



INSPECTOR GENERAL  
DEPARTMENT OF DEFENSE  
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ALEXANDRIA, VIRGINIA 22350-1500

JAN - 8 2015

MEMORANDUM FOR UNDER SECRETARY OF DEFENSE (POLICY)

SUBJECT: Deputy Secretary of Defense Response to SIGAR Camp Leatherneck Investigation

I have reviewed the proposed Deputy Secretary of Defense reply to recommendations made by SIGAR in its report, "\$36 Million Command and Control Facility at Camp Leatherneck, Afghanistan: Unwanted, Unneeded, and Unused," and do not have any objections. However, to ensure that the Deputy Secretary and the Congress are aware that my office has considered and declined to conduct any further investigations regarding the conduct of the officers named in the SIGAR report, I am recommending the attached edits.

This office has not conducted any direct investigations or inquiries into the matters discussed in the SIGAR report. As such, I am providing limited coordination restricted to the suggested edits.

A handwritten signature in black ink, reading "Jon T. Rymer", is positioned above the printed name. The signature is stylized with a long, sweeping line extending to the right.

Jon T. Rymer

Attachment:  
As stated

## **Response to SIGAR Report on the Investigation into the Construction of the Command and Control (C2) Facility at Camp Leatherneck**

*Recommendation 1: Incorporate into the DOD Financial Management Regulation, DOD 7000.14-R, a clear statement that taxpayer funds should not be spent when they are no longer needed, merely because an official does not want to go through the process of requesting the reprogramming or rescission of those funds.*

Response: Non-concur. This recommendation is based on a misinterpretation of the decision making process that resulted in LTG Vangjel's August 2010 decision to deny the US Forces-Afghanistan (USFOR-A) and Marine Expeditionary Force-Forward (MEF-FWD) requests to cancel construction of the 64,000 (64k) square foot C2 facility at Camp Leatherneck, for which Congress approved funding in FY2010. The documentation indicates LTG Vangjel made his decision in-based on the fact that this facility was included as an FY2012 OCO requirement. He therefore denied the request to cancel the FY2010 funding; subsequently, the FY2012 funding for a separate facility for which the 64K facility could meet the requirement was cancelled. USFOR-A and MEF engineers agreed with LTG Vangjel's decision not to request cancellation of the FY2010 funding.

DoD expends taxpayer funds in accordance with the law. Financial Management Regulation DoD 7000.14-R in Volume 14 Chapter 1 section 010205 part D states that one of the duties of DoD officials is to "ensure that the obligation and expenditure of funds provide for a *bona fide* need of the period of availability of the fund or account." This statement addresses the intent of the SIGAR recommendation. The *bona fide* need rule is addressed in greater detail in Volume 3 Chapter 8.

*Recommendation 2: Adopt, at all appropriate command levels, including at the general officer level, financial management training that promotes this principle and rejects the "use it or lose it" approach to spending;*

Response: Non-concur. As with Recommendation 1, this recommendation is premised on a misinterpretation of the decision making process that resulted in the construction of the Camp Leatherneck C2 facility. The decision to use FY2010 funding for what was considered a valid requirement instead of FY2012 funding did not reflect a "use it or lose it" approach. DoD financial management training emphasize the fiduciary duty to responsibly and lawfully expend taxpayers' funds.

*Recommendation 3: Determine appropriate administrative or disciplinary action for Lieutenant General Peter Vangjel in light of his decision to construct the 64K building over the objections of commanders in the field, resulting in the waste of \$36 million;*

Response: Non-concur. LTG Vangjel took subordinate commanders' views into account but determined those views were not fully informed by the strategic vision that was current at that time. The Department reviewed the actions of LTG Vangjel highlighted in the report and determined they do not represent a credible allegation of misconduct warranting consideration of administrative or disciplinary actions. The DoD IG has also reviewed this matter and finds



insufficient basis for conducting or directing further investigation. LTG Vangjel's actions were within management's discretion and did not amount to misconduct.

*Recommendation 4: Determine appropriate administrative or disciplinary action for Major General James Richardson in light of his failure to carry out a fulsome investigation in compliance with General Dunford's orders;*

Response: Non-concur. The Department reviewed the actions of MG Richardson highlighted in the draft SIGAR report and determined they do not represent ~~a credible allegation of misconduct warranting consideration of administrative or disciplinary actions.~~ The DoD IG has also reviewed this matter and finds insufficient basis for conducting or directing further investigation. MG Richardson's actions were within management's discretion and did not amount to misconduct.

*Recommendation 5: Consider issuing a directive to all personnel explicitly reminding them of their legal obligation under the Inspector General Act of 1978, as amended, and the SIGAR authorizing statute, to fully cooperate with SIGAR audits, investigations, and requests for information;*

Response: Concur. Although the Department ultimately answered all of SIGAR's requests for information, the documentation collected during your investigation indicated confusion by members of the Department regarding the roles, responsibilities, and authorities of SIGAR during this investigation. One possible source of confusion is that the Camp Leatherneck C2 facility is funded by Title 10 Military Construction and not funded by one of the reconstruction funds for which SIGAR has oversight, nor was it intended at the time of construction to be transferred to the Afghan government. The Department will develop guidance for DoD personnel to provide clarity for the roles, responsibilities, and authorities of SIGAR to improve DoD support for future audits, investigations, and requests for information.

*Recommendation 6: Determine appropriate administrative or disciplinary action for Colonel Norman F. Allen in light of his failure to comply with law, regulation, and his ethical and professional responsibilities.*

Response: Non-concur. The Department reviewed the actions of COL Allen highlighted in the report and determined they do not represent ~~a credible allegation of misconduct warranting consideration of administrative or disciplinary actions.~~ The DoD IG has also reviewed this matter and finds insufficient basis for conducting or directing further investigation. However, as reflected above in response to recommendation #5, COL Allen will be provided guidance so that he better appreciates the roles, responsibilities, and authorities of SIGAR. COL Allen's actions were within management's discretion and did not amount to misconduct.