

# SEMIANNUAL REPORT TO THE CONGRESS

**April 1, 2019 – September 30, 2019**

Architect of the Capitol  
Office of Inspector General



The image captures the interior of a grand, classical-style building. The ceiling is a masterpiece of fresco art, depicting a dense network of grapevines with green leaves and clusters of red grapes, set against a blue background. The structure is composed of large, white marble arches supported by thick, square columns. To the right, a marble staircase with decorative balustrades leads upwards. The floor is a complex mosaic of geometric and floral patterns in shades of grey, black, and gold. A small, rectangular plaque is mounted on the wall within one of the arches, containing a Latin inscription. The lighting is warm and focused, highlighting the architectural details and the vibrant colors of the ceiling.

Such as hang  
on Hebe's cheek  
And love to live  
in dimple sleek

## Inspector General Message



I am very proud to submit the Architect of the Capitol's (AOC) Office of Inspector General (OIG) Semiannual Report (SAR) to Congress for the second half of Fiscal Year (FY) 2019. Every six months we provide Congress with a report detailing our independence and oversight of the AOC

during the reporting period. This report highlights our activities for the past six months ending September 30, 2019. This report is our 23rd SAR and the fifth report of my tenure.

The work here contains results from the efforts of an OIG staff dedicated to promoting economy and efficiency, and preventing and detecting fraud, waste and abuse in the AOC's programs and operations. In the years to come, we look forward to continuing our efforts to provide independent and effective oversight of the AOC and working with the Council of Inspectors General on Integrity and Efficiency (CIGIE) on important issues that span across our government.

During this SAR period, the 14 full-time employees of the OIG worked diligently to complete three audits and two evaluations. Several of these projects required subject matter experts (SMEs) from the Johns Hopkins University Applied Physics Laboratory and the U.S. Army Corps of Engineers (USACE) and I would like to thank them for their partnership and continued support.

Additionally, the office produced a SAR on the Cannon House Office Building Renewal Project (CHOB<sub>r</sub>), conducted a peer review on the Library of Congress OIG audit program, kicked off the AOC FY 2019 Financial Statements Audit, issued three Management Advisories, and submitted a list of Management Challenges to the Acting Architect of the Capitol for inclusion in the annual Performance and Accountability Report.

I was honored to testify before the Committee on House Administration on the oversight of the CHOB<sub>r</sub> on September 10, 2019. During the hearing, I was able to announce that the OIG has completed its yearlong search for an Independent Public Accounting Firm (IPA) with a specialty in construction audits and has partnered with Cotton & Company LLP which has since begun two audits of this \$752 million, and growing, construction project. Our efforts to contract out construction audit services can help us identify cost savings, fraud, product substitution, labor cost overpayment and reconcile modifications utilizing Government Auditing Standards. I believe this will result in faster, more focused construction audits generating meaningful findings and recommendations to aid the AOC in cost-cutting and quality construction efforts.

Investigation efforts for this reporting period yielded \$134,543 in avoided costs. We received 24 complaints which led to opening eight new investigations. We issued 19 investigative reports in which we substantiated cases involving theft of government property, an inappropriate relationship between a supervisor and a subordinate and failing to cooperate with an OIG investigation, wasteful spending, loss of an AOC assigned computer, as well as standards of conduct and ethical violations.

This reporting period, I would like to announce the establishment of the AOC OIG's footprint on social media with the creation of our own Twitter account, @AOCOIG, which we will use to highlight AOC OIG reports, engagements, vacancy announcements and staff accomplishments.

I want to thank the staff of the OIG for their tremendous work ethic and dedication to the mission over this period. I also want to say farewell to the former Acting Architect of the Capitol, Mrs. Christine Merdon, and welcome Mr. Tom Carroll to the position as the current Acting

Architect of the Capitol. I know Mr. Carroll's support will only further aid in making the AOC OIG a model for all Inspectors General and I look forward to providing him with meaningful audits, evaluations and investigations that result in an improved AOC.

A handwritten signature in black ink, appearing to read "C. Filler". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

## Our Mission

The OIG promotes efficiency and effectiveness, and economy to deter and prevent fraud, waste, abuse, and mismanagement in AOC programs and operations. We do this through value-added, transparent, impactful, and independent audits, inspections and evaluations, and investigations. We strive to positively affect the AOC and benefit the taxpayer while keeping the AOC and Congress fully informed.

