

WASTE WATCH

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REP. STEVE RUSSELL

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CONGRESSMAN
STEVE RUSSELL
REPRESENTING OKLAHOMA'S 5TH DISTRICT



To the Citizens of the United States:

December 2016 marks the end of the 114th Congress, as well as the final full month of President Barack Obama's eight years in the White House. The 2016 fiscal year ended in September with a 34 percent increase in the government's yearly deficit, closing in on \$600 billion. Early estimates on FY2017 show that there is expected to be a 25 percent reduction in deficit spending, but the yearly deficit will still be more than \$440 billion. In the past, some would have defined this as nearly \$150 billion in savings and movement in the right direction, while ignoring the fact that the national debt will still grow by almost a half a trillion dollars. The trend we are on is unsustainable, and the only way out is through a change in the culture of how the federal government spends the people's money and start spending less than the government brings in in revenue.

There can be reason for some optimism as the next Congress begins. President-elect Trump has indicated a willingness to fight waste from the get-go. "We are going to ask every department head in government to provide a list of wasteful spending projects that we can eliminate in my first 100 days," he said. This is encouraging. Hopefully this will spur the change in culture that Washington needs.

Cutting spending to balance the budget is not about denying agencies funding they need for their operations. The goal is to cut the waste and thereby reduce the overhead and allow the money they receive to go further. Recent reports indicate there may have been \$125 billion in administrative waste and duplication over five years at the Pentagon. This kind of waste and duplication is not isolated to the Department of Defense. Better use of the limited dollars we have will go a long way to streamline all of our agencies to a leaner and smarter federal government. More importantly, this will reduce the debt.

Through the first five editions of *Waste Watch*, I have highlighted roughly \$90 billion in wasteful government projects, and in *Waste Watch* No. 6 there is an additional \$140 billion in cost overruns, poorly designed programs, and money that was dumped down the drain. My office has also authored or cosponsored bills and amendments that have been signed into law that will save roughly \$5 billion. It is with renewed optimism that I start 2017 and the new Congress with a hope that the culture of wasteful spending can be changed in Washington and we can start to pay down the debt. In this season of renewal and redemption, I wish you a merry Christmas and offer a prayer for a brighter future as we work to cut more waste.

Sincerely,

Congressman, 5th District of Oklahoma
LTC, US Army (Ret)

Federal Government Spent \$137 Billion Making Payments in the Wrong Amount, to the Wrong People and for the Wrong Reason

Every year, the federal government spends billions of dollars making payments to a variety of entities for goods or services rendered. These entities include individuals, but they also include corporations, organizations, partnerships and agencies.

Because of a lack of accountability and oversight, many of those payments are deemed improper. These improper payments are made in the wrong amount, to the wrong people or for the wrong reason, and they cost taxpayers billions of dollars every year.



It is estimated that in FY 2015 the federal government made approximately \$137 billion in improper payments.ⁱ These payments were spread throughout the federal government to various departments and programs. Overall the error rate for 2015 was reported to be 4.39 percent.ⁱⁱ While a 4% error rate may seem relatively insignificant, given the amount of payments that are made by our federal government on an annual basis, it adds up to billions of taxpayer dollars misspent and wasted every year.

According to the Office of Management and Budget (OMB), an improper payment is defined as:

Any payment that should not have been made or that was made in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirements. Incorrect amounts are overpayments or underpayments that are made to eligible recipients. An improper payment also includes any payment that was made to an ineligible recipient or for an ineligible good or service, or payments for goods or services not received. In addition, when an agency's review is unable to discern whether a payment was proper as a result of insufficient or lack of documentation, this payment must also be considered an improper payment.ⁱⁱⁱ

This definition includes duplicate payments or payments that the recipients use in an improper manner. It also includes underpayments and overpayments. When all of these circumstances are taken into account, it adds up to a lot of wasted taxpayer money.

There have been efforts to bring some accountability to the payment process. In 2002 Congress passed the Improper Payments Information Act (IPIA). This legislation required the heads of executive agencies to make an annual estimate of the number of improper payments. In 2010 Congress passed the Improper Payments Elimination and Recovery Act (IPERA). This legislation required the director of OMB to review all federal programs and activities to identify any that have a high risk of significant

improper payments. Finally, in 2012 Congress enacted the Improper Payments Elimination and Recovery Improvement Act (IPERIA). This legislation strengthened IPERIA by requiring agencies to follow minimum procedures prior to making payments. In spite of these legislative efforts, the error rate has continued to increase since 2013 from 3.53 to 4.39 percent in 2015.

There are a number of reasons why improper payments are made. In 2015, in an effort to be more effective in identifying the root causes for improper payments, OMB implemented a new category system to help agencies identify errors more specifically.^{iv} The categories include insufficient documentations to determine accuracy of payment errors, inability to authenticate eligibility errors, administrative or process errors, medical necessity errors, failure to verify data errors, issues with program design and structure and other reasons including fraud.

