



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-230606

April 7, 1988

Mr. Stanley M. Silverman
Comptroller
United States Information Agency

Dear Mr. Silverman:

This responds to your letter of February 24, 1988, requesting that we relieve Ms. _____, Class B Cashier, under 31 U.S.C. § 3527(a) for the loss of 1,412,759 Iranian Rials (\$14,270.30) which, as you state, occurred as the result of the attack and siege of the USIS Building in Teheran, Iran by Iranian terrorists on November 4, 1979. For the reasons explained below, we are unable to grant relief at this time.

We are unable to find in the sparse record provided with your request support for your statement that the loss occurred on November 4, 1979, nor does the record explain exactly when or how the loss occurred. From the material supplied, it appears that a March 28, 1979 telegram from the American Embassy in Teheran, Iran notified the Regional Finance Center in Paris, France that Ms. _____ had lost 831,968 Rials in currency and checks during a February 11, 1979 attack on the Information Communication Agency Building. A request for replenishment of the loss was included in this telegram.

In response to the March 28, 1979 telegram, the American Embassy in Paris sent a telegram on April 5 to the American Embassy in Iran stating that according to its records, Ms. _____ was actually accountable for 1,107,750 Rials, and asking for an explanation for the 275,782 Rial difference between its records and the amount of replenishment that had been requested.

Your request also contains a December 9, 1981 letter from the Disbursing Officer, Regional Administrative Management Center, American Embassy in Paris, to the Department of State stating that Ms. _____ had an outstanding advance of 1,412,759 Rials. This figure of 1,412,759 Rials was repeated in August 7, 1987 and February 7, 1988 telegrams from the Regional Administrative Management Center (RAMC) in Paris to the United States Information Agency requesting, respectively, data and a voucher in order to clear the 1,412,759 Rial amount from RAMC's accounts.

As this synopsis of the record given us indicates, there are inconsistencies as to the amount outstanding. While the record originally supported a loss of 831,968 Rials, your request now, without explanation, totals 1,412,759 Rials. Additionally, there is no indication in the record, other than in your cover letter, that the loss occurred as the result of the November 4, 1979 attack. Finally, we have no information on the actions taken by Ms. which may or may not have contributed to the loss. Accordingly, the record is too sparse to enable us to relieve Ms. on our own evaluation of the facts. The inconsistencies and gaps in the factual record, as mentioned above, must be addressed and explained by the responsible agency before we can concur with your determinations that Ms. was acting in the official discharge of her duties and was without fault or negligence in the loss, and your suggestion that Ms. should be granted relief for the loss of 1,412,759 Iranian Rials.

If you intend to supply us with additional information regarding this loss in a request for reconsideration, a specific explanation of how and when the funds were lost should be included. This should include an account of Ms. actions relevant to the loss which will enable us to make a determination as to whether she was acting in her official capacity and was without fault or negligence when the loss occurred. Additionally, the inconsistencies in the record as to how much was actually lost, and the exact amount of loss for which you are requesting relief, must be provided. We understand that this kind of information may not be available from written records of your office. We will consider statements from persons knowledgeable of the events involved if we conclude that they are reliable.

Sincerely yours,



(Mrs.) Rollee H. Efros
Associate General Counsel