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B-79173 October 18, 1948

Number: B-79173

Date: 1948-10-18

B-79173 October 18, 1948

Dorothy D. Ford, Authorized Certifying Officer, Civil Aeronautics Administration, Department of Commerce.

Dear Miss Ford:

Reference is made to your letter of August 4, 1948, requesting a decision as to whether there properly may be certified for payment a voucher in the amount of $1,000, stated in favor of Captain Philip W. Packer in payment of reward offered by the Civil Aeronautics Administration for finding CAA aircraft NC-206, which crashed in the mountains northwest of Boulder, Colorado, on January 21, 1948, resulting in the death of three employees.

The voucher is prepared for payment form the appropriation 1381330.001 Salaries and Expenses, Civil Aeronautics Administration, 1948. You state that it is administratively contended that the proposed expenditure is a proper charge against the said appropriation because of the following provision of the Department of Commerce Appropriation Act, 1948, 61 Stat. 279, 301:

"* * * appropriations of the Civil Aeronautics Administration and the Weather Bureau shall be available in an amount not to exceed $20,000 for furnishing food, clothing, medicines, and other supplies for the temporary relief of distressed persons in remote localities, reimbursement for such relief to be in accordance with regulations prescribed by Secretary."

In Sec. Comp. Gen 613, referred to in your letter, it was said:

"The Congress has frequently considered the wisdom and propriety of permitting public moneys to be used in paying rewards for the furnishing of helpful information or the rendering of either assistance to officials of the Government, and in certain instances has granted specific authority therefor.

"There being grave doubt as to the propriety of regarding an appropriation general in terms available for the payment of such rewards, and the Congress having on many occasions accepted the matter as one for its consideration and expression, it appears the matter as one for its consideration and expression, it appears the duty of this office to require those in administrative places the desire to offer rewards for information or other assistnace to aid in the accomplishment of authorized work, to submit their requirements to the Congress for specific legislative authority with respect to all appropriations hereafter to be made."

In the instant matter, the above-quoted appropriation sought to be charged is not specifically available for payment of rewards. Moreover, it is noted that, although the airplane crashed January 21, 1948, it was not found by Captain Packer until May 22, 1948--slightly more than four months after the crash. In view of such lapse of time it seems clear that the probability of finding any survivors of the crash and giving them relief within the meaning of the above-quoted appropriation was negligible. Therefore, even if the said appropriation properly could be held available for the payment of a reward for finding a crashed airplane with such promptness as to warrant a reasonable hope that survivors might be found and given relief--a question which it is not necessary to decide at this time--it must be held that the appropriation is not available for payment of the reward as proposed in the instant matter.

Sepcifically, you are advised that certification of the voucher transmitted with your letter is not authorized. The voucher and attached papers are returned herewith.

Respectfully,

(Signed) Lindsay C. Warren Comptroller General of the United States.

Enclosures.