



UNDER SECRETARY OF DEFENSE

1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

COMPTROLLER

APR 8 2011

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

This letter reports a violation of the Antideficiency Act (ADA), Army case number 08-02 (enclosed), as required by section 1351 of Title 31, United States Code. A violation of section 1341 occurred in Fiscal Year (FY) 2006 and FY 2007 Operation and Maintenance Army Reserve, account 21 6 2080, in the amount of \$76,392.42. The violation occurred within the 94th Regional Readiness Command (RRC), Area Maintenance Support Activity, Lincoln, Rhode Island.

A violation occurred when a Military Technician in the RRC was not removed from his Military Technician status as mandated by section 10216 of Title 10, United States Code, after he lost his military status. Military Technician dual status membership in the selected reserve is a condition of employment. The delay in the employee's termination action resulted in him receiving pay and allowances for which he was not authorized during the period from November 30, 2005, to February 2, 2007.

Mr. Neil Svendsen, GS-13, Supervisory Logistics Specialist, RRC, and Mr. David Reid, WS-09, Heavy Equipment Repairer Supervisor, RRC, were found responsible for the violation. No disciplinary action was taken against either individual since they both have retired from Federal service. It was determined that the violation contained no willful or knowing intent on the part of the responsible parties to violate the ADA.

To prevent a recurrence of this type of violation, a policy memorandum issued by the United States Army Reserve Command (USARC) G-1, "Identifying Military Technicians not in Compliance with Condition of Employment and ADA Violation," requires quarterly report submissions of Military Technician status by each major subordinate command. The USARC G-1 follows up with each respective command.

Identical reports will be submitted to the President of the Senate, Speaker of the House of Representatives, Comptroller General of the United States, and Director of the Office of Management and Budget.

Respectfully yours,

Robert F. Hale



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COMPTROLLER

The Honorable Joseph R. Biden, Jr.
President of the Senate
United States Senate
Washington, DC 20510

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Sincerely,

Robert F. Hale



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WASHINGTON, DC 20301-1100

COMPTROLLER

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

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Robert F. Hale