



UNDER SECRETARY OF DEFENSE

1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

COMPTROLLER

APR 28 2010

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 (ADA), Army case number 06-04, as required by section 1351 of Title 31, United States Code. A violation of section 1341 occurred in account 21 5 2020, Operation and Maintenance, Army (OMA) in the amount of \$11, 806,993.00. The violation occurred on May 25, 2005, in connection with a relocatable building project at Fort Lee, Virginia. Mr. Donald G. LaRocque, GS-15, Chief, Public Works Division was responsible for the violation.

The violation occurred when the U.S. Army Garrison at Fort Lee obligated Fiscal Year 2005 OMA funds for site preparation construction costs on a relocatable building project. As the project was incorrectly scoped into multiple projects, the cumulative costs of the construction exceeded the \$750,000 minor construction threshold and should have been authorized by Congress and funded with military construction funds.

Mr. LaRocque was issued a written reprimand as administrative discipline. Through conversations or correspondence, Mr. LaRocque, as the command's top engineer, directed garrison engineers to divide the project because of cost concerns. Departmental guidance on such work that Mr. LaRocque could or should have relied on, however, was nonexistent or conflicting on such matters.

To prevent a recurrence of this type of violation, the Army revised its facilities management regulation and issued comprehensive guidance on relocatable building projects including site preparation construction work. No employee is suspected of knowingly or willfully violating the ADA.

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

Respectfully yours,

A handwritten signature in cursive script that reads "Robert F. Hale".

Robert F. Hale

Enclosures:
As stated



UNDER SECRETARY OF DEFENSE

1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

COMPTROLLER

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

APR 28 2010

Dear Mr. President:

This letter is to report a violation of the Antideficiency Act (ADA), Army case number 06-04, as required by section 1351 of Title 31, United States Code. A violation of section 1341 occurred in account 21 5 2020, Operation and Maintenance, Army (OMA) in the amount of \$11, 806,993.00. The violation occurred on May 25, 2005, in connection with a relocatable building project at Fort Lee, Virginia. Mr. Donald G. LaRocque, GS-15, Chief, Public Works Division was responsible for the violation.

The violation occurred when the U.S. Army Garrison at Fort Lee obligated Fiscal Year 2005 OMA funds for site preparation construction costs on a relocatable building project. As the project was incorrectly scoped into multiple projects, the cumulative costs of the construction exceeded the \$750,000 minor construction threshold and should have been authorized by Congress and funded with military construction funds.

Mr. LaRocque was issued a written reprimand as administrative discipline. Through conversations or correspondence, Mr. LaRocque, as the command's top engineer, directed garrison engineers to divide the project because of cost concerns. Departmental guidance on such work that Mr. LaRocque could or should have relied on, however, was nonexistent or conflicting on such matters.

To prevent a recurrence of this type of violation, the Army revised its facilities management regulation and issued comprehensive guidance on relocatable building projects including site preparation construction work. No employee is suspected of knowingly or willfully violating the ADA.

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

Sincerely,

A handwritten signature in cursive script that reads "Robert F. Hale".

Robert F. Hale

Enclosures:
As stated



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

COMPTROLLER

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

APR 28 2010

Dear Madam Speaker:

This letter is to report a violation of the Antideficiency Act (ADA), Army case number 06-04, as required by section 1351 of Title 31, United States Code. A violation of section 1341 occurred in account 21 5 2020, Operation and Maintenance, Army (OMA) in the amount of \$11, 806,993.00. The violation occurred on May 25, 2005, in connection with a relocatable building project at Fort Lee, Virginia. Mr. Donald G. LaRocque, GS-15, Chief, Public Works Division was responsible for the violation.

The violation occurred when the U.S. Army Garrison at Fort Lee obligated Fiscal Year 2005 OMA funds for site preparation construction costs on a relocatable building project. As the project was incorrectly scoped into multiple projects, the cumulative costs of the construction exceeded the \$750,000 minor construction threshold and should have been authorized by Congress and funded with military construction funds.

Mr. LaRocque was issued a written reprimand as administrative discipline. Through conversations or correspondence, Mr. LaRocque, as the command's top engineer, directed garrison engineers to divide the project because of cost concerns. Departmental guidance on such work that Mr. LaRocque could or should have relied on, however, was nonexistent or conflicting on such matters.

To prevent a recurrence of this type of violation, the Army revised its facilities management regulation and issued comprehensive guidance on relocatable building projects including site preparation construction work. No employee is suspected of knowingly or willfully violating the ADA.

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

Sincerely,

A handwritten signature in cursive script that reads "Robert F. Hale".

Robert F. Hale

Enclosures:
As stated