



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

Office of the General Counsel

B-223890

August 27, 1986

John V. Salas, President
American Federation of Government
Employees, Local 1857
P.O. Box 1037
6539 Grattan Way
North Highlands, California 95660

Dear Mr. Salas:

In your letter of July 31, 1986, you requested our decision concerning Mr. [redacted] a civilian employee of the Department of the Air Force. Specifically, you asked us to decide whether Mr. [redacted] is entitled to recover subsistence expenses which the Air Force recouped from him on the basis that he had submitted falsified receipts for certain travel expenses.

The matter upon which you have requested a decision is of mutual concern to Local 1857 and the Air Force. Therefore, your request must be resubmitted in accordance with the requirements of 4 C.F.R. Part 22 (1986) (copies enclosed).

Generally, 4 C.F.R. Part 22 sets forth the procedures for requesting a decision which concerns the legality of appropriated fund expenditures on matters of mutual concern to Federal agencies and labor organizations participating in the labor-management program established pursuant to 5 U.S.C. Chapter 71, and other Federal sector labor-management programs. Under these regulations, heads of Federal agencies and departments (or their designees), heads of labor organizations representing Federal employees (or their designees), and authorized certifying or disbursing officers may request a decision. The contents of a request for decision are set out as follows in section 22.3 of 4 C.F.R.:

"(a) The name and address of the party requesting the decision;

"(b) A statement of the question to be decided, a presentation of all relevant facts, and a statement of the party's argument;

"(c) Copies of all pertinent records and support documents;

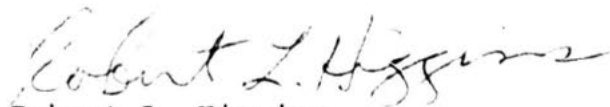
"(d) Notice as to whether the matter is subject to a negotiated grievance procedure, and whether a grievance has been filed or any other procedure has been invoked to adjudicate the same or a substantially similar matter before the Federal Labor Relations Authority or other administrative body or court; and

"(e) A power of attorney or statement of authority to represent if required by 4 C.F.R. Part 1."

Our regulations also require that a copy of your request and supporting documents be served on the interested parties--such as the named claimant and the employing agency--and that a statement of such service be submitted to this Office. See 4 C.F.R. § 22.4. We are enclosing a copy of your request for a decision and an extra copy of the regulations in 4 C.F.R. Part 22 so that you may provide them to an appropriate representative of the Air Force. The Air Force representative's attention should be directed to 4 C.F.R. § 22.4(c), which provides that any party served or any other person may submit to this Office a written response to the request for a decision.

Since your July 31, 1986 request for a decision does not conform to the requirements of 4 C.F.R. Part 22, we are unable at this time to respond to your request. Mr. claim should be submitted in accordance with the regulatory requirements outlined above.

Sincerely yours,



Robert L. Higgins
Assistant General Counsel

Enclosures