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B-229153 October 29, 1987

Number: B-229153

Date: 1987-10-29

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Relief granted to Class B Cashier under 31 U.S.C. Sec. 3527(a) for funds lost when all personnel at United States Embassy in San Salvador were forced to evacuate building because of earthquake. Standard of reasonable care does not require accountable officer to endanger her life.

Roger B. Feldman, Comptroller Department of State

Dear Mr. Feldman:

This replies to your request that relief be granted to Class B Cashier, Ms. Teresa de Mondini, under 31 U.S.C. Sec. 3527(a) (1982), for the loss of $1000 in government funds. For the reasons discussed below, the requested relief is granted.

Your submission indicates that the loss occurred at the United States Embassy in San Salvador on October 10, 1986, in the aftermath of a severe earthquake that day. Ms. Mondini and other embassy personnel were quickly evacuated from the embassy when the quake occurred. Ms. Mondini was not permitted to secure the funds under her control or re-enter the building after the quake. According to your submission, the embassy suffered extensive damage and the area in which Ms. Mondini was stationed was among the most devastated.

The funds were retrieved by United States Marines several days later and, when verified, there was a shortage of $1,000 against the total accountability of $300,000.

The general rule is that an accountable officer such as Ms. Mondini is liable for all losses. See, e.g., B-217945, July 23, 1985. However, if we agree with the agency involved that the loss occurred during the discharge of official duties and not on account of the officer's negligence, our Office may grant the disbursing officer relief under 31 U.S.C. Sec. 3527(a) (1982). E.q., B-226847, June 25, 1987.

In this case, there is no suggestion of bad faith on the part of Ms. Mondini, and the question is, therefore, whether Ms. Mondini exercised reasonable care in safeguarding the funds for which she was responsible. See B-209978, July 18, 1983. Even in extraordinary circumstances such as those here, our Office must determine whether Ms. Mondini exercised reasonable care under the circumstances. See B-193701, Mar. 18, 1980 (overruling B-193701, March 29, 1979).