



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

COMPTROLLER

FEB 17 2012

The Honorable Gene Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
Antideficiency Act Reports
Room 7165
411 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

This letter is to report a violation of the Antideficiency Act as required by title 31, U.S.C., section 1351. The Department of the Air Force violation, case number 10-06, was in the amount of \$9,729,552.00.

Enclosed are copies of the letters transmitting a report of violation of title 31, U.S.C., section 1341. 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, reading "Robert F. Hale", is positioned above the printed name.

Robert F. Hale

Enclosures:
As stated



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WASHINGTON, DC 20301-1100

COMPTROLLER

FEB 17 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 violations of title 31, U.S.C., section 1341 to the President. The Antideficiency Act violation, Air Force case number 10-06, totaled \$9,729,552.00. This violation report is required by title 31, U.S.C., section 1351, to be submitted to the President through the Director of the Office of Management and Budget. The Air Force did not receive a clean audit opinion during the fiscal year in which the violation occurred.

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



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COMPTROLLER

FEB 17 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), Air Force case number 10-06 (enclosed), as required by title 31, U.S.C., section 1351. The violation occurred within the Military Personnel (MILPERS), Air National Guard (ANG), Air Force, account 57 9 5850, during Fiscal Year (FY) 2009 at the ANG Readiness Center.

The violation occurred when the ANG overobligated the FY 2009 MILPERS account, resulting from a failure to properly administer such account. The ANG MILPERS account is complex due to the unique service of ANG members. As ANG members serve in a variety of statuses and for differing time periods, the appropriation requires the use of intricate mathematical equations to estimate obligations based upon present and historical data. The result is a composite workday rate. To ensure accuracy, the variables must be recalculated on a regular basis to reflect changing information. In this case, the FY 2009 rate was not recalculated despite an increase in end strength and salaries. In addition, the internal "checkbook" was not sufficiently maintained to accurately account for ANG workdays and funds distribution. As a result, there was an inaccurate understanding of the total amount of unobligated funds available in the later part of the fiscal year. Thus, an end-of-year decision to expend \$10 million for Airman Battle Uniform resulted in a title 31, U.S.C., section 1341, violation in the amount of \$9,729,552.00.

Major Dean Love, ANG Bureau MILPERS Manager, was responsible for the violation. He was issued a verbal admonishment, along with a written memorandum. There was 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, ANG has ensured the MILPERS appropriations manager will perform quarterly adjustments to the Man-Day Factor, based upon the number of projected Man-Days (to include a reserve of funds as a buffer).

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



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1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

COMPTROLLER

FLD 17 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), Air Force case number 10-06 (enclosed), as required by title 31, U.S.C., section 1351. The violation occurred within the Military Personnel (MILPERS), Air National Guard (ANG), Air Force, account 57 9 5850, during Fiscal Year (FY) 2009 at the ANG Readiness Center.

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Sincerely,

Robert F. Hale



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COMPTROLLER

FEB 17 2012

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

Dear Mr. Speaker:

This letter reports a violation of the Antideficiency Act (ADA), Air Force case number 10-06 (enclosed), as required by title 31, U.S.C., section 1351. The violation occurred within the Military Personnel (MILPERS), Air National Guard (ANG), Air Force, account 57 9 5850, during Fiscal Year (FY) 2009 at the ANG Readiness Center.

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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:

GAO-ADA-12-07