The Government Accountability Office provides a percentage breakdown of each root-cause category for FY 2015. According to their numbers, 33 percent of the improper payments were made with insufficient documentation to determine the accuracy of payment.^v An example of this is the Department of Health and Human Services (HHS) paying for a foot surgery for an individual despite not having their medical history.^{vi}

There are a number of ways of breaking down improper payments in order to address them. When

broken down by agency, in terms of dollars spent, HHS appears to be the agency most prone to improper payments. In 2015, HHS spent \$90 billion on improper payments with most of these payments coming from a few programs.^{vii} While HHS made the most improper payments, the Department of Treasury is guilty of having the highest error rate at 24 percent.^{viii} This is more than twice the error rate of HHS at 10 percent.

Another way of breaking down improper payments is by looking at them by program. Medicare Fee-for-Service has the highest improper payment total with \$43 million in improper payments. This is followed by Medicaid with \$29 million and the Earned Income Tax Credit with almost \$16 million. When looking at error rates, the Earned Income Tax Credit is the highest at 24 percent, followed by the National School Lunch Program at 16 percent.^{ix}

While it is not surprising that there will be mismanaged and misspent money in a bureaucracy the size of the federal government, it is important to understand that improper payments totaling hundreds of billions of dollars every year have an adverse effect on taxpayers. It affects those who do not get what they are owed while at the same time forcing all taxpayers to fund fraud, duplication and mismanagement. While the problem is complex, it is important that agencies and those who oversee them do all that they can to make sure that taxpayer dollars are used properly.

Pentagon Task Force Spends \$150 Million on Lavish Villas, Fancy Meals and Special Security



The Pentagon's Task Force for Business and Stability Operations (TFBSO) spent \$150 million on lavish accommodations in Afghanistan while working to jumpstart the Afghan economy. The money was spent on high-end villas that were required to have queen beds, flat-screen TVs of no less than 27 inches and three-star meals. Because the villas were not on base, where they could be

protected by military personnel, the U.S. government employees also required extensive private security personnel.

When our soldiers return from the battlefield they often speak about the daily hardships they faced. While serving their country some find themselves living in anything from a hole in the ground to makeshift *hooches* constructed with whatever they have available. While that may be the case for many of our soldiers, it is a far cry from what some U.S. government employees working for the TFBSO experienced while in Afghanistan.

According to the Special Inspector General for Afghanistan Reconstruction (SIGAR), the TFBSO spent \$150 million on rented “villas”^x for their staff in Afghanistan. TFBSO spent 20 percent of their budget on these villas, which were required to be furnished with queen-size beds, flat-screen TVs for each room, DVD players and mini-refrigerators. These villas featured upgraded furniture and western-style hotel accommodations.^{xi}

While our warriors and contractors were eating at chow halls or eating meals ready to eat (MREs), TFBSO required food service to be at least three stars, with each meal containing at least two entrée choices and three side order choices, as well as three-course meals for “special events.”^{xii}

The TFBSO goals were to “reduce violence, enhance stability and support economic normalcy”^{xiii} in Afghanistan. According to SIGAR, the decision for TFBSO personnel not to live on the U.S. military bases in Afghanistan may have been made by Paul A. Brinkley, the former Deputy Undersecretary of Defense and TFBSO’s first director. Brinkley explained:

Our goal was to get business running and to encourage private investors and corporations from outside of Afghanistan to engage in the country either as trade partners or as investors. Wherever possible, we avoided depending on the military. We were part of their mission...but we avoided



living on military bases whenever possible. The goal was to show private companies that they could set up operations in Afghanistan themselves without needing military support.^{xiv}

While in an effort to promote stability, TFBSO may not have relied on U.S. military personnel, they did end up spending \$57 million from 2010 to 2014 on security contractors who provided a “combat-life-saver-qualified personnel for all security movements” and “20 security teams to support operations in all areas of Afghanistan and secure movement of Task Force Staff, senior businessmen and guests.”^{xv} Another defense contractor received \$51 million between 2009 and 2011 for extensive security and other services 24 hours a day 7 days a week.^{xvi}

While its efforts to promote development and stability were noble and a vital part of the overall mission, the benefits that resulted from TFBSO’s decision to rent private housing and hire private security contractors instead of living on military bases remain unclear. Furthermore, it doesn’t seem that any cost-benefit analysis was conducted.^{xvii}

The National Institutes of Health (NIH) Spent Nearly \$50,000 on “Elegant” Bicycle Shelters

NIH spent \$47,530 to construct two bicycle shelters on their campus in Bethesda, MD. The bicycle shelters are intended for employees who work at the NIH headquarters. The agency hired a New Jersey company to build the two structures to keep bikes out of the weather.^{xviii}

While NIH was hesitant to report the cost of the project, a contract posted on USASpending.gov revealed the exorbitant price being paid for the bicycle shelters.^{xix}

NIH, a part of the U.S. Department of Health and Human Services (HHS), is a biomedical research agency. According to their website, NIH’s mission is to “seek fundamental knowledge about the nature and behavior of living systems and the application of that knowledge to enhance health, lengthen life and reduce illness and disability.”^{xx} Much of its work revolves around acquiring vaccines for diseases and viruses.

