

# ORO CONTROL FORM - FINAL DIRECTIVE

**PART A** (To be completed by the Division of Primary Interest (DPI))

1. **NUMBER AND TITLE OF DIRECTIVE:** **ORO O 530, Chapter I, Change 4, COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR INDEBTEDNESS TO THE UNITED STATES**

2. **PURPOSE OF TRANSMITTAL:**  New Directive  Revised Directive

3. **THIS DOCUMENT MAY AFFECT THE WORK PERFORMED BY THE FOLLOWING CONTRACTORS:** (Check appropriate boxes)

No (all contractors)

Yes If yes, whom?  Bechtel Jacobs Co.  ORAU  UT-Battelle

Other contractors (list by type)

*Many ORO contractors have approved Standards/Requirements Identification Documents (S/RIDs) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.*

4. **SIGNIFICANT PROVISIONS:** Are there any significant changes or impacts?  No  Yes  
If yes, describe: This ORO Chapter is part of the ORO sunset review process. Changes to this Chapter include: (1) update correlating DOE Directive; and (2) reflect change to Paragraph 3 to add statement regarding Y-12 Site Office applicability.

5. **CONTACT POINT:** Rosa Trivette Oak Ridge Financial Service Center, FM-71 576-0782  
Name Organization Telephone

**PART B** (To be completed by the Directives Management Group (DMG)):

6. **FILING INSTRUCTIONS:**

<u>Remove</u>	<u>Dated</u>	<u>Insert</u>	<u>Dated</u>
ORO Control Form	04/02/2002	ORO Control Form	04/27/2004
ORO O 530, Ch. I, Chg. 3	04/02/2002	ORO O 530, Ch. I, Chg. 4	04/27/2004

*ORO Directives are available on the ORO Directives Management Group Home Page at [http://www.ornl.gov/doe/doe\\_oro\\_dmg/oro\\_dir.htm](http://www.ornl.gov/doe/doe_oro_dmg/oro_dir.htm). The ORO Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.*

7. **APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH THE OFFICIAL DIRECTIVES DISTRIBUTION LIST:**

*Original Signed By*

Wayne H. Albaugh

Signature: DMG Team Leader, AD-440

04/27/2004

Date

**INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED**

Rev. 11/06/2003

# NNSA/YSO CONTROL FORM – FINAL DIRECTIVE

## PART A (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

DIRECTIVE NUMBER, TITLE, AND DATE:

**ORO O 530, CHAPTER I, CHANGE 4, COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR INDEBTEDNESS TO THE UNITED STATES, dated 04/27/2004**

PURPOSE OF TRANSMITTAL:  New Directive  Revised Directive

DOES THIS DIRECTIVE CANCEL/REPLACE OR EXTEND ANY OTHER DIRECTIVES?  Yes  No  
If "Yes," list what action (cancel/replace or extend) and list the Directive(s), including the number(s), title(s), and date(s):

This Directive cancels and replaces ORO O 530, Chapter I, Change 3, COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR INDEBTEDNESS TO THE UNITED STATES, dated 04/02/2002.

The attached Directive is forwarded for review and action. Complete Part B and forward this form to ORO DMG, AD-440, by 05/11/2004.

## PART B (To be completed by the NNSA Y-12 SITE OFFICE, Y12-01):

CONTRACTOR APPLICABILITY:

Does this Directive affect the work performed by BWXT Y-12, L.L.C.?  Yes  No

Does this Directive affect the work performed by BWXT Y-12, L.L.C., subcontractors?  Yes  No

If "Yes," list the subcontractors:

*Many contractors have approved Standards/Requirements Identification Documents (S/RID) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this Directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.*

SIGNIFICANT PROVISIONS: Are there any significant changes or impacts?  Yes  No

List summary of Directive changes and, if "Yes" above, describe the significant changes or impacts:

Updated correlating DOE Directive and addresses YSO applicability (paragraph 3).

IMPLEMENTATION: Does the Directive contain special implementation requirements and/or dates?  Yes  No

If "Yes," describe:

FOR DOE DIRECTIVE – SUPPLEMENTAL DIRECTIVE REQUIRED?

Is a new or revised supplemental Directive required?  Yes  No

If "Yes," target date for submission of YSO Directive is \_\_\_\_\_.

IDENTIFY CONTACT POINT: Sam Gaines 576-0401  
Name Telephone

APPROVED BY COR FOR DIRECTIVES: Diane McCarten 05/19/2004 576-9330  
Signature Date Telephone

## PART C (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

*DOE Directives are available on the DOE Directives Portal at <http://www.directives.doe.gov/>. ORO Directives are available on the ORO Directives Management Group Home Page at [http://www.ornl.gov/roe/roe\\_oro\\_dmg/oro\\_dir.htm](http://www.ornl.gov/roe/roe_oro_dmg/oro_dir.htm). Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.*

APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH OFFICIAL DIRECTIVE DISTRIBUTION LIST:

Wayne H. Albaugh, Ad-440 05/25/2004  
Name Date

**INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED.**

(Revised 11/06/2003)

