained in other Acts such as those for DOT in the Department of Transportation and Related Agencies Appropriation Act.

The bumper sticker message did not suggest that members of the public contact their congressional delegation to influence legislation, which could have been a violation of the restriction, but merely attempted to promote acceptance of the 55 mile per hour law for safety reasons. Moreover, the expenditure of appropriated funds by DOT and GSA in connection with the bumper stickers occurred well before S.1121 was introduced in the 98th Congress and therefore was not an expenditure of funds aimed at influencing legislation pending before Congress. Accordingly, it does not appear that DOT and GSA were attempting to use the bumper sticker to create public opposition to legislation designed to repeal the 55 mile per hour speed limit law. For this reason, we do not find that the anti-lobbying appropriation restriction quoted above was violated.

We appreciate the opportunity to be of service to you in connection with this matter.

Sincerely yours,

for 
Comptroller General
of the United States