The NIH Services stated that the purpose of the construction of the bicycle shelter is to keep bicycles from being parked on hand rails near the entrance of one of their buildings.^{xxi} Furthermore, NIH Communication Director Brad Moss told the Washington Free Beacon that the purchase of the bicycle shelter was “necessary” because it would encourage employees to use alternative transportation.^{xxii}

While bicycle racks may certainly have been justified in order to improve building accessibility, the question is whether the need justified the high cost.

Modern Design and Site Furnishings, the company tasked with building the bicycle shelters, said in defending the cost, “Bicycles are no longer just the exclusive transportation of the poor—and design should react to this truth. This elegant bike shelter has an uncompromisingly dynamic shape combining



a robust frame and delicate glass which are supported by sturdy stainless steel brackets.”^{xxiii}

Although \$47,530 is not a large amount of money in relation to NIH’s overall annual budget, the cost of these bicycle shelters is concerning because it is more than four times the cost of traditional bus stops, which are estimated to cost between \$10,000 and \$12,000.^{xxiv} What’s more, the bicycle shelters cost more than solar power bus shelters, which are about \$14,500.

At a time when HHS and NIH are asking for more money to deal with Zika and other health threats, it seems reasonable that it would allocate every available dollar to aid in those fights rather than spending money on frivolous projects like “elegant” bicycle shelters.

U.S. Taxpayers Pay Millions for Intelligence Contractors to Browse Facebook, Watch Pornography and Commit Sex Crimes

In October 9th 2016, a scathing report by Vice News revealed hundreds of pages from the Intelligence Community Inspector General’s (ICIG) special reports. The documents, released under the Freedom of Information Act (FOIA), showed that contractors and employees of some of the most powerful U.S. intelligence agencies sometimes “get bored” at work and proceed to view pornography on government computers, browse online dating sites and play games on Facebook. In one case, a contractor even attempted to “establish a sexual relationship with a possible minor residing in Northern Virginia.” All of this is done while intelligence contractors charge U.S. taxpayers millions of dollars through time-card fraud.^{xxv}



Private contractors fill an integral role in many aspects of governmental affairs, whether assisting in reconstruction or working in the intelligence community. Ronald Sanders, the former Associate Director of National Intelligence at the Office of the Director for National Intelligence, stated, “The nature of contracting is such that you do have a great deal more flexibility. You can expand and contract more readily using contract personnel. So in any given day, week, month or year, that number may go up or down. Our objective is to stabilize our military and civilian workforce and then use contractors as appropriate to deal with temporary work surge, unique expertise, et cetera.”^{xxvi} Thus, private contractors are considered necessary by many to augment and assist in various government functions. However, gaps in accountability and transparency, bad incentives and mismanagement in contracting has led to some of the most egregious and disturbing cases of misconduct.

Contractor abuses follow a broader trend that suggests fundamental problems associated with government contracts regarding oversight and enforcement. Insufficient contractor oversight is especially troublesome with intelligence contractors due to the classified nature of their work.

Neil Gordon, an investigator from the Project On Governmental Oversight (POGO), a nonpartisan independent watchdog that investigates corruption, misconduct, and conflicts of interest in all levels of government, looked through the released documents and compiled the total amount of U.S. dollars over-billed by private contractors.^{xxvii} A table in the appendix presents an aggregate of the 38 cases included in the released documents. He also points out a few particularly egregious cases of misconduct:

1. A Booz Allen employee falsely charged 123.5 hours from October 2013 to September 2014 for a total overcharge of \$10,706. He admitted he would leave work early and bill an additional 15 to 30

minutes of time “to round out his hours for the day,” according to the ICIG.

2. Another Booz Allen employee falsely billed 304.5 hours from October 2013 to July 2014 at a total cost of \$35,508.

3. An SAIC employee “improperly and excessively” used the internet at the National Counterterrorism Center for such non-work activities as sending instant messages to friends, checking online dating sites, and viewing images of “scantly clad or naked women.” The ICIG estimated that, between 2006 and 2012, the employee spent approximately 95 percent of his Internet usage time—more than 10,000 hours—for personal purposes, costing taxpayers more than \$925,000.

4. Another SAIC employee used his government computer to engage in sex chats “on a near daily basis” between May 2010 and July 2013. The ICIG was unable to quantify the amount of the mischarge.

5. A MITRE Corporation engineer billed the government for 665 hours—at \$141.74 per hour—when she was not at her work site. She also used her government internet account for personal purposes for 117 hours. These were not innocent mistakes: the ICIG found she had violated federal fraud laws.