## Our Vision

The OIG is a high-performing team, promoting positive change and striving for continuous improvement in AOC programs and operations. We foster an environment that inspires AOC workforce trust and confidence in our work.

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## Inspector General Act

The Architect of the Capitol Inspector General Act of 2007, 2 U.S.C. § 1808, establishes the OIG as an independent objective office within the AOC and applies certain sections of the Inspector General Act of 1978, as amended, that detail the Inspector General's duties and authorities, and establish important protections for AOC employees and responsibilities for the AOC.



## Profiles

### ARCHITECT OF THE CAPITOL

Permanent authority for the care and maintenance of the United States Capitol by the AOC is based on Section 1811 of Title 2 of the United States Code. The AOC is responsible for the maintenance, operation, development and preservation of more than 18.4 million square feet of buildings and more than 570 acres of grounds. This includes the U.S. Capitol, House and Senate office buildings, the U.S. Capitol Visitor Center, the Library of Congress, the Supreme Court of the United States, the U.S. Botanic Garden, the Capitol Power Plant, and other facilities. The AOC also provides professional expertise with regard to the preservation of architectural and artistic elements entrusted to its care and provides recommendations concerning design, construction, and maintenance of the facilities and grounds. The AOC is also responsible for the upkeep and improvement of the U.S. Capitol Grounds and the support of the quadrennial inaugural ceremonies and other ceremonies held on the Capitol campus.

Acting Architect of the Capitol Thomas J. Carroll III performs his duties in connection with the U.S. Senate side of the Capitol, Senate office buildings, and the administrative oversight of the Senate restaurants contract subject to the approval of the Senate Committee on Rules and Administration. In matters of general policy in connection with the House office buildings, the Acting Architect of the Capitol's activities are subject to the approval and direction of the U.S. House of Representatives (House) Office Building Commission and various House committees to include the Committee on House Administration. The Acting Architect of the Capitol is responsible for the care and repair of works of art in the U.S. Capitol under the direction of the Joint Committee on the Library. In addition, the Acting Architect of the Capitol is responsible for the maintenance and restoration of murals and other architectural elements throughout the Capitol campus. Since 1934, the Architect of the Capitol has served as the Acting Director of the U.S. Botanic Garden under the Joint Committee on the Library.

### OFFICE OF INSPECTOR GENERAL

The AOC Inspector General (IG) Act of 2007, 2 U.S.C. § 1808, establishes the OIG as an independent, objective office within the AOC and applies to the AOC certain sections of the IG Act of 1978, as amended, that details the IG's duties and authorities and establishes employee protections from retaliation for contacting the OIG or participating in OIG activities. The IG reports to and is under the general supervision of the Architect of the Capitol. The OIG's duties are to:

- (1) Conduct, supervise and coordinate audits and investigations relating to AOC programs and operations.
- (2) Review existing and proposed legislation and regulations that impact AOC programs and operations and comment in the Semiannual Report regarding the impact on the economy and efficiency or the prevention and detection of fraud and abuse of such legislation and regulations.
- (3) Recommend policies for AOC activities to promote economy and efficiency or prevent and detect fraud and abuse in its programs and operations.
- (4) Provide a means of keeping the AOC and Congress fully and currently informed about problems and deficiencies relating to the administration of AOC programs and operations and the need for and progress of corrective action. This is generally done by issuing a Semiannual Report to the Architect of the Capitol and Congress.

# Audits

## Completed Activity This Reporting Period

### **Audit of AOC Information Technology Division (ITD) Contract Services Blanket Purchase Agreement (BPA) (OIG-AUD-2019-03)**

We conducted a performance audit of the AOC ITD Contracting Services BPA AOC16A3000. The objective of the audit was to determine if the AOC awarded and monitored the contract in accordance with laws, regulations, policies and contract requirements. The audit focused on the BPA and Task Order No.1, Technology Consulting, Information Assurance and Help Desk for Base Year, and Option Year 1 and 2 (January 2016 – December 2018).

Overall, the BPA was awarded in accordance with laws and contracting requirements; however, the BPA file lacked information and contracting officials did not properly monitor the BPA. Specifically, we identified that contracting officials did not:

- Include detailed supporting documentation for the Independent Government Cost Estimate (IGCE) in the BPA file.
- Properly monitor Task Order No. 1 to ensure adequate oversight of contractor performance. In addition, the task order did not include all performance standards and a quality assurance plan in the Statement of Work.

