

Dec 58

OGC/B-8790(a)

MEMORANDUM FOR: Chief, ER/2

ATTENTION :

THROUGH :

ATTENTION :

SUBJECT :

- (1) Herberts OKOLO
- (2) Lyman M. HEBBERT

1. This is in regard to our discussion on 16 December 1958 relative to the action to be taken in finalizing the Agency's obligations to the subject named individuals under their differing contracts. In view of the nature of their assignments, the period that has elapsed since they were last heard from and that the information available indicates that they may have been captured and possibly executed, it was determined as follows:

(a) Herberts OKOLO. The contract would be extended to 26 December 1958 - a date to be considered as coinciding with that of his last contact. The amount due, pursuant to para. 1, to be determined as of that date. No payments are to be made because the principal designee is located in a denied area and the alternate was and is a non-existent party. It will be suggested to the Finance Division that because of "impossibility of performance" it should cease to carry the amount determined as a current obligation.

(b) Lyman M. HEBBERT. Para. 6(b)(3) would be construed to read "no information from you regarding your existence is brought to the attention of the U. S. Government for two (2) years after the date of your last contact with appropriate Government representatives." December 26, 1958, would be considered the expiration date of the two year period and the amount payable would be determined in accordance with para. 1. The designee for payment purposes - a minor daughter, located in Sweden, is no doubt "acceptable" within the meaning of para. 1. Payment is to be coordinated with the Swedish Station, keeping in mind that Swedish tax laws may make a lump sum payment undesirable from the standpoint of the designee.

Assistant General Counsel

Attachment