6. A Maverick LLC employee billed \$24,400 for almost 169 hours of unaccounted-for time between April and September 2012. During an interview with the ICIG, he admitted to sending sexually explicit e-mails to his wife over a government computer and billing the government for that time.^{xxviii}

Broadly speaking, the government has two paths of legal recourse available in such cases of misconduct and fraud. The first path involves rights provided to the government as terms of its contracts, which the government may exercise without resort to judicial proceedings. The second path involves other actions, not necessarily provided for by the contract. In some cases, the government may take these actions on its own behalf, without resort to judicial proceedings. In other cases, the government must seek sanctions or damages through the courts. The Federal Acquisition Regulation, which generally governs the acquisition of services by federal agencies, requires that clauses granting the government the right to inspect and test

the supplies or services to be provided under the contract be incorporated into many contracts. While the government generally has the right to insist on “strict compliance” with the contract’s specification, enforcement is often lacking and it may not be able to insist on work being redone when doing so would be “economically wasteful and the work is otherwise adequate for its intended purpose”.^{xxix}

Congress has also enacted several statutes that allow the federal government, and in some instances, private parties, to recover damages, civil penalties, or forfeitures against parties that make false or fraudulent claims for payment or engage in other misconduct. These statutes may impose civil liability for conduct that does not amount to fraud under traditional common law definitions and potentially allow for significant recoveries. Generally, the False Claims Act (FCA) authorizes the Attorney General, as well as certain private parties, to bring a civil action against “any person” who makes a false claim for payment from the government. However, other recent regulatory and judicial developments may also affect contractors’ potential exposure to civil liability and damages under the FCA. Another, the Contract Disputes Act sets forth procedures for the resolution of claims and disputes involving certain contracts awarded by executive agencies.

Congress is perennially interested in the scope of federal civil fraud remedy statutes. In order to be effective, these statutes must be broad enough to punish and deter fraud that often evades detection, wastes taxpayer funds, and negatively impacts government programs. On the other hand, if courts interpret a fraud statute so broadly that it imposes civil liability on contractors for minor regulatory violations or ordinary breaches of contract, contractors may decline to compete for government contracts, potentially leading to higher prices for the government.^{xxx}

Ultimately, the implications of the documents released under the FOIA, are important. It shows how private contractors abuse U.S. taxpayer funds through timesheet fraud, commit negligence, and risk compromising national security. Members of Congress, government investigators, and private watchdogs such as POGO must be vigilant and firm when dealing with such violations.

\$237 Million Spent Paying DEA Informants Despite Poor Management and Oversight

The Department of Justice Office of Inspector General (DOJ OIG) found insufficiencies in the Drug Enforcement Agency's (DEA) oversight and



management of its network of confidential sources dating to 2005.^{xxxii} The DEA preserves a comprehensive and continuously expanding Confidential Source (CS) program.^{xxxiii} These confidential sources include employees from the Transportation Security Administration (TSA), Amtrak, multiple private bus

agencies, and personnel in the parcel delivery trade being paid for information.^{xxxiii}

In September, the DOJ OIG conducted its annual audit and found that from 2010 to 2015, the DEA had 18,000 active CSs, with more than 9,000 CSs obtaining about \$237 million in payments from the DEA.^{xxxiv} The misappropriation of funds was mostly overseen by the previous DEA Administrator Michele Leonhart, who stepped down in April 2015 after her agency was tarnished by a scandal over sex parties with prostitutes.^{xxxv} After this scandal, Chairman Jason Chaffetz, Ranking Member Elijah Cummings and other members of the House Committee on Oversight released an official statement that expressed “no confidence” in Leonhart’s ability to properly manage the DEA.^{xxxvi}

The DEA considers its CSs to be crucial in its hunt of illegal drug trafficking. Confidential Sources include package delivery employees, bus company personnel, and TSA agents moonlighting as drug war agents — all operating with horrible oversight and scant evidence of return on investment. These CSs can be unethically prompted by factors other than combating crime, like obtaining unwarranted financial payoffs.

The DOJ OIG found that the DEA did not adequately oversee payments to its CSs, which exposed the DEA to an increased potential for waste, economic abuse and fraud. Specifically, the DOJ OIG found that DEA field offices bear too much responsibility for CS management and review. The DOJ OIG noted that the DEA headquarters did not provide comprehensive reviews to ensure that the field offices’ use of CSs and overall payment to them were reasonable or justified. Essentially, field offices were left

unchecked by headquarters, in which caused an abuse in funds.

A major example of abuse of funds is the violation of DEA policy. While the DEA policy forbids paying deactivated agents—sources that have an arrest warrant for committing a severe offense—DOJ OIG found two extremely concerning cases of payments made by DEA. DOJ OIG cites one case in which a source was providing false testimony in trials and depositions. During the standard deactivation period, that source was used by one field office and paid \$469,158. A total of \$61,000 of the \$461,158 was paid after the source was once again deactivated for making untruthful statements to prosecutor. Lastly, DOJ OIG found that alone, DEA has paid about \$9.4 million to more than 800 deactivated agents.

The DEA's poor oversight does not stop at deactivated sources: in fact, sources who are categorized as "limited use," often referred to as "tipsters," which DEA policy notes are sources who make information available independently without direction by DEA are found to be the most paid actors. Limited use CSs are considered "low-risk" and yet they were estimated to have be paid a collective total of \$26.7 million.

Limited use sources the DEA hires are Amtrak and Transportation Security Administration (TSA)

employees. In November 2015, the DOJ OIG completed two separate investigations into DEA's use of two Amtrak employees and one TSA employee as Limited Use sources. The two investigations concluded that the DEA's use of these individuals as sources was inappropriate. Between 2011 and 2015, the DEA used at least 33 Amtrak employees and eight TSA employees as sources and paid the Amtrak employees over \$1.5 million and the TSA employees over \$94,000. What's more, after the DOJ OIG published the report, the DEA continued to use seven Amtrak workers as sources. The continued use of these particular sources concluded only in March 2016.