The contracting officer (CO) must ensure the contract file includes detailed documentation as evidence that award decisions meet the primary objective to acquire supplies and services from responsible sources at fair and reasonable prices. It is important for the AOC to establish effective internal controls for monitoring contractor performance. Proper contractor oversight also ensures that the AOC receives services that are timely, complete and meet the scope of the contract requirements.

We made eight recommendations to address the identified areas of improvements. Overall, AOC management did not agree with the OIG's conclusion that the contracting officer's technical representative (COTR) and CO did not properly monitor Task Order No. 1 to ensure adequate oversight of contractor performance. AOC management concurred with three recommendations, did not concur with two recommendations, and concurred in part with three recommendations. Management's Decision for the three

fully concurred recommendations and the three partially concurred recommendations are due by January 30, 2020, with full implementation by July 30, 2020.

### **Audit of the AOC's Data Center (OIG-AUD-2019-04)**

We conducted a performance audit of the AOC Data Center. The objective of the audit was to determine whether the AOC developed and implemented policies and procedures to protect the physical integrity of the data center and the information resource systems residing within. Specifically, we evaluated the data center's access controls, environmental factors, and back-up procedures designed to ensure the continuity of AOC information technology (IT) operations.

Overall, the AOC developed and implemented policies and procedures to protect the physical integrity of the data center and the information resource systems residing within. Specifically, we determined that the AOC ITD complied with the requirements for the environmental factors and back-up procedures as prescribed by the AOC and other applicable guidance; however, ITD lacked sufficient controls over physical access to the Data Center. Specifically, we identified 35 AOC personnel that accessed the Data Center, 10 were approved by and assigned to ITD and 25 were not.

ITD should have a process in place for proper authorization and/or coordination with the U.S. Capitol Police (USCP) and AOC jurisdictions to control physical access to the Data Center. Without proper physical access controls for the Data Center, ITD's sensitive network computer equipment and technology may be at risk for unauthorized access, theft or tampering.

We made two recommendations to address improvements to physical access controls. Overall, the ITD management agrees with the OIG's conclusions that ITD lacked sufficient control over physical access to the Data Center. AOC management concurred with the two recommendations in this report. AOC management implemented the recommendations on September 3, 2019 and September 4, 2019. The OIG verified the AOC's implementation of the recommendations and considers the two recommendations to be closed.



### **Audit of the AOC Capitol Power Plant Cogeneration Facility (OIG-AUD-2019-05)**

We conducted a performance audit of the AOC Capitol Power Plant Cogeneration Facility. The objective of the audit was to determine whether construction of the Capitol Power Plant Cogeneration Facility was in accordance with contractual and other applicable requirements which included reviewing the cost and schedule management, quality control, and quality assurance and commissioning. We also conducted a limited review of the design to determine whether the economic design documentation was consistent with industry standards. The audit focused on a partial review of the Cogeneration Facility design, completed construction and a site visit to the facility. We had an interagency agreement with the USACE to serve as the SMEs during this audit.

Overall the Cogeneration Facility was constructed in accordance with the terms and conditions of the Utility Energy Service Contract (UESC) and other applicable requirements. While we determined that the Cogeneration Facility was constructed properly, we found the Cogeneration Facility contract requirements for the Commissioning Process and Reliability Run were not clearly defined. In addition, we identified enhancements for AOC consideration on future UESC projects.

We made three recommendations to address the identified areas of improvements. Overall, AOC management agrees with the OIG's conclusions that the Cogeneration Facility was designed and constructed in accordance with contract requirements and that the AOC generally followed the intent of the UESC program guidance issued by the Department of Energy in administering the contract. AOC management concurred with the three recommendations. The AOC's proposed actions to resolve Recommendation 1 is due by July 31, 2020, and resolution for Recommendations 2 and 3 are due by January 31, 2020, with full implementation of all recommendations due by September 30, 2020.

### **External Audit Peer Review — CIGIE directed**

We conducted an external peer review of the Library of Congress OIG audit function. Our objective was to determine whether the agency's system of quality control was suitably designed to ensure it complied with applicable professional standards for the period of April 1, 2018

through March 31, 2019. We transmitted the final System Review Report on September 24, 2019.

