



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548



IN REPLY
REFER TO: B-194409 (RLH)

OFFICE OF GENERAL COUNSEL

May 31, 1979

The Honorable Howard M. Metzenbaum
United States Senator
Columbus District Office
121 East State Street
Columbus, Ohio 43215

Dear Senator Metzenbaum:

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This replies to your letter of March 13, 1979, in which you enclosed for our consideration a letter from Local 1138, American Federation of Government Employees, Fairborn, Ohio. The union's letter requests information on the legal basis for the Comptroller General's appeal system on pay matters]

The statutory basis for the Comptroller General's authority over pay matters is found in several sections of the Budget and Accounting Act of 1921 (now codified in title 31, United States Code). The basic provisions are the following:

--31 U.S.C. 71 states that all claims and demands by or against the United States Government and all accounts of the Government shall be settled and adjusted in the General Accounting Office.

--31 U.S.C. 74 provides that "balances certified by the General Accounting Office, upon the settlement of public accounts, shall be final and conclusive upon the Executive Branch of the Government * * *." It further provides that disbursing officers and the heads of Executive Departments or agencies may request a decision from the Comptroller General on any question involving a payment to be made by them or under them.

These two sections provide the basic authority for the General Accounting Office to decide pay claims and to issue legal decisions on pay matters. Our Claims Division is responsible for the initial handling of claims made against the Government. See title 4, Code of Federal Regulations, Part 31. Any claimant may appeal the Claims Division's action to the Comptroller General. See 4 CFR, Part 32.

John

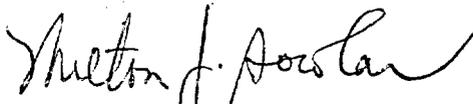
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In the labor-management relations area, The General Accounting Office recently published in the Federal Register new regulations on procedures for labor-management relations cases. Since the regulations may be of particular interest to Local 1138, a copy is enclosed for its use. We are in the process of revising these regulations because of the new labor relations provisions of title VII, Civil Service Reform Act of 1978, Pub. L. No. 95-454.

The enclosure to your letter is returned as requested. If we may be of further assistance, please let us know.

Sincerely yours,



Milton J. Socolar
General Counsel

Enclosures