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United States General Accounting Office
Washington, DC 20548

Office of
General Counsel

In Reply
Refer to: B-197910

MAR 25 1980

Mr. Alfred M. Zuck
Assistant Secretary for Administration
and Management
Department of Labor

DLG 0/1033

Dear Mr. Zuck:

This is in response to your request ^{for} that relief be granted in the amount of \$2,708.10 to cover a shortage in the imprest fund account of Mr. W. L. Rickert, Special Disbursing Agent, Department of Labor Services Division, Field Services Office, United States Army Finance and Accounting Center, Indianapolis, Indiana, and Ms. Ramona Binstock, the designated principal cashier.

The information submitted to us indicates that the shortage resulted from a burglary at the Boxelder Job Corp Center, Nemo, South Dakota. The record indicates that between 6 p.m., Friday, June 30, 1978, and the following Monday morning, July 3, 1978, the Administration Building at Boxelder was broken into and the safe containing the missing funds and endorsed checks was stolen. The theft was investigated by the Federal Bureau of Investigation which has closed the case.

Section 82a-1 of title 31, United States Code, authorized our Office to grant relief to an accountable officer for a physical loss of funds upon our concurrence in the following determinations by the agency head--

" * * * (1) that such loss or deficiency occurred while such officer or agent was acting in the discharge of his official duties, or that such loss or deficiency occurred by reason of the act or omission of a subordinate of such officer or agent; and (2) that such loss or deficiency occurred without fault or negligence on the part of such officer or agent * * *."

Based on the investigative findings, you determined pursuant to 31 U.S.C. § 82a-1 that the loss occurred while Mr. Rickert and Ms. Binstock were acting in the discharge of their official duties and without fault or negligence on their part. We concur in this determination. Accordingly, relief is granted to Mr. Rickert and Ms. Binstock in the amount of \$2,708.10.

Sincerely yours,

Harry R. Van Cleve
For Milton J. Socolar
General Counsel

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