



UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-223357

June 23, 1986

Mr. Clyde E. Jeffcoat
Principal Deputy Commander
U.S. Army Finance and
Accounting Center
Department of the Army
Indianapolis, Indiana 46249

Dear Mr. Jeffcoat:

This responds to your request of June 5, 1986, that we relieve Lieutenant Colonel (LTC) W.A. Mullen, Jr., Finance Corps, Finance and Accounting Officer, U.S. Army Training Center and Fort Dix, Fort Dix, New Jersey, under 31 U.S.C. § 3528 for an improper payment of a \$93.50 check payable to Mr. For the reasons stated below, relief is granted.

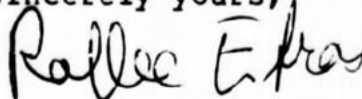
The loss resulted when the payee negotiated both an original Army-issued check and a Treasury-issued replacement instrument. The role of LTC Mullen in issuing the second check was that of certifying official. See AR-103, para. 4-143(b); see also, B-215380, et al., July 23, 1984.

It appears in this case that the criteria for relief have been met. As far as the Army certifying official is concerned, he "did not know, and by reasonable diligence and inquiry could not have discovered, the correct information" that is, that the payee had actually received the original check and had--or planned to--cash both checks. Accordingly, we grant relief.

Finally, as you are aware, the settlement of a disbursing officer's account does not relieve the agency of its responsibility to pursue collection action on the debt created by the improper payment. In this case, once the debit voucher was

received from Treasury it took the Army almost nine months to refer the matter to your collection division. As we previously indicated to you, we think that diligent collection procedures require that the Army forward the debt to its collection division within 3 months of its notification from Treasury that a loss has occurred.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Rolley H. Efros".

(Mrs.) Rollee H. Efros
Associate General Counsel