



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 is to report a violation of the Antideficiency Act as required by section 1351 of title 31, United States Code. The Department of the Army violation, case number 11-02, was in the amount of \$80,966.58.

Enclosed are copies of the letters transmitting a report of violation of section 1341 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, Army case number 11-02, totaled \$80,966.58. 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. The Army did not receive a clean audit opinion during the fiscal year 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,

Robert F. Hale

Enclosures:
As stated





COMPTROLLER

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

MAR 30

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 11-02 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Year (FY) 2008 and FY 2009 Operation and Maintenance Army Reserve, account 21*2080, in the amount of \$80,966.58. The violation occurred within the 1394th Transportation Group (1394th TG), Camp Pendleton, CA.

A violation occurred when a Military Technician 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 August 1, 2008, to September 4, 2009.

Lieutenant Colonel Douglas W. Brown, Deputy Commander, 1394th TG, as the officer responsible for unit personnel actions, had direct knowledge of civilian and reserve status and was found responsible for the violation. He was issued a memorandum of reprimand. 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, 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 reporting submissions of Military Technician status by all major subordinate commands. In addition, USARC G-1 holds an annual workshop for its major subordinate commands relating to dual status military technicians and conditions of employment in which the criticality of employment is stressed.

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-12-11
As stated





COMPTROLLER

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

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), Army case number 11-02 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Year (FY) 2008 and FY 2009 Operation and Maintenance Army Reserve, account 21*2080, in the amount of \$80,966.58. The violation occurred within the 1394th Transportation Group (1394th TG), Camp Pendleton, CA.

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

Sincerely,

Robert F. Hale

Enclosure:
GAO-ADA-12-11
As stated





COMPTROLLER

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

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), Army case number 11-02 (enclosed), as required by section 1351 of title 31, United States Code. A violation of section 1341 occurred in Fiscal Year (FY) 2008 and FY 2009 Operation and Maintenance Army Reserve, account 21*2080, in the amount of \$80,966.58. The violation occurred within the 1394th Transportation Group (1394th TG), Camp Pendleton, CA.

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

Sincerely,

Robert F. Hale

Enclosure:
As stated
GAO-ADA-12-11

