



COMPTROLLER

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

APR 13 2007

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

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act, as required by Title 31, United States Code, Section 1517(b).

The Antideficiency Act violation, by the Department of the Army, case number 05-07 totaled \$740,018.68. The violation occurred in fiscal year 2001 in the Operation and Maintenance, Army National Guard appropriation. Funds from this appropriation were used for construction of a building at Camp Murray, Washington. The violation occurred because the project should have been classified as unspecified minor construction because it exceeded the statutory limitation of Title 10, United States Code, Section 2805(c)(1), which was \$500,000, at that time. Unspecified minor construction funds were not available within the Washington Army National Guard. This situation resulted in a violation of Title 31, United States Code, Section 1517.

Enclosed is a report from the Deputy Assistant Secretary of the Army (Financial Operations). The following individuals were named responsible for the violation.

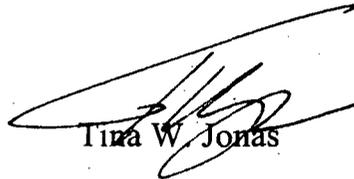
Colonel (Retired) Richard O'Connor,  
Deputy Chief of Staff for Operations and Distance Learning Program Director  
Colonel (then Lieutenant Colonel) (Retired) Phillip H. Glise,  
Distance Learning Program Manager  
Brigadier General (then Colonel) (Retired) Oscar B. Hilman,  
United States Property and Fiscal Officer for Washington  
Major (Retired) Robin L. Davis, Legal Advisor,  
Washington Army National Guard, Tacoma, Washington

The Army concluded that there was no knowing or willful violation of the Antideficiency Act by the responsible individuals. All responsible individuals had retired from Active Duty and disciplinary action was not deemed appropriate.

The violation was corrected when the National Guard Bureau Headquarters provided the required funds for correction. To preclude a reoccurrence of this type of violation the current Construction and Facilities Management Officer issued a revised policy memorandum which defined roles, procedures, and responsibilities with respect to new capital construction projects.

Identical reports are being submitted to the President of the Senate, the Speaker of the House of Representatives, and the Comptroller General of the United States.

Respectfully yours,



Tina W. Jonas

Enclosure:  
As stated



UNDER SECRETARY OF DEFENSE  
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WASHINGTON, DC 20301-1100

APR 13 2007

COMPTROLLER

The Honorable Richard B. Cheney  
President of the Senate  
285 Eisenhower Executive Office Building  
Washington, DC 20501

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act, as required by Title 31, United States Code, Section 1517(b).

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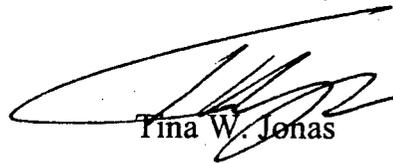
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The Army concluded that there was no knowing or willful violation of the Antideficiency Act by the responsible individuals. All responsible individuals had retired from Active Duty and disciplinary action was not deemed appropriate.

The violation was corrected when the National Guard Bureau Headquarters provided the required funds for correction. To preclude a reoccurrence of this type of violation the current Construction and Facilities Management Officer issued a revised policy memorandum which defined roles, procedures, and responsibilities with respect to new capital construction projects.

Identical reports are being submitted to the President, the Speaker of the House of Representatives, and the Comptroller General of the United States.

Sincerely,



Tina W. Jonas

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APR 13 2007

COMPTROLLER

The Honorable Nancy Pelosi  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

Dear Madam Speaker:

This letter is to report a violation of the Antideficiency Act, as required by Title 31, United States Code, Section 1517(b).

The Antideficiency Act violation, by the Department of the Army, case number 05-07 totaled \$740,018.68. The violation occurred in fiscal year 2001 in the Operation and Maintenance, Army National Guard appropriation. Funds from this appropriation were used for construction of a building at Camp Murray, Washington. The violation occurred because the project should have been classified as unspecified minor construction because it exceeded the statutory limitation of Title 10, United States Code, Section 2805(c)(1), which was \$500,000, at that time. Unspecified minor construction funds were not available within the Washington Army National Guard. This situation resulted in a violation of Title 31, United States Code, Section 1517.

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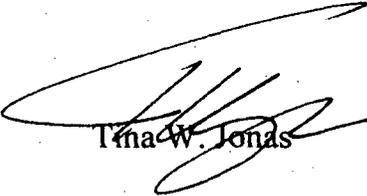
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The Army concluded that there was no knowing or willful violation of the Antideficiency Act by the responsible individuals. All responsible individuals had retired from Active Duty and disciplinary action was not deemed appropriate.

The violation was corrected when the National Guard Bureau provided the required funds for correction. A revised policy memorandum was issued to prevent the reoccurrence of this type of violation for new capital construction projects.

Identical reports also are being submitted to the President, the President of the Senate, and the Comptroller General of the United States.

Sincerely,



Tina W. Jones

Enclosure:  
As stated