The DOJ OIG identified substantial concerns about the appropriateness of the current policies and practices of the DEA's management of its CS program. While the investigation showed the errors in management, the DEA did not make an effort to eliminate the misuse of funds by the multiple field offices. On November 30, 2016, the House Oversight Committee brought in Inspector General Michael E. Horowitz and Chief of Inspections Rob Patterson to discuss the climate of the DEA. Both plan to release a collective statement regarding the misappropriation of funds.

Federal Government Spent \$144 Million Fighting Freedom of Information Act (FOIA) Requests That It is Required by Law to Answer

Between 2009 and 2014 the federal government reported that its agencies incurred costs of \$144 million defending lawsuits requesting information through the Freedom of Information Act (FOIA).^{xxxvii} In a September 2016 report, the Government Accountability Office (GAO) found that over this five year period there were specifically 112 lawsuits where the plaintiffs won and the federal



agencies paid out at least \$1.3 million in FOIA-related litigation costs to the plaintiffs. This is a partial number, because the total litigation costs for the Department of Justice (DOJ) and other federal agencies could not be fully determined. According to the same GAO report, DOJ does not track all of the staff and attorney’s costs for lawsuits in which the plaintiffs prevailed, and the Civil Division of the United States Attorney’s Office told GAO they could not accurately provide costs for their attorney’s and staff for 104 of the 112 lawsuits.^{xxxviii} The report also does not detail whether there were more lawsuits still being adjudicated during this time.

FOIA was initially signed into law in 1966 to allow the public to request official federal records from any federal agency that is covered by FOIA. In the 50 years since FOIA was enacted, there have been multiple updates to streamline the process, increase transparency and protect federal agencies from having to divulge possibly classified materials. The public can file a FOIA request to any FOIA-covered agency, and the agency then has 20 working days to determine whether to disclose the requested documents, deny the request due to “inadequate language” or withhold the information under an exemption. There are currently nine exemptions to FOIA that an agency can claim to reject a request. Agencies may still offer information to the public even if they are covered by an exemption. If an agency does not deny a specific request because of an exemption, or because of improper language in the request, it is required by law to produce the documents requested through FOIA.

On his first full day in office, President Obama issued a memorandum on FOIA directing the Attorney General and all agencies to follow new guidelines reaffirming a commitment to accountability and total transparency:

The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. The Government should not keep information confidential merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears. Nondisclosure should never be based on an effort to protect the personal interests of government officials at the expense of those they are supposed to serve. In responding to requests under the FOIA, executive branch agencies should act promptly and in a spirit

of cooperation, recognizing that such agencies are servants of the public.

All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open government. The presumption of disclosure should be applied to all decisions involving FOIA.^{xxxix}

Despite this guidance, the National Security Archive FOIA Audit highlighted in March 2014 that just under half (50 of 101) of the federal agencies covered by FOIA never updated their regulations to comply with FOIA amendments passed in 2007, and more than half (54) have ignored President Obama’s guidance of a “presumption of disclosure.”^{xl} Ted Bridis and Jack Gillum of the Associated Press also wrote an article in March 2014 stating that President Obama’s administration fell far short of his opening day promises, writing, “Five years after Obama directed agencies to less frequently invoke a ‘deliberative process’ exception to withhold materials describing decision-making behind the scenes, the government did it anyway, a record 81,752 times.”^{xli}

In 2014 alone, the United States State Department denied 65 percent of the 18,023 FOIA requests received, 28 percent of which were denied without the protection of any exemption.^{xlii} When these FOIA requests are denied without cause, the public’s only recourse is to sue the federal government, and if the plaintiff wins, the courts often award their attorney’s fees to be paid by the federal government. From 2009 to 2014 the GAO identified 1,672 lawsuits that were seeking further information on their FOIA request. At least 112 of them resulted in the court awarding attorney’s fees and costs.^{xliii} Of those 112 lawsuits, 58 were due to no response, and 46 were because of a lack of full information.

It is the law for federal agencies to comply with FOIA requests and to respond in a timely manner unless a specific request goes against one of the nine exemptions. The federal government should never have to defend the practice of not supplying documents to the public if no exemption is stated.

The GAO has also recommended that better accounting practices by the DOJ be maintained to have a more accurate picture of litigation costs, even though under FOIA, DOJ is already mandated to offer an annual report of all FOIA-related cases and any awards of attorney fees or other related costs.^{xliv}

DoD Spent \$1.5 Million on an Unfinished Slaughterhouse

According to an April 2015 Special Inspector General for Afghanistan Reconstruction (SIGAR) report, the U.S. Army Corps of Engineers (USACE) spent \$1.25 million plus thousands of dollars more in additional costs on a construction project that only reached 10 percent completion.^{xlv}

The project was intended to bring a new slaughterhouse to the Pol-i-Charkhi region in Kabul Province to be used for the support of the Afghan National Army (ANA). The Combined Security Command-Afghanistan (CSTC-A) initially requested the project in February 2012, and it was to be considered “high priority.” because of its value for food production in the area. According to high-level officials, the facilities would have the capacity to produce more than 600,000 pounds of meat per month, which would provide almost half the projected amount of meat needed for the expansion of the ANA in the following years.^{xlvi} Plans included the building of a full complex, including administrative buildings, bunkers, a wastewater treatment plant, as well as various security measures, such as a perimeter wall and guard houses.

