



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

12223 J. H. Higgins
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B-196953

December 4, 1979

Mr. Donald F. Terry
Executive Director
Federal Mine Safety and Health Review Commission D. 3463

R Dear Mr. Terry:

2 On September 28, 1979, you requested our ^{on} views on a proposed amendment to ~~the~~ administrative service agreement between the General Services Administration (GSA) and your Commission. Under the proposed change, the Commission would assume the authority for certification of its own vouchers from GSA. Since certification authority is inherent in the Commission's status as an independent Federal agency, we would have no objection to the proposed amendment. However, we are providing information you may wish to consider before going ahead with the proposed changes. 17

We understand that under a contractual arrangement GSA currently provides the Commission with support services including audit, certification, and other processing of the Commission's expenditure vouchers. Your letter states that the Commission now wishes to assume the certification responsibility for its vouchers but to continue to have GSA provide the other services necessary to effect payment.

This change would significantly alter your relationship with GSA and would be similar to an agreement GSA entered into with the Occupational Health and Safety Review Commission. While that agreement was in the proposal stages, the Assistant Administrator for Administration, GSA, inquired about the potential liability of GSA certifying officers under such an arrangement. Our decision, 55 Comp. Gen. 388 (1975), in summary stated:

"General Services Administration officers who perform administrative functions relating to final processing of expenditure vouchers under interagency service and support agreement will not be regarded as certifying officers for purposes of 31 U.S.C. 82c liability to the extent that serviced Commission retains certification responsibility with respect to basic vouchers."


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Should the Commission and the GSA modify their agreement as proposed, the principle established in this decision would apply as well, and the Commission's designated employees will become certifying officers for purposes of 31 U.S.C. 82. A copy of our decision is enclosed.

We trust this letter provides information that will be helpful to you.

Sincerely yours,


Deputy Comptroller General
of the United States

Enclosure