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B-212515 December 21, 1983

Number: B-212515

Date: 1983-12-21

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F. P. Cantrell, Manager Accounting Division Federal Aviation Administration Department of Transportation P.O. Box 92007 - Worldway Postl Center Los Angeles, California 90009

Dear Mr. Cantrell:

This responds to a request from your office that relief be granted to Donna F. Tellgren, a Class "B" Cashier with the Federal Aviation Administration (FAA), for the physical loss of $678.86. For the following reasons, the requested relief is granted.

The record indicates that the Reno office imprest funds for which Ms. Tellgren was responsible were stored in a safe at the Airway Facilities Sector, 1201 Terminal Way, Reno, Nevada. On March 1, 1980 the safe was partially destroyed by a fire at that address. According to the record, the fire and partial destruction of the safe resulted in a shortage of imprest funds in the amount of $3,336.15. This amount was reduced by $2,657.29 through cancelled checks, replacement checks and reconstructed receipts, leaving a shortaage pf $678.86. It is this remaining shortage for which relief has been requested.

An agent such as Ms. Tellgren is strictly liable for the physical loss of public funds for which she is accountable. This office is authorized to grant relief if we agree with a determination by the head of the employing agency or his delegatee that the shortage occuured (1) in the course of the agency's official duties, and (2) not as the result of fault or negligence on the part of the agent. 31 U.S.C. Sec. 3527(a).

The agency has made the necessary determinations that Ms. Tellgren was acting in the discharge of her official duties, and that the shortage was not the result of fault or negligence on her part. The record supports these findings. The report of the Reno Fire Department indicates that the fire began after 8:00 p.m., the fire being classified as "accidental" (possibly caused by electrical or mechanical failure in or around the heating units). Ms. Tellgren had properly stored the imprest funds in the office safe. There is no indication of fault or negligence on her part, either as to the fire or the shortage of the funds.

The shortage being beyond Ms. Tellgren's control, relief is granted, as requested, under 31 U.S.C. Sec. 3527(a). See, e.g., B-195435.

Sincerely yours,

Harry R. Van Cleve Acting General Counsel