



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

COMPTROLLER

MAR 30 2012

The Honorable Gene Dodaro
Comptroller General of the United States
Washington, DC 20548

Dear Mr. Dodaro:

This letter reports a violation of the Antideficiency Act as required by section 1351 of title 31, United States Code. The Joint Improvised Explosive Device Defeat Organization's violation, case number 09-01, was in the amount of \$13,750,000.

Enclosed are copies of the letters transmitting a report of violation of section 1341(a)(1)(A) of title 31, United States Code. Copies were submitted to the President, the President of the Senate, the Speaker of the House of Representatives, and the 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

MAR 30 2012

The Honorable Jeffrey Zients
Acting Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Zients:

Enclosed are a letter and report transmitting a violation of section 1341 of title 31, United States Code, to the President. The Antideficiency Act violation, Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01, totaled \$13,750,000. This violation report is required by section 1351 of title 31, United States Code, to be submitted to the President through the Director of the Office of Management and Budget. JIEDDO is a Department of Defense Activity with the Army designated as their Executive Agent for administrative support. The Army did not receive a clean audit opinion during the fiscal years in which the violation occurred.

It was determined that the violation contained no willful or knowing intent on the part of the responsible party to violate the Antideficiency Act. To comply with the aforementioned provisions, copies of the report are also being submitted to the President of the Senate, the Speaker of the House of Representatives, and the Comptroller General of the United States.

Sincerely,

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

Robert F. Hale

Enclosures:
As stated





COMPTROLLER

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

MAR 30 2012

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), Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Years (FYs) 2006 and 2007, totaling \$13,750,000. In FY 2006, the violation occurred in the Research, Development, Test, and Evaluation, Army (RDTE-A), Iraq Freedom Fund (account 21 6 2040 22 2010 633100.EDI), in the amount of \$9,750,000. In FY 2007, the violation occurred in the Joint Improvised Explosive Device Defeat Fund (JIEDDF), Army (account 21 7 2093 0000 5U-5U01 310000.000), in the amount of \$4,000,000.

The Defense Advanced Research Projects Agency (DARPA) sought to establish an improvised explosive device sensor testing facility in FY 2006. The concept was to construct buildings that had the same characteristics as those constructed in Iraq to provide a real-world environment for testing and evaluating advanced sensor technologies. DARPA, JIEDDO, and Army's National Training Center discussed sites, sensor experiments, and funding support for Project Iraqi Village. The National Training Center agreed to host the testing facility; however, no formal memorandum of agreement was executed.

In August 2006, the U.S. Army Rapid Equipping Force released \$9,750,000 from the RDTE-A fund to the U.S. Army Engineering District (USAED), Los Angeles. The funds were accepted by USAED, Los Angeles, as a Category I reimbursable order, Military Construction. The U.S. Army Corps of Engineers (USACE) awarded the design-build contract for Project Iraqi Village to Parsons-Granite JV, and performance began in early September 2006. In January 2007, USACE requested an additional \$4,000,000 to cover seismic reinforcements of the structures due to safety concerns. In March 2007, JIEDDO approved the increase in JIEDDF, and \$4,000,000 was released by JIEDDO to USAED, Los Angeles and accepted as a Category I reimbursable order, Military Construction.

The misunderstanding of what RDTE-A and JIEDDF funds may be used for and the characterization of Project Iraqi Village as a testing facility were the root causes of the violation. A failure in correctly identifying the project as one involving construction that exceeded the unspecified minor construction threshold of \$750,000 precipitated the ADA violation. Project Iraqi Village should have been authorized by Congress in accordance with section 2802 of title 10, United States Code, and funded with Military Construction funds.



Mr. Robin Keesee, PhD, Senior Executive Service, former Vice Director JIEDDO, was responsible for the violation. No disciplinary action was taken against Mr. Keesee since he has retired from Federal Service. It was determined that the violation contained no willful or knowing intent on the part of the responsible party to violate the ADA.

To prevent a recurrence of this type of violation, JIEDDO has required J8/Comptroller personnel to take fiscal law and Federal appropriations law training within 90 days of assignment and every 3 years thereafter. This will further the education of JIEDDO's Senior Staff on the ADA and potential consequences of ADA violations. In addition, JIEDDO's Office of the General Counsel will review and evaluate all funding memorandums that approve and release funds from the JIEDDF.

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,

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Robert F. Hale

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WASHINGTON, DC 20301-1100

COMPTROLLER

MAR 30 2012

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

Dear Mr. President:

This letter reports a violation of the Antideficiency Act (ADA), Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Years (FYs) 2006 and 2007, totaling \$13,750,000. In FY 2006, the violation occurred in the Research, Development, Test, and Evaluation, Army (RDTE-A), Iraq Freedom Fund (account 21 6 2040 22 2010 633100.EDI), in the amount of \$9,750,000. In FY 2007, the violation occurred in the Joint Improvised Explosive Device Defeat Fund (JIEDDF), Army (account 21 7 2093 0000 5U-5U01 310000.000), in the amount of \$4,000,000.

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COMPTROLLER

MAR 30 2012

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

Dear Mr. Speaker:

This letter reports a violation of the Antideficiency Act (ADA), Joint Improvised Explosive Device Defeat Organization (JIEDDO) case number 09-01 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Years (FYs) 2006 and 2007, totaling \$13,750,000. In FY 2006, the violation occurred in the Research, Development, Test, and Evaluation, Army (RDTE-A), Iraq Freedom Fund (account 21 6 2040 22 2010 633100.EDI), in the amount of \$9,750,000. In FY 2007, the violation occurred in the Joint Improvised Explosive Device Defeat Fund (JIEDDF), Army (account 21 7 2093 0000 5U-5U01 310000.000), in the amount of \$4,000,000.

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