## **Audits in Progress**

### **FY 2019 Financial Statements Audit (2019-AUD-001-A)**

An IPA is performing an audit of the AOC Financial Statements as of and for the FY ending September 30, 2019. The IPA is responsible for conducting the audit in accordance with auditing standards generally accepted in the United States of America, issued by the American Institute of Certified Public Accountants; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Office of Management and Budget Bulletin No. 19-03, Audit Requirements for Federal Financial Statements. Specifically, they are responsible for forming and expressing an opinion about whether the financial statements that are prepared by AOC management, with the oversight of those charged with governance, are prepared, in all material respects, in accordance with the applicable financial reporting framework.

The OIG serves as the COTR on the contract with the IPA which includes overseeing the requirements of the contract and transmitting the auditor's final report in November 2019.

### **Audit of Cannon House Office Building Renewal (CHOB) Project's Contract Modification (2019-AUD-004-A)**

An IPA is performing a performance audit of CHOB Contract Modification. The CHOB project ensures that the Cannon House Office Building continues to provide space for members of Congress to perform their legislative business. The CHOB budget is escalating to incorporate anticipated cost requirements for completion of the project.

Our objective is to assess the effectiveness of contract modifications. Specifically, the audit will determine whether the change orders are reasonable, authorized, supported and comply with contract requirements. The scope of this audit will include contract modifications from the project's preconstruction services (Phase Zero) and Phase 1.

The OIG serves as the COTR on the contract with the IPA which includes overseeing the requirements of the contract and plans to transmit the auditor's final report in April 2020.

### **Audit of Cannon House Office Building Renewal (CHOB) Project's Contract Invoices Information (2019-AUD-006-A)**

An IPA is performing a performance audit of CHOB Contract Invoices. The CHOB project ensures that the Cannon Building continues to provide space for members of Congress to perform their legislative business. The CHOB budget is escalating to incorporate anticipated cost requirements for completion of the project.

Our objective is to assess the AOC's review and approval of the CHOB invoices for Option Periods 1 and 2, to ensure the costs and payments were made in accordance with contract requirements, AOC policies and procedures, and industry standards. Additionally, the audit will determine whether the costs invoiced are allowable, supported and appear reasonable within the scope of contract requirements.

The OIG serves as the COTR on the contract with the IPA which includes overseeing the requirements of the contract and plans to transmit the auditor's final report in May 2020

## Inspections and Evaluations

### **Completed Activity This Reporting Period**

#### **Evaluation of the AOC's Inventory Accountability and Controls (2018-0002-IE-P)**

We conducted an evaluation of the AOC's inventory accountability and controls for non-consumable property valued below \$1,500 in response to a request from the U.S. Senate Committee on Rules and Administration. Our objectives were to determine:

- (1) If adequate mechanisms and controls are in place to account for non-consumable property valued at less than \$1,500
- (2) What procedures are in place to report, track and replace missing non-consumable property valued at less than \$1,500
- (3) If "best practices" exist which might enhance property management efforts across the AOC
- (4) What savings could be gained by lowering this threshold amount

We made six recommendations to address improvements to the AOC's personal property management program. The AOC agrees with the OIG's conclusions that its inventory accountability and controls for non-consumable property valued below \$1,500 can be improved. AOC management

concurred with the six recommendations in this report and has forecasted that corrective action will be taken by the end of June 2020.

#### **Evaluation of the AOC's Compliance with the Government Purchase Card Program (2018-0003-IE-P)**

We conducted an evaluation of the AOC's compliance with the government purchase card program. Our objective was to determine whether the AOC's purchase card program was being administered in accordance with applicable policies, procedures and regulations with a focus on high-risk areas identified in the CIGIE Report on the Government Purchase Card Initiative, issued July 2018.<sup>1</sup> That report identified high-risk areas as transactions that were made with prohibited or questionable merchants, transactions with sales tax, transactions with unauthorized merchants, and split transactions.

We made four recommendations to address the AOC's lack of standardized processes and support for purchase card use oversight (including a need for data analytics software that can automate continuous credit card review), inadequate policy guidance for cardholders regarding split purchases, and a need for stronger controls for the use of unauthorized third-party merchants. The AOC agrees with the OIG's conclusions that the purchase card program can be bolstered. AOC management concurred with the four recommendations in this report and anticipates corrective action to be taken by the end of June 2020. For corrective actions proposed by the AOC involving staffing, the AOC stated that one position will be targeted to assist with purchase card program management once the FY 2020 budget is finalized.

