



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-177505

JAN 18 1973

Dolores, Mabalacat
Pampanga, Philippines

Dear Mr.

We refer further to your letter of April 5, 1972, and prior correspondence requesting review and reconsideration of a settlement by our Claims Division dated April 11, 1950, that partially disallowed your claim.

The record indicates you filed a claim for unpaid wages on August 15, 1949, with the United States Army Philippines Command in the amount of \$337.80 for 1,126 days worked as a food handler with the U.S. Medical Department, Fort Stotsenburg, Pampanga, Philippines, during the period December 1, 1941, to January 1945. Your claim was considered by the United States Army Philippines Command Contract Claims Commission No. 81, in September 1949, which made the following determination of fact:

"On 1 September 1941 at Fort Stotsenburg, Philippines, claimant began working for the U.S. Army Station Hospital as food handler at the rate of P.60 (per day). His services were terminated on 24 December 1941 and he was unpaid from 1 December 1941 to 24 December 1941 or a total sum of P14.40 (\$7.20)."

Based on this determination our Claims Division issued a Certificate of Settlement, dated April 11, 1950, for \$7.20 in compensation for services rendered by you from December 1, 1941, to December 24, 1941.

Without presenting any new evidence you maintain you are still entitled to wages for the period December 24, 1941, until January 1945 in which you state you:

"* * * continued as a civilian Food Helper of the U.S. Army for Major North (MC), of the said Hospital together with Lt. Florence McDonald, the (Head Nurse)
* * *."

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Our Office examines and settles claims on the basis of the written record before it. In cases involving a dispute over questions of fact between a claimant and the administrative office it is the rule of this Office to accept the administrative record and the statement of facts furnished by the administrative office in the absence of clear evidence to overcome the presumption of the correctness thereof. In the instant case the Department of the Army determined that your services were terminated on December 24, 1941, and you have presented no evidence to overcome the presumption of the correctness thereof. Accordingly, the denial of your claim for wages after December 24, 1941, by our Claims Division was proper and is hereby sustained.

Very truly yours,

PAUL G. DEMBLING

For the Comptroller General
of the United States