

FACT SHEET - #17c

SUBJECT: Soldiers' Response Rights in the Report of Survey System

1. PURPOSE. To inform commanders of soldiers' response rights regarding reports of survey (ROS).

2. FACTS. The Army ROS system is described in AR 735-5, Chapter 13. The system provides a method for relief from property accountability and responsibility.

a. The soldier must meet the following deadlines for submitting a rebuttal statement:

(1) Soldiers who receive a hand-delivered ROS have seven days to submit a rebuttal.

(2) Soldiers in the same country as the survey officer who receive a ROS in the mail have fifteen days from the date of mailing to submit a rebuttal.

(3) Soldiers in a country different than the survey officer who receive a ROS have thirty days from the date of mailing to submit a rebuttal.

b. The rebuttal will be reviewed by the survey officer and/or the approving authority. A survey officer who believes that continued liability is warranted will forward the ROS to the approving authority for review. An approving authority who believes financial liability should be relieved will notify the soldier by memorandum of that fact.

c. A soldier who is not relieved of financial liability may request reconsideration of the case by the approving authority and the appellate authority. This request for reconsideration must be based on legal errors. The request for reconsideration must be submitted within 90 calendar days after notification. It will initially be considered by the approving authority who, if he believes that continued liability is warranted, will forward the request for reconsideration and the ROS to the appellate authority.

d. If the appellate authority continues to hold the soldier financially liable, the soldier will be notified by memorandum. This memorandum will include notice of the soldier's right to request remission or cancellation of indebtedness (enlisted soldiers only) pursuant to AR 600-4 and/or the soldier's right to request an extension of the collection period.

3. POC is the Administrative Law Division at 4-7414/4668.

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