The USACE contracted the project out to an Afghan company called AREEB-REC Joint Venture for a fixed price of \$12 million and an expected completion date in November 2014, yet when SIGAR inspectors reached the site with only a few months left on the contract, they found almost no activity. The only sign of construction was a partially completed perimeter wall and an uncapped water well, a very disappointing discovery considering the project had started almost a year and a half before.

A deeper analysis reveals that the contractor had repeatedly missed deadlines and submitted unsatisfactory construction paperwork and design plans. During the first nine months of construction,



Unfinished Perimeter Wall Foundation and Reinforcing Steel

USACE reportedly sent 12 official letters to AREEB-REC, citing a variety of complaints ranging from a lack of compliance with quality control requirements to unapproved construction.^{xlvii}

By October 2013 the project was officially abandoned because of unsatisfactory performance and to potentially save coalition forces approximately \$10.5 million in future construction costs. More startlingly, the termination letter also suggested that, because the ANA had been able to adequately feed their troops over the last three years, they did not even need the new slaughterhouse in the first place.^{xlviii} This calls into question the entire project, regardless of construction inefficiency, and begs the question of whether CSTC-A’s designation of “high priority” had any basis.

The failed project represents a bigger trend of unsatisfactory performance by construction contractors throughout Afghanistan, as well as the

DoD's refusal to properly address the problem over the years. SIGAR reviewed 36 of its reports dealing with large reconstruction projects in Afghanistan, totaling more than \$1 billion in total costs, and found a continued pattern of deficiency. Of the 36 projects, SIGAR reported that only 16 met contract requirements and that some "deficiencies were so severe that they threatened the structural integrity of the buildings and the safety of their occupants."^{lix} The recurring problem was contract performance, or lack thereof, and the fact that many projects were riddled with construction overruns and major issues.

In one report from 2014, a hospital constructed in Salang in 2012 was found to be only 35 percent operational because of problems with heating, water, sewer and electrical systems.^l SIGAR acknowledged that the reviews were not representative of all DoD projects in Afghanistan, but it is clear that the U.S. government could have done more to maintain accountability of government funds. More should have been done to ensure that these construction companies could actually complete the contracts that were costing U.S. taxpayer's millions of dollars.

Social Security Administration Spends \$356 Million on a Computer System That Does Not Work

As of September 15, 2015, the Social Security Administration (SSA) has spent \$356 million over eight years on a disability case management system project that did not work. Ninety-seven percent of the expenses were attributed to overestimates relating to contractor and labor costs.

The purpose of the SSA is to oversee a number of programs established under the Social Security Act. Some of these programs include disability insurance, retirement, unemployment, public assistance and welfare services and supplemental security income. These programs provide for the material needs of individuals and families, protect older and disabled individuals from the expensive costs of illness, keep families together and give children a chance to grow up healthy and secure.

The SSA was in charge of creating a Disability Case Processing System (DCPS) to streamline system support and improve processing time. It is essential for an agency to have consistent and dependable processes to provide agency management with accurate information.

In order to evaluate disability, SSA partners with state Disability Determination Services (DDS). The DDSs use various customized systems to process disability cases. According to SSA, supporting these "legacy" systems costs about \$32 million each year.^{li}

In December 2010, SSA awarded a contract to develop a DCPS as a combination of custom-built



software and commercial off-the-shelf products.^{lii} The goal of this new system was to "simplify system support and maintenance, improve the speed and quality of the disability process, and reduce the overall growth rate of infrastructure costs."^{liii} The initial estimates for producing the new DCPS were between \$90 and \$165 million.

In June 2014 it was determined that, "despite a \$288 million investment, the DCPS delivered limited functionality and faced scheduled delays and increasing stakeholder concerns."^{liiv} In response the SSA acknowledged that "creation of DCPS proved more complex and challenging than initially anticipated, as was demonstrated by feedback from the DDS community, continuously increasing program cost estimates and constantly extended timeline projections."^{liiv}

On February 13, 2015, Representative Sam Johnson, Chairman of the Subcommittee on Social Security, House Committee on Ways and Means, requested regularly scheduled updates from the Inspector General about the DCPS. In a July 14, 2016 hearing on modernizing Social Security's IT infrastructure, Representative Johnson spoke about the challenges of creating and implementing the new DCPS system when he said,

But we will also hear today that Social Security's track record isn't always good when it comes to IT. Social Security has been trying for years to develop the Disability Case Processing System (DCPS), a single piece of software that will be used by state employees when deciding disability cases. The experience with the DCPS has been rough for taxpayers and doesn't inspire all that much confidence. While it seems the project may be getting on track, you can't just ignore 300 million in taxpayer dollars spent on a failed approach before Social Security decided to just start over.^{lvi}