### **Evaluations-In-Progress**

#### **Evaluation of the AOC's Compliance with Its Discipline Processes (2019-0001-IE-P)**

We announced the evaluation of the AOC's compliance with its discipline program on August 14, 2019. Our objective is to determine if AOC disciplinary actions taken in response to employee misconduct were in compliance with established AOC policy and penalty guidance, and if disciplinary actions were applied consistently across the agency based on appropriate criteria and evidence.

#### **Evaluation of the AOC Capitol Power Plant Cybersecurity Program (2019-0002-IE-P)**

We announced the evaluation of the AOC Capitol Power Plant Cogeneration Facility's cybersecurity posture on

<sup>1</sup> Council of the Inspectors General on Integrity and Efficiency, *Report on the Government Purchase Card Initiative*, July 2018.

August 19, 2019. The AOC OIG received a request from the Committee on House Administration to conduct an assessment of the AOC’s cybersecurity posture, including the appropriate resourcing of the agency’s needs to meet the evolving cyber threat and challenge. Our objective is to determine if cybersecurity vulnerabilities exist within the Capitol Power Plant Cogeneration Facility and Capitol Power Plant interconnected control systems.

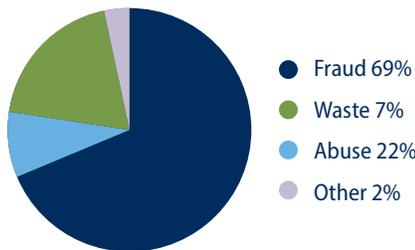
## Investigations

During this reporting period, we received or initiated a total of 24 complaints. From those complaints, investigators opened eight new investigations. We referred a total of eight complaints to other government agencies, AOC program offices and/or AOC avenues of assistance.

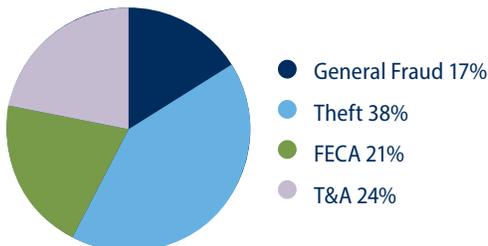
On July 30, 2019, the Department of Justice advised the United States Marshals Service (USMS) would no longer authorize special deputations of legislative branch personnel for purposes of performing their duties in support of the legislative branch. They advised that such deputations presented separation-of-powers concerns and were not “necessary to carry out the powers and duties of the USMS,” 28 U.S.C. § 561 (f). They further announced the USMS would not process Forms USM-3A, Applications for the Special Deputation, previously submitted by legislative agencies. The Special Deputation Authority granted by the USMS for all currently deputized employees of the legislative branch will expire on December 31, 2019.

**Figure 1**

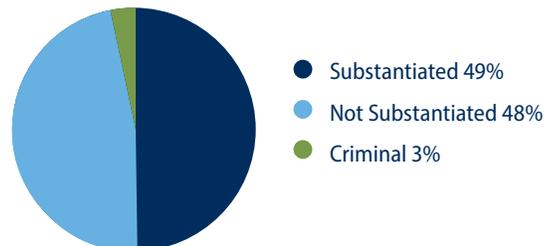
**AOC OIG FY19 INVESTIGATIONS BY TYPE**



**AOC OIG FY19 INVESTIGATIONS FRAUD BREAKDOWN**



**AOC OIG FY19 INVESTIGATIONS CHARGES (OF 59 CHARGES)**



The above charts represent closed investigations for the entirety of FY19 broken into type of investigation (fraud, waste, abuse, and other) with fraud as the largest type further broken down into time and attendance, general, theft, and Federal Employee Compensation Act fraud. The final chart indicates percentages of cases substantiated and not substantiated.

