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Charles Browne  
Civ. Pers.

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548**

**FILE: B-185076**

**DATE: March 21, 1977**

**MATTER OF: Real Estate Commission Scrip - Department of  
Agriculture**

**DIGEST:** Department of Agriculture requests instructions on disposition of excess scrip which can be used to reduce real estate commissions in the Minneapolis area. Department is advised that scrip can be used by its employees or transferred to other Government agencies for use by their employees or disposed of in any other manner in interest of Government.

By a letter dated October 6, 1976, Mr. J. P. Bolduc, Assistant Secretary for Administration, U.S. Department of Agriculture, requested our advice concerning the disposition of scrip which can be used in partial payment of real estate commissions in the Minneapolis, Minnesota, area.

The scrip was given to the Department of Agriculture by employees previously stationed in the Minneapolis area with the Agricultural Stabilization and Conservation Service (ASCS), Minneapolis Commodity Office. The employees were transferred to other ASCS offices when the Minneapolis office was closed. At the time of the transfer the employees were reimbursed for the cost of transfer expenses in accordance with the Federal Travel Regulations (FPMR 101-7, May 1973), including real estate commissions on the sale of their homes.

Subsequent to the transfers, a class-action suit in U.S. District Court involving an anti-trust challenge to fixed real estate commissions was resolved by a settlement. Under the settlement agreement persons, who had recently sold houses in the Minneapolis area and paid a fixed real estate commission, received a refund in the form of scrip. The scrip can be used as partial payment of future real estate commissions in the Minneapolis area. The ASCS employees formerly stationed in Minneapolis gave their scrip to the Department of Agriculture.

In his letter Mr. Bolduc indicated that the Department received approximately \$6,100 worth of scrip. He stated that the Department anticipated that approximately \$2,000 worth of scrip may be used by five ASCS employees who have not yet sold their homes in the

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Minneapolis area. The remaining \$4,100 worth of scrip will expire 5 years from the date of its distribution by the U.S. District Court. Mr. Boland stated that the excess scrip could be used by employees of other Government agencies transferring from the Minneapolis area.

We agree it would be proper to use the scrip for the ASCS employees as proposed, and that it would also be proper to transfer the excess scrip to other Federal agencies having offices in the Minneapolis area for use by their employees. Such use of the scrip on behalf of transferred employees would reduce the costs of the Government. The scrip otherwise has no value, and if it is not needed by other Government agencies or is returned unused, there would be no liability should it expire unused. In addition, if any scrip remains unused, any other disposition of the scrip that is in the interest of the Government would be proper. See generally B-128096, August 20, 1956.

Deputy

*R. H. Koster*  
Comptroller General  
of the United States