When the Office of the Inspector General (OIG) conducted a review of the DCPS finances, some troubling information was brought to the forefront. The OIG noted that the SSA incorporated the contract award amounts and not the amount actually paid to contractors in the overall cost figure. This discrepancy was a \$2.37 million difference.^{lvii}

Another discrepancy found in the OIG reports was related to labor costs. SSA included payments from other components within SSA from its Office of System employees. This office uses a distinct system that records the hours worked from several different projects. Rather than SSA using the system to report the hours worked on the DCPS project specifically, it used the entire amount of hours worked collected in the system.^{lviii}

OIG found these two discrepancies minor to the overall DCPS cost figure and determined that these two items be subject for future review. Meanwhile the SSA projects another \$91 million to be spent on the project over the next two fiscal years.

Federal Government Wastes Money Maintaining Unused or Underutilized Properties

A 2012 Congressional Research Service (CRS) report cited stunning data indicating that the government owned about 77,000 underutilized or unutilized properties, costing taxpayers \$1.67 billion to operate and maintain.^{lix} Clearly a plan of action needed to be created, and the federal government responded. In the following years, the Office of Management and Budget (OMB) issued both the *Freeze the Footprint* and the *Reduce the Footprint* policy plans to cut the amount of government waste, and it has been successful to some extent, but many challenges stand in the way of fully solving the problem.



The Cotton Annex Building, Abandoned since 2007

The 2012 report detailed the various problems with the government’s management and disposal practices for excess properties. Major concerns included complex disposal requirements, high costs related to disposal of older properties and a lack of accurate property data. In many cases, the report cites, various statutory requirements that slow down the disposal process as agencies are forced to wait for properties to be screened.

Laws such as the McKinney-Vento Act require all surplus property to be properly vetted for future use by the homeless, which can sometimes add two years to the disposal process. In the case of older buildings, government agencies must invest in repairs to bring them up to safety and health standards before attempting to sell them. The VA, for example, has estimated that it would cost about \$3 billion to repair the buildings it considers to be in poor or critical condition, with 56 percent of those buildings as possible candidates for disposal.^{lx} Finally, the report cited that problems with the Federal Real Property Profile (FRPP) make it extremely difficult to oversee such an expansive and diverse set of landholdings.

The data provided by the 24 major government agencies was found to be incomplete and inaccurate in various government studies; for example a 2012 Government Accountability Office (GAO) report that concluded that FRPP users cannot be sure that the system is reliable enough to support decision-making on excess property.^{lxi} It was clear that the entire process was inefficient and these concerns needed to be addressed immediately.

In March 2013, the government was able to respond with the OMB *Freeze the Footprint* program, in which all agencies were required to freeze the size of their office and warehouse inventory.^{lxii} The total amount of square footage had to stay at the FY 2012 level, so any growth in office or warehouse space had to be offset by a disposal. To go along with this, each agency had to develop and submit a detailed plan for cost savings and efficiency improvements in regard to their property holdings. But there was one problem: all of this analysis was designed to be based off of FRPP data, which was still considered to be flawed. Still, the program was implemented and the government began to see results: in 2013 more than

7,000 buildings were disposed of, saving the government \$96 million.

Eventually, to further the process, OMB issued the 2015 *Reduce the Footprint* initiative, which was designed to build on previous efforts and continue to improve efficiency.^{lxiii} This program would focus on analyzing current office and warehouse space in order to find new and efficient ways to dispose of any excess or underutilized holdings. In addition, the OMB stated that it would be committed to reforming FRPP data in the future, including a total overhaul of property definitions in order to improve clarity and consistency.

So progress has been made, but it is clear that there is still a long way to go. In September, the GAO issued a scathing report stating that the federal government had overstated its *Freeze the Footprint* results and that FRPP data was still largely flawed. In a review of OMB statistics from four government agencies in

the first year of *Freeze the Footprint*, GAO found that property reductions were overstated to the point that major decreases did not represent any decrease at all. In one case in FY 2013, the Department of Commerce reported a decrease of 160,000 square feet, but in reality



the decrease was part of a consolidation effort for a larger 268,000 square foot building, creating a total net gain of 108,000 square feet.^{lxiv} The agency was reporting a large decrease on paper, but in reality property square footage had only increased. A deeper look by the GAO revealed that, in at least a few cases, the government data was misleading, creating a false sense of progress.

Additionally, in GAO’s 2015 High Risk Update, it was reported that, while there have been genuine attempts to improve the FRPP system, the changes “had not yet sufficiently improved the overall reliability of the data” and that the government continued to lack an action plan for making additional substantive improvements.^{lxv} The OMB had put a focus on properly defining variables in the system, so that a building that was defined as in “poor” condition on paper would actually be in poor condition in reality. But it was once again determined that key data elements, such as utilization status, were being inconsistently reported by a significant number of agencies. To go along with

this, legal processes such as the McKinney-Vento Act still significantly prolong the disposal process for thousands of properties, even after four years of government awareness of this problem. The VA had more than 40,000 properties screened under the act in 2014 alone, but only 81 of them were actually chosen to be used for homelessness assistance programs.^{lxvi} This inefficiency is one of many that continue to plague the property disposal process, and the government needs to continue to look for ways to improve efficiency. Each of these excess buildings can cost thousands of taxpayer dollars to maintain while the government waits to dispose of them.