**Table A: Investigative Data This Reporting Period**

Activity	Total
<b>Complaints Received</b>	
Hotline Complaints Received (Phone and/or Email)	10
Complaints Received (Walk-ins)	1
Direct Phone or Email to AOC OIG	13
U.S. Mail or Facsimile Machine	0
AOC OIG Observed or Developed	0
<b>Total</b>	<b>24</b>
Investigations Opened	8
Investigations Closed (6 pending AOC management actions)	19*
<b>Criminal Investigations Referred to a Law Enforcement (L.E.) Agency or the U.S. Attorney for Prosecution Consideration:</b>	
Referred to L.E. Agency or the U.S. Attorney	2
Declined	0
Accepted for Prosecution	2
<b>Subpoenas Issued in Support of OIG Investigations:</b>	
OIG Subpoenas Issued and Served	1
Grand Jury Subpoenas Served	0
<b>Disciplinary Actions Resulting from OIG Administrative Investigations:</b>	
Employee Removals/Resignations/Retirements (in lieu of)	2
Employee Suspensions	0
Employee Reprimands/Warnings/Counseling	3
Allegations Not Substantiated or Disproven by OIG	6
Allegations Substantiated/Person(s) Unknown	1
Actions Pending	5
Informal Referrals (to AOC Program Offices, no follow-up or report required)	1
Formal Referrals (Follow-up required within 60 - 90 days)	2
Employee Assistance Referral (to AOC Avenue of Assistance)	3

\*Includes 14 investigations opened in a previous reporting period.

Note: Data in this table was compiled from a review of the OIG’s investigation databases and files.



## Closed Investigations

### **Suspected Violation of the AOC Contracting Manual: Not Substantiated; Suspected Violation of Title 15, U.S.C. § 657, Commerce and Trade — Limitations on Subcontracting: Not Substantiated; and Suspected Violation of Title 5, U.S.C. § 5533, Government Organization and Employees — Dual Pay from More Than One Position: Not Substantiated (2018-0003-INVI-P)**

On August 4, 2017, the AOC OIG received a complaint from an AOC employee (complainant) alleging violations of AOC contract policy non-compliance and contractor non-compliance relating to an AOC jurisdiction's contract issued in November 2016. The jurisdiction's cleaning and policing contract was issued to a prime contractor who in turn hired a subcontractor to complete some of the required work under the contract. The complainant alleged a quid pro quo arrangement was made between a peer, their immediate supervisor, and the jurisdiction superintendent with the owner of the subcontracting company who was also employed by the U.S. House of Representatives. The complainant alleged that this arrangement resulted in the issuance of the jurisdiction cleaning and policing contract.

Further, on September 7, 2017, a second AOC employee filed a confidential complaint with the OIG that the peer and the immediate supervisor were, out of loyalty to the subcontractor, covering up contract non-compliance of its work for the prime contractor.

In an interview, the CO, stated their belief was that the peer and direct supervisor of the complainant acted accordingly and were responsive to the needs of the contract. The CO stated that the peer and direct supervisor of the complainant notified the CO when concerns arose, and the CO then contacted the prime contractor in a timely manner. The CO stated that the AOC issued a "Letter of Concern," documenting the contractor's shortcomings and expectations. Also, when tasks were not performed to the contracted standard, the CO issued the prime contractor a "Claim for Equitable Adjustment" for which the AOC reduced payment.

Based on the investigation, the OIG concluded that the peer and direct supervisor of the complainant ensured contractor compliance and did not identify a "quid pro quo" arrangement as alleged.

### **Government Ethics: Not Substantiated (2018-0005-INVI-P)**

The AOC OIG initiated an investigation based on information received from an AOC senior rated (SR) manager. The SR received information alleging that a subordinate AOC manager misused their position and granted overtime to a subordinate as compensation for doing repairs on their personal residence.

The investigation did not substantiate that the AOC manager used their position to coerce personal services, favors or solicit a subordinate employee to perform work

at their personal residence. The investigation found no evidence to corroborate the allegations and further investigation determined that AOC policy was not violated by either the AOC manager or the subordinate.

**Suspected Federal Employee Compensation Act (FECA) Fraud by Former AOC Employee: Not Substantiated (2018-0006-INVI-P)**

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, HCMD evaluated all claimants on prolonged disability status and forwarded those of interest to the AOC's OIG. One identified AOC claimant was receiving both FECA Program benefits as well as Social Security Administration (SSA) retirement benefits without properly disclosing the dual compensation. The former AOC employee sustained workplace injuries in 1997 and subsequently began receiving Department of Labor (DOL) FECA program benefits. The employee became eligible for SSA benefits in June 2005, 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 October 2017, the AOC over paid \$109,875.

