



COMPTROLLER

UNDER SECRETARY OF DEFENSE  
1100 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1100

JUL 22 2011

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

Dear Mr. President:

This letter reports violations of the Antideficiency Act (ADA), Air Force case number 10-05 (enclosed), as required by title 31, U.S.C., section 1351. The violations at the Oklahoma City Air Logistics Center Product Support Directorate, Tinker Air Force Base, Oklahoma, occurred in the Operations and Maintenance, Air Force 57 3080 and the Other Procurement, Air Force 57 3080 accounts, during Fiscal Years 2003, 2004, and 2005. The violations totaled \$5,272,449.00.

The violations occurred when the Air Force constructed a complete and usable real property facility in excess of \$2 million. The facility was constructed without Congressional authorization in violation of title 10, U.S.C., section 2802, and without appropriated military construction funds in violation of title 31, U.S.C., section 1341.

Colonel Jeffrey Smith, (Retired), B-2 System Support Manager, was found responsible for the violations by improperly authorizing the improper use of operations and procurement funds for the construction project. No disciplinary action was taken against Colonel Smith, because he has retired from Military Service. It was determined that the violations contained no willful or knowing intent on the part of the responsible party to violate the ADA.

Since military construction funds were not appropriated nor approved for the project, the violation is uncorrectable. To prevent a recurrence of these types of violations, the Air Force provided re-training on Appropriations Law, Fiscal Law, Military Interdepartmental Purchase Requests, and the Antideficiency Act. In addition, the Air Force instituted new operating procedures in order to provide more guidance and oversight to the financial management workforce.

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

Enclosure:

GAO-ADA-11-16



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UNDER SECRETARY OF DEFENSE  
1100 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1100

JUL 22 2011

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

Dear Mr. President:

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Sincerely,

Robert F. Hale

Enclosure:  
GAO ADA 11-16



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1100 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1100

JUL 22 2011

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

Dear Mr. Speaker:

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Sincerely,

Robert F. Hale

Enclosure:  
As stated