The most recent FRPP data that could be found, from FY 2015, states that federal agencies still have more than 7,000 excess or underutilized properties.^{lxvii} While the number of such properties may be even higher in reality, it is clear that the OMB needs to continuously improve data collection to determine exactly what needs to be disposed of and how to do it efficiently.

A perfect example of these concerns can be found right in the District of Columbia itself. Various excess government properties, such as the Cotton Annex Building and buildings on the St. Elizabeth's campus, have gone through a myriad of problems related to disposal in recent years. The Cotton Annex, which has been vacant since 2007, was ready to be sold in the summer of 2016, but the General Services Administration (GSA) was unable to determine a sufficient value for the exchange, and the deal fell through.^{lxviii} The west campus of St. Elizabeth's, on the other hand, was set for redevelopment for government use, but the project has faced significant delays and the completion date has been pushed back from 2016 to 2021.^{lxix} Both of these examples reveal continued government waste right in Washington's backyard.

Inefficiency has left dozens of deteriorated and unoccupied buildings in the government's hands, and something must be done to finally put an end to this longstanding problem.

USDA Wasted \$34 Million Trying (and Failing) to Convince Afghans to Eat Soybeans

The U.S. Department of Agriculture (USDA) spent three years and 34.4 million U.S. taxpayer dollars to establish a value chain for soybean production in Afghanistan. The project was riddled with problems—the biggest being that Afghans just don't like the taste of soy processed foods, and no one bothered to ask.

In 2010, the Soybeans for Agricultural Renewal in Afghanistan Initiative (SARAI), funded by the USDA and implemented by the American Soybean Association (ASA), was established to improve the local nutrition and economy for Afghans by making soy a dietary staple.^{lxx} More than 467 million seeds were delivered to 5,000 subsistence farmers,^{lxxi} and a \$1.5 million Afghan soy factory was constructed to process the crop. Food technologists were even hired to teach families how to cook with soybean products. However, the program was rooted in a lack of preparation and cultural ignorance.



The U.S. used the “Strong Naan” campaign and logo in an effort to market the soy-based flour in Afghanistan.



As Special Inspector General for Afghanistan Reconstruction John Sopko discovered in 2014, ASA spent tens of millions of dollars without conducting a single feasibility or value-chain study.^{lxxii} Program administrators later admitted that Afghans don't like the taste of soybean flour, and there's virtually no demand for soybean products. SARAI was also

carried out despite scientific research revealing that Afghanistan's weather patterns are inappropriate for growing soybeans.^{lxxiii} Unsurprisingly, the first crop failed entirely and subsequent crops were too meager to fill the factory. Thousands of discouraged farmers left their fields, and the new factory has since been used to process 4,000 metric tons of imported American soybeans, costing an additional \$2 million.^{lxxiv}

SARAI easily fits into the pattern of misspent taxpayer dollars on Afghanistan reconstruction, as a project riddled with poor planning, mismanagement and waste. In his evaluation, Spoko writes, "What is troubling about this particular project is that it appears that many of these problems could reasonably have been foreseen and, therefore, possibly avoided." The USDA called Spoko's criticism premature, and project managers claimed that success would just require more time and investment. Gratefully, though, the USDA stopped funding SARAI after three years and \$34.4 million.

Article Title	Amount
Federal Government Spent \$137 Billion Making Payments in the Wrong Amount, to the Wrong People and for the Wrong Reason	\$137,000,000,000
Pentagon Task Force Spends \$150 Million on Lavish Villas, Fancy Meals and Special Security	\$157,000,000
The National Institutes of Health (NIH) Spent Nearly \$50,000 on "Elegant" Bicycle Shelters	\$47,530
U.S. Taxpayers Pay Millions for Intelligence Contractors to Browse Facebook, Watch Pornography and Commit Sex Crimes	\$2,545,098
\$237 Million Spent Paying DEA Informants Despite Poor Management and Oversight	\$237,000,000
Federal Government Spent \$144 Million Fighting Freedom of Information Act (FOIA) Requests That It is Required by Law to Answer	\$144,000,000
DoD Spent \$1.5 Million on an Unfinished Slaughterhouse	\$1,500,000
Social Security Administration Spends \$356 Million on a Computer System That Does Not Work	\$356,000,000
Federal Government Wastes Money Maintaining Unused or Underutilized Properties	\$1,670,000,000
USDA Wasted \$34 Million Trying (and Failing) to Convince Afghans to Eat Soybeans	\$34,000,000
Total	\$139,602,092,628

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ⁱⁱ "Improper Payment Rates Across the Federal Government (FYs 2004-2015)," <https://paymentaccuracy.gov/tabular-data/govt-wide-improper-rates>

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