



United States  
General Accounting Office  
Washington, D.C. 20548

Office of the General Counsel

B-229332

March 31, 1988

Dear Mr. \_\_\_\_\_ :

By letter of November 23, 1987, you requested our advice as to whether you and the federal agency where you are employed must comply with existing Army regulations and procedures, as well as other United States laws, prior to seeking remedies in court. You also specifically mention the laws governing organization of the government and its civilian officers and employees codified in title 5, United States Code.

Because your question is general and not addressed to a particular problem, we do not have a definite response to your inquiry. We can say that often a party is required to exhaust his or her administrative remedies before a court will consider a case. Typically administrative remedies are set out in laws of the United States, including title 5, United States Code, and agency regulations. On the other hand, administrative remedies may not exist for a particular problem and exhaustion of the remedy may not always be necessary before a party has access to the courts. We suggest that you seek advice from the legal office of your agency concerning your specific interest.

We trust that this general statement will serve your purpose.

Sincerely yours,

John J. Mitchell, Jr.  
Group Manager