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 2005 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 October 2017, the DOL's Office of Workers' Compensation Program issued the claimant a notice of benefits overpayment in the amount of \$109,875 due to concurrent FECA and SSA benefits from June 2005 to October 2017.

**Final Management Action:**

In November 2017, the claimant initiated a payment plan with the DOL to repay the overpayment. This investigation did not substantiate the allegations of willful fraud. Collaboration between the AOC OIG and HCMD's Workers' Compensation Branch 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.

**Suspected FECA Fraud by Former AOC Employee: Not Substantiated (2018-0007-INVI-P)**

The AOC HCMD initiated a proactive effort in 2016 to identify former AOC employees alleged to be fraudulently receiving FECA program benefits. During the effort, HCMD evaluated all claimants on prolonged disability status and forwarded those of interest to the AOC OIG. One identified AOC claimant was receiving both FECA program benefits as well as SSA retirement benefits without properly disclosing the compensation. The former AOC employee sustained workplace injuries in 1991 and subsequently began receiving 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 OIG and HCMD's Workers' Compensation Branch 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.

**Theft of Copper: Not Substantiated — Suspected Violations of the AOC Outside Employment Policy: Substantiated (2018-0009-INVI-P)**

The AOC OIG received information about the suspected theft of copper from an employee who wished to keep their identity confidential. The confidential source alleged six electricians within the AOC, stole approximately \$22,000 worth of copper pipe and wiring while installing a large uninterrupted power supply for the Library of Congress in December 2017.

The OIG conducted an investigation and interviewed the electricians, and none admitted to the theft and/or resale of copper pipe, wiring or other government property. Due to outdated information, surveillance limitations and lack of physical evidence, the theft could not be substantiated. However, based on testimony, one AOC employee violated AOC policy pertaining to outside employment or self-employment. During an interview, the AOC employee admitted to having outside employment providing electric repair services as a business for which he owned.

The AOC employee had not previously notified or requested authorization from AOC management to participate in outside employment as required by AOC policy. Following the OIG interview, and after being made aware of the AOC's outside employment policy requirements, the AOC employee obtained outside employment approval.

**Final Management Action:**

The OIG substantiated the AOC employee did not seek prior approval for outside employment. The administrative violation was submitted for consideration to the jurisdiction.

**Abuse of Authority, Hostile Work Environment and Violation of AOC IT System Rules of Behavior: Referral (2018-0016-INVI-P)**

This investigation did not merit continued investigation and was referred to management for action they deemed appropriate.

**Suspected FECA Fraud by Former AOC Employee: Not Substantiated (2018-0018-INVI-P)**

The AOC HCMD initiated a proactive effort in 2016 to evaluate former AOC employees on prolonged disability status and receiving FECA Program benefits. The HCMD forwarded those cases of interest to a company with which it had contracted to conduct surveillance. During the effort, HCMD identified a former AOC custodial employee as potentially receiving benefits on a fraudulent basis. The claimant suffered a back sprain after lifting a trashcan

weighing less than 10 pounds while at work. The contracted surveillance showed the claimant performing activities beyond their initial medical restrictions and without utilizing support devices. HCMD referred the case to the AOC's OIG for consideration of FECA Program fraud. The claimant received Office of Workers' Compensation Programs benefits from September 2006 until July 2018 for a work injury sustained in February 2006. Neither the AOC nor the DOL enforced the requirement to submit periodic medical necessity documentation or to actively participate in vocational rehabilitation for approximately 10 years.

According to HCMD, each claim is annually reviewed for evidence of ongoing medical disability and the claimant's latest supporting medical evidence is uploaded to the DOL file. There were no medical treatment records submitted by the claimant after March 2007, although the claimant's file was certified by a DOL claim examiner on an annual basis from 2008 until challenged by HCMD in 2018. The file was certified without the proper documented medical evidence. In the absence of medical records, it is impossible to determine when the claimant's accepted conditions were resolved. HCMD estimated that the AOC could have saved \$144,553 if proper case management was completed. At the urging of HCMD, the DOL required the claimant to submit to a medical second opinion. Subsequently, the DOL issued a benefits termination letter, reporting that the claimant had non-work related restrictions and their accepted conditions had resolved. The loss of wage compensation was terminated in July 2018.

**Final Management Action:**

This investigation did not substantiate the allegation of FECA fraud. The loss of AOC funds was attributed to inefficiencies in the DOL review process and not due to claimant fraud. Loss to the AOC is a result of poor DOL case management and indicates necessity for process improvements and coordination between HCMD and the DOL's claims examiners.

