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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-211751

August 19, 1983

Mr. Gerald R. Long
Chief, Office of Program Integrity
Office of Civilian Health and Medical
Program of the Uniformed Services
Department of Defense
Aurora, Colorado 80045

Do not make available to public reading

Dear Mr. Long:

You requested an advance decision on whether the Treasury Department is authorized to restrict the OCHAMPUS' Office of Program Integrity from (1) contacting a Federal Reserve Bank directly to verify Letter-of-Credit balances; and (2) contacting and requesting documentation directly from the U.S. Treasury Banking and Cash Management Section.

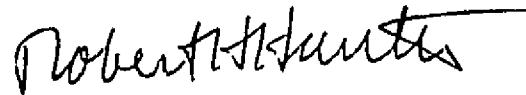
The questions you raise do not pertain to the use of appropriated funds. As GAO is not otherwise authorized to render opinions involving interagency access to records conflicts, it would be inappropriate to render a formal decision. Nevertheless, we offer the following informal comments.

Consistent with the Treasury Department's views, we are not aware of any authority, statutory or otherwise, which gives your Office a right to obtain Letter-of-Credit information directly from Federal Reserve Banks. As regards the maintaining and servicing of Letter-of-Credit information, the banks act merely as Treasury's fiscal agents. In furtherance of its responsibilities over Letter-of-Credit matters, Treasury has adopted various procedures. These procedures state that Federal Reserve Banks should have contact only with financial institutions and with Treasury's Cash Management Regulations and Compliance Staff regarding Letter-of-Credit matters. They also provide that communication between Federal Reserve Banks and Federal program agencies are to be discouraged and that inquiries received from program agencies should be referred to Treasury Cash Management Regulation and Compliance Staff. II Treasury Fiscal Requirements Manual for Guidance of Federal Reserve Banks and Depositories §§ 2065, 2060. Pursuant to these regulations Treasury has informed us that your Office can obtain Letter-of-Credit information

B-211751

directly from Treasury's Banking and Cash Management Administrative Services Branch. Thus, it is not necessary for you to request this information from OCHAMPUS' Resource Management Division. Any problems you have in obtaining this information should be worked out with the Treasury Department.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert H. Hunter".

Robert H. Hunter
Assistant General Counsel