



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

B-178757

June 26, 1973 3117327

AIR MAIL

Webb, Welles, Isaac and Freedman
Attorneys at Law
1660 India Street
San Diego, California 92101

Attention: James R. Webb, Esq.

Gentlemen:

This is in reply to your letter dated May 24, 1973, protesting any award of a contract by the General Services Administration (GSA) for the sale of surplus property at the U. S. Naval Retraining Command - Area "D", Camp Elliot, San Diego, California.

Essentially you contend that the Environmental Impact Statement prepared by GSA pursuant to the National Environmental Policy Act of 1969 is inadequate for various reasons and that the sale should be postponed until an adequate statement is prepared, circulated, and other alternatives to a sale considered.

The guidelines issued by the Council on Environmental Quality (36 Fed. Reg. 7724) and implementing orders of the various agencies (for current provisions regarding property sales by GSA see 37 Fed. Reg. 555) provide for obtaining the views of interested parties regarding environmental considerations of proposed Government action. Objections in terms of the effect on the environment may be raised at the appropriate time. During this process, and until 30 days after issuance of the final statement, agencies are to refrain from taking the proposed action, thus providing ample opportunity for consideration of the substantive issues raised.

While we believe that we may have a role in insuring that the opportunities for discussion and objection have been provided, for us to consider the adequacy of environmental impact statements from a substantive viewpoint would conflict with and detract from the clear scheme in the Council's guidelines for a prior timely discussion and resolution of such problems.

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Accordingly, we will take no further action in this matter.

Sincerely yours,

Paul G. Deabling

Acting Comptroller General
of the United States