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COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20546

Subject  
card

879

B-153945

FEB 16 1965

AIRMAIL

[REDACTED]  
U. S. Army Ammunition Depot  
Trois Fontaine  
APO 287  
New York, New York

Dear Mr. [REDACTED]

Further reference is made to your letter of October 12, 1964, concerning your indebtedness to the United States because of a premature promotion from grade GS-10 to grade GS-12 effective May 12, 1957, and which is the subject of a private relief bill H.R. 5091, introduced in the 88th Congress by Honorable Congressman L. Mendel Rivers of South Carolina.

We have just recently received information from the Department of the Army to enable us to review the matter of your indebtedness and to make a report thereon as requested by the Committee on the Judiciary, House of Representatives. In our review we have been unable to find any basis for holding that you were not overpaid for the period May 12, 1957, to August 23, 1959. Moreover, we have recomputed your overpayment for that period as amounting to \$1,418.26 rather than \$1,338.84, as shown in H.R. 5091. That bill was not enacted during the past Congress and of course expired at the termination thereof. If a similar bill for your relief be introduced in the present Congress we assume the amount for relief will be shown as \$1,418.26.

You ask what your legal resources are in the event relief legislation is not enacted in your case. You may be advised that you would be entitled--after refund of all or part of such indebtedness--to file an action to recover same either in the United States Court of Claims, Washington, D. C. or in a United States district court.

You may be further advised that the forfeiting of a part of your annual leave in payment of such indebtedness would not be authorized.

Augest

Very truly yours,

Joseph Campbell

Comptroller General  
of the United States