

ADMINISTRATIVE - INTERNAL USE ONLY

27 JAN 1976

DD/A Registry

File *Accounting 3-1*

MEMORANDUM FOR THE RECORD

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SUBJECT: Meeting With [REDACTED] Re Denial of Request for Waiver of Claim for Overpayment

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1. Mr. [REDACTED] visited the undersigned on 27 January 1976 to protest the denial of his request for waiver of claim for overpayment of salary. The undersigned reviewed with Mr. [REDACTED] the Report of Investigation of his case and all supporting memoranda. Mr. [REDACTED] was also acquainted with the three GAO criteria applied in evaluation of requests for waiver, and advised of the Agency review process which in his case involved the Director of Finance, the Deputy Director for Administration and the Deputy Director of Central Intelligence.

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2. Mr. [REDACTED] stated that he was dissatisfied with the ruling in his case and asked if there was any appeal channel available to him. He was referred to the Inspector General and assured that the IG would have access to our total file on his case. Mr. [REDACTED] also stated that he might seek private legal counsel in this matter and inquired if pertinent data could be made available to an outside attorney. He was advised that this was possible provided the documents were appropriately sterilized. Mr. [REDACTED] then asked if the IG was cleared for the sensitive activity with which he was connected at the time of overpayment. He was advised that the IG was privy to all activities of the Agency.

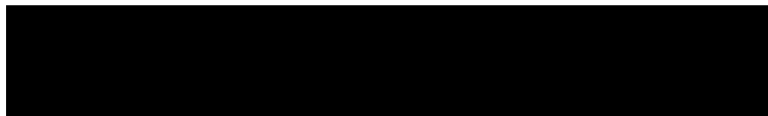
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3. It is the opinion of the undersigned that Mr. [REDACTED] was seeking reversal of the denial of waiver at the Director of Finance level and that he cannot present additional evidence to the IG which would enable him to gain waiver on appeal. This opinion is based on Mr. [REDACTED] statements that he had offered to work for no compensation; that his function was highly sensitive (and therefore the IG might not have access); that he was the only person trained in his specialty; that he presumed that the offset of annuity and the 90% of active duty pay provisions had been waived in his case; that he had been given a Certificate of Merit for past performance; and that, in view of all the foregoing, that he had not studied the provisions of his contract.

4. No statement of Mr. [REDACTED] was persuasive that the Overpayment Review Committee recommendation was incorrect or unjust. Based on the facts at hand, it is the judgement of the undersigned that Mr. [REDACTED] could reasonably, been expected to know that his hourly rate of pay was in excess of his entitlements.



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