



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

J. Hutter
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February 5, 1979

Mr. Frederick H. Pauls, Chief
Government Division
Congressional Research Service
Library of Congress
Washington, D. C. 20540

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Dear Mr. Pauls:

This refers to your request of January 19, 1979, for available materials relating to [GAO's authority to declare certain expenditures illegal]

As you probably realize, we have no broad historical or legal document dealing with the wide-ranging questions you raise. However, our Office of General Counsel has prepared the enclosed package of decisions and materials which discuss in some detail various aspects of GAO's authority, which we hope will be helpful. These materials include:

"Legislation Relating to the General Accounting Office" (December, 1976)--a compendium of statutory authorities applicable to the GAO and enacted through the 94th Congress, prepared by the GAO Office of the General Counsel, which is currently under revision to include the 95th Congress.

"Bid Protests at GAO: A Descriptive Guide"

"Government Contract Principles--2d Edition," pp. 2-10 to 2-12 - description of GAO authority with regard to bid protests.

"Manual for General Government Matters: Federal Appropriations"--a general guide on questions most frequently raised concerning use of appropriated funds with references to many of the significant statutes and cases in this area.

Selected decisions of the Comptroller General--these published and unpublished decisions were selected because they present detailed discussions of certain aspects GAO authority raised by your memorandum.

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For example, B-164497(5), March 10, 1977, provides considerable background on GAO's interpretation of 18 U.S.C. § 1913 and related anti-lobbying statutes. Also, B-114839, January 3, 1979, is the latest decision on the Panama Canal Controversy. Also included are decisions relating to our interpretation of the "Impoundment Control Act of 1974" (54 Comp. Gen. 453 (1974)), the statutory rights of authorized certifying officers to obtain advanced decisions from GAO on propriety of payments (54 Comp. Gen. 921 (1974)), GAO claims authority (B-174588, September 6, 1972) and our interpretation of the Vacancies Act and the authority of the Comptroller General with respect to the legality of expenditures (B-150136, May 16, 1978; B-150136, August 29, 1978). B-167710, March 5, 1976, includes a list of Executive branch expenditures found by the GAO to be illegal during fiscal year 1975.

"1978 Annual Report of the Comptroller General of the United States."

Selected periodical articles on GAO authority.

Please let us know if we can be of further assistance.

Sincerely yours,

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Martin J. Fitzgerald
Director,
Office of Congressional Relations

cc: Mr. Socolar, OGC
Mr. Hutton, OGC
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