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

IN REPLY REFER TO: B-133142

April 2, 1979

*Determination of Regulatory Provision Validity Relating to Civilian Health and Medical Program of the Uniformed Services*

The Honorable Melvin Price  
Chairman, Committee on Armed Services  
House of Representatives

*Do not make available to public*

Dear Mr. Chairman:

Reference is made to your letter dated February 8, 1979, with enclosure, concerning the request of Lieutenant Colonel W. P. Craddock, United States Army (Retired), 1501 Charlott Street, Fort Worth, Texas 76102, that this Office make a formal determination as to the legality or validity of subsection D.2, chapter VIII, Department of Defense Regulation 6010.8-R, relative to the Civilian Health and Medical Program of the Uniformed Services.

In our previous letter opinions addressed to you on this subject (B-133142 of June 8 and October 18, 1978), we expressed the view that the regulatory provision in question was neither invalid nor illegal, since it was permissible under established standards of statutory construction. Hence, a determination on the matter has been made by us.

Mr. Craddock contends that we have not considered the point he raises. In our letters to you we have dealt specifically with his arguments and have recognized the merit of his position. However, after careful consideration we were unable to agree with him that the regulation in question was invalid.

We trust this will serve the purpose of your inquiry.

Sincerely yours,

Deputy Comptroller General  
of the United States

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*letter*