# U.S. Department of Energy

Oak Ridge Operations

ORO O 530  
Chapter I  
Change 4

**DATE: 04/27/2004**

**SUBJECT: COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR  
INDEBTEDNESS TO THE UNITED STATES**

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1. PURPOSE. This Chapter correlates to DOE O 533.1, COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR INDEBTEDNESS TO THE UNITED STATES, dated September 26, 2003, by assigning responsibility and accountability and providing administrative guidance to Oak Ridge Operations (ORO), Office of Scientific and Technical Information (OSTI), and the National Nuclear Security Administration Y-12 Site Office (YSO). Nothing in this issuance changes any requirements contained in any DOE Directive.
2. CANCELLATION. This Chapter cancels and replaces ORO O 530, Chapter I, Change 3, COLLECTION FROM CURRENT AND FORMER EMPLOYEES FOR INDEBTEDNESS TO THE UNITED STATES, dated April 2, 2002.
3. APPLICABILITY. The provisions of this Chapter apply to ORO, YSO, and OSTI Principal Staff. References to the Y-12 Site Office are to clarify the interface between ORO and YSO and are not intended to indicate direction to YSO by ORO. This guidance does not assign responsibility or authority for the YSO to ORO.
4. RESPONSIBILITIES.
  - a. Chief Financial Officer (CFO), ORO; Manager, YSO; and Assistant Director for Administration and Information Services, OSTI.
    - (1) Perform those tasks identified in DOE O 533.1, subparagraphs 5b(5), (8)-(10), and (12).
    - (2) Ensure that hearing requests, arrangements, and procedures are followed as specified in DOE O 533.1 paragraphs 9 and 10.
    - (3) Upon advice from the Director, Oak Ridge Financial Service Center (ORFSC); Director, Administration Division, YSO; or the Assistant Director for Administration and Information Services, OSTI, approve, reach a compromise, suspend, or terminate collection actions on employee debts not exceeding \$100,000, and recommend such actions to the Department of Justice for debts exceeding \$100,000.
    - (4) Comply with the hearing official's decision as specified in DOE O 533.1, subparagraph 11e.

- (5) Prepare a report of investigation on each waiver request as specified in DOE O 533.1, subparagraph 14e.
  - (6) Make initial determinations of waivers for erroneous payments of pay and allowances, etc., without dollar limitation, using the requirements contained in Paragraph 5 of this Chapter (see Paragraph 6, REFERENCES).
- b. Director, Oak Ridge Financial Service Center, ORO; and Assistant Director for Administration and Information Services, OSTI.
- (1) Perform those tasks identified in DOE O 533.1, subparagraphs 5b(1)-(4), (6), (7), and (11), and subparagraph 15c.
  - (2) Assess and collect debts in accordance with DOE O 533.1, paragraph 13.
  - (3) When a debt is not recovered through voluntary repayment, implement the due process procedures identified in DOE O 533.1, paragraph 7.
  - (4) Adhere to recovery procedures for salary offset as defined in DOE O 533.1, paragraph 12.
  - (5) Review and forward employee requests for a waiver of collection of claims for erroneous payments involving transportation, travel, or relocation matters to the CFO (see DOE O 533.1, subparagraphs 14a-c).
  - (6) Recommend to the CFO the compromise, suspension, termination, or referral to the General Accounting Office or Department of Justice when the debt is long outstanding and considerable collection efforts have been made (see DOE O 533.1, subparagraph 5b, and 9).
- c. Director, Financial Evaluation and Accountability Division, ORO; and the Assistant Director for Administration and Information Services, OSTI, performs those tasks identified in DOE O 533.1, subparagraph 15b.
- d. Director, Human Resources Division, ORO, processes and forwards employee requests for a waiver of collection of claims for erroneous payments to the ORO CFO or the OSTI Assistant Manager for Resource Management.
- e. Office of Chief Counsel, ORO, reviews responsible organization's independent assessment of the validity of the debt and certifies that due process as specified in DOE O 533.1, paragraph 7, was given to a former employee when a debt claim is to be submitted to another agency for collection. Performs a review for legal sufficiency of an employee's debt file when the file is submitted due to an anticipated hearing or review (see DOE O 533.1, subparagraph 5c).
5. REQUIREMENTS AND PROCEDURES. The criteria for the waiver for erroneous payments of pay and allowances, etc., is generally met by a finding that the erroneous payment occurred through administrative error and that there is no indication of fraud, misrepresentation, fault or lack of good faith on the part of the employee. A waiver is precluded when an employee knows or reasonably should know that an erroneous payment has occurred and fails to bring the matter to the attention of

the appropriate officials. The facts upon which a waiver determination is based should be recorded in detail and made a part of the waiver file, which is required to be retained for 6 years. (See Paragraph 6, REFERENCES.)

6. REFERENCES. Memorandum, from Michael L. Telson, DOE Chief Financial Officer, entitled "Transfer of Authority to Waive Overpayments of Pay and Allowances," dated September 16, 1998.
7. DEFINITIONS. None. See DOE O 533.1, Paragraphs 17a-9.
8. CONTRACTOR REQUIREMENTS DOCUMENT. None.
9. ATTACHMENTS. None. See DOE O 533.1, Attachment 1, Page 1, DOE ORGANIZATIONS TO WHICH DOE O 533.1 IS APPLICABLE.