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B-102829 May 8, 1951

Number: B-102829

Date: 1951-05-08

B-102829 May 8, 1951

Mr. M. L. Adams, Authorized Certifying Officer Federal Communications Commission

Dear Mr. Adams:

Reference is made to your letter of April 13, 1951, transmitting a reimbursement voucher and a receipt indicating that the sum of $5 was posted as collateral by an employee of the Commission, and forfeited, for a parking violation which occurred while he was in the process of securing new license plates for an official car, and requesting a decision as to whether you properly may certify the voucher for payment.

It appears from the record submitted that the employees, an electronic engineer, was operating an official car of the Commission; that he parked the vehicle in a reserved parking space in the east court of the Municipal Center identified by a sign reading "No Public Parking," which, he states, led him to assume that the parking of Government vehicles was not prohibited therein; that a violation notice was charged against the vehicle and that the employee posted from his personal funds collateral in the amount of $5 which appears to have been forfeited and for which he now seeks reimbursement.

There is not known to this Office any authority to use appropriated moneys for payment of the amount of a fine imposed by a court on a Government employee, or for the payment of collateral posted and forfeited by an employee, for an offense committed by him whole in the performance of, but not as a part of, his official duties. Such fine of forfeiture of collateral is imposed on the employee personally and payment thereof is his personal responsibility. Accordingly, the voucher here involved may not be certified for payment and it will be retained in this Office.

Sincerely your,

Lindsay C. Warren

Comptroller General of the United States