



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

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January 5, 1973

The Honorable William Proxmire
United States Senate



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R. Dear Senator Proxmire:

Your letter dated October 4, 1971, requested that we look into the Department of the Treasury's enforcement of 19 U.S.C. 1303, which requires the imposition of a countervailing duty on any dutiable product imported into the United States for which the producing nation has provided a production or export grant or bounty.

As we advised your office on February 3, 1972; April 26, 1972; and June 14, 1972, we have made numerous attempts to obtain the access to the Department of the Treasury records that we believe necessary to respond to your request. Initially, we held discussions with Bureau of Customs and Department officials and were denied access to anything more than published information available to the general public. Specifically, we were denied access to any files dealing with complaints on investigations which did not result in the imposition of a countervailing duty or any files on cases still under consideration.

On April 7, 1972 (copy enclosed), we wrote to the Secretary advising him of your request, the refusal of Department officials to make the necessary files available to us, and citing several laws which clearly entitled us to the records requested. By letter dated May 12, 1972 (copy enclosed), Assistant Secretary Rossides refused to grant us access to the necessary records and advised us that the Department regards participation by GAO in areas of Treasury's substantive statutory responsibilities under the Tariff Act of 1930 as inappropriate.

In subsequent discussions with the Department's General Counsel, we were advised that if we sent a more detailed description of the information needed our request for access would be reconsidered. On August 7, 1972, we wrote to the Department's General Counsel describing as best we could, without knowing what records the Department maintained, the type of information we wanted. While there have been several discussions with the General Counsel since that time, the matter of access to records has not been resolved and we do not know whether it will ultimately be resolved to our satisfaction.

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BEST DOCUMENT AVAILABLE

THE COPY - COMP. GEN.