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## 2018-0007-INVI-P – Suspected Federal Employee Compensation Act (FECA) Fraud by Former Architect of the Capitol (AOC) Employee: Not Substantiated

The AOC, Human Capital Management Division (HCMD), initiated a proactive effort in 2016 to identify former AOC employees alleged to be fraudulently receiving FECA program benefits. During the effort, the AOC's HCMD evaluated all claimants on prolonged disability status and forwarded those of interest to the AOC's Office of Inspector General (OIG). An AOC claimant was receiving both FECA program benefits as well as Social Security Administration (SSA) retirement benefits without properly disclosing the compensation. The former AOC employee, sustained workplace injuries in 1991 and subsequently began receiving Department of Labor (DOL) FECA program benefits. The employee became eligible for SSA benefits in May 2011, but did not report the income on their annual DOL records. Without a proper SSA offset from the time of the employee's eligibility until the time the overpayment was noticed by the DOL in August 2017, the AOC overpaid $15,439.

The OIG coordinated with the SSA OIG and the DOL OIG to better understand the compensation process and related documentation. Concurrent with, but unrelated to this investigation, the DOL updated required claimant forms to improve clarity in the language used on the forms. Specifically, the DOL and the SSA used the term annuity differently, resulting in unclear questions. Case documentation showed that from 2011 to 2017, the claimant answered negatively to receiving a SSA annuity. The language in the form was changed for the 2018 reporting year and the employee answered affirmatively. In August 2017, the DOL's Office of Workers' Compensation Program issued the claimant a notice of benefits overpayment in the amount of $15,439 due to concurrent FECA and SSA benefits from May 2011, to August 2017.

**Final Management Action:**
The claimant initiated a payment plan with the DOL to repay the overpayment in 2017 and the repayment is scheduled to continue through March 2030. This investigation did not substantiate the allegations of willful fraud. Collaboration between the AOC's OIG and the HCMD's Workers' Compensation section determined that some of the FECA claimants initially identified as potentially committing fraud may have been misidentified. The loss of AOC funds may be attributed to inefficiencies in the DOL evaluation process and not due to claimant fraud.