

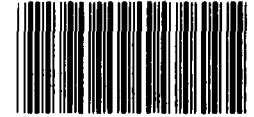


COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON D.C. 20548

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April 8, 1986

B-220532



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To the President of the Senate and the
Speaker of the House of Representatives

This is to advise you of the status of budget authority made available to the Maritime Administration (Mar Ad) for the acquisition and preconversion costs of a replacement training vessel for the State University of New York. This budget authority, which we held was being improperly withheld, has now been made available for obligation.

In his third special message for fiscal year 1986, dated February 5, 1986, the President announced a deferral which included \$8.5 million appropriated for the training vessel. Although the Congress had expressly disapproved a previous deferral of the \$8.5 million, the President provided no substantial new basis justifying the reimposition. In our report of March 11, 1986, GAO/OGC-86-6, we concluded that the deferral was not permitted under the Impoundment Control Act (the Act), 2 U.S.C. § 681. We advised the Congress, on March 27, 1986, that we contemplated bringing a civil action under section 1016 of the Act, 2 U.S.C. § 687, to compel release of these funds. GAO/OGC-86-8.

By letter of March 28, 1986, the General Counsel of the Department of Transportation informed us that the \$8.5 million has been made available for obligation. Accordingly, action under section 1016 is not necessary.

Acting Comptroller General
of the United States

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GAO/OGC-86-11

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