**Theft of AOC Property: Substantiated (2018-0023-INVI-P)**

The AOC OIG received an email from an AOC staff member who reported the theft of a Stihl backpack blower, property of the AOC, valued at \$425. The OIG coordinated with the Montgomery County Police Department and determined a Stihl backpack blower, registered to the AOC, was pawned at a shop in Hyattsville, MD, part of Montgomery County. The AOC also reported the incident to the USCP for investigation.

The USCP conducted an investigation which determined

a Stihl backpack blower belonging to the AOC was stolen from an unsecured (open) storage area inside of the AOC equipment garage located at Independence Ave SW, Washington, D.C. The investigation identified the individual, unaffiliated with the AOC, who pawned the Stihl backpack blower but attempts by the USCP to locate the individual were unsuccessful. It could not be determined where the individual resided due to a listed out-of-state address. The USCP briefed the investigation to the U.S. Attorney's Office (USAO) for the District of Columbia for prosecution which opined there was insufficient evidence to prosecute. The USCP recovered the Stihl backpack blower from the pawnshop and returned it to the OIG.

#### **Final Management Action:**

Based on the return of the AOC property, it was determined that furtherance of the investigation would be of little or no value.

#### **Inappropriate Relationship between a Supervisor and Subordinate (Employees 1, 2 & 3), Deliberate Concealment of Material Fact (Employees 1 & 2), Failing to Cooperate With an OIG Investigation (Employees 1 & 2), Harassment (Employee 3), and Abuse of Time and Attendance (T&A) policy (Employee 4): Substantiated (2019-0007-INVI-P)**

The AOC OIG received a telephonic complaint that an AOC supervisor (Employee 1), was romantically involved with and showed favoritism to their subordinate (Employee 2). Both were interviewed by the OIG regarding the allegations and both denied having a romantic relationship. They both complained of harassment by the subordinate's estranged spouse, an AOC assistant supervisor (Employee 3). Photographic evidence contradicted initial statements by Employees 1 and 2, and they subsequently admitted to making false statements and concealing a romantic relationship in violation of policy.

Employee 3 was interviewed and admitted that they had married Employee 2 in 2015, without the knowledge of AOC management. Employee 3 also admitted to confronting Employee 1, while they were on shift at the AOC and recording the conversations, thereby engaging in harassment. Further, Employee 3 made allegations that Employees 1 and 2 violated the AOC's T&A procedures. We could not substantiate T&A fraud by Employees 1 and 2; however, the Time and Leave Clerk (Employee 4) admitted to violating AOC policy by providing protected T&A records to Employee 3.

#### **Final Management Action:**

This investigation is pending action by management.

#### **Suspected Family Medical Leave Act (FMLA) Fraud by Former AOC Employee: Not Substantiated (2019-0008-INVI-P)**

The AOC OIG received a complaint from an AOC senior manager who suspected an employee of violating AOC policy. The senior manager reported that their subordinate was out of work for five months on Leave without Pay (LWOP) while also claiming an FMLA benefit. The AOC jurisdiction leadership observed that in November 2018, a local newspaper contained a half-page article which reported that the employee and their spouse were the proprietors of a local micro-brewery which opened in 2019 and contained two photographs depicting the employee.

Although business records were not available, open source records confirmed that the employee and their spouse owned the brewery and publicized its opening. The investigation determined that the employee did not file an outside employment or self-employment disclosure with the AOC as required by policy. The investigation clarified that the employee was citing family medical needs as the justification for being out of work (LWOP) but they were not actually receiving any type of separate FMLA benefit.

#### **Final Management Action:**

The investigation confirmed that the employee was out of work for several months in LWOP status and was not receiving any type of FMLA benefits. As such, the employee did not financially benefit from their time on FMLA. The AOC lost no funds or resources other than documenting the absence and the manpower used to back-fill the position. In February 2019, the employee submitted their resignation and terminated employment with the AOC. Due to loss of administrative jurisdiction, this investigation was closed with no further action.

#### **Suspected False Statements: Not Substantiated — Suspected Violations of the AOC "Standards of Conduct," and "Use and Creation of Social Media" Policies: Substantiated (2019-0009-INVI-P)**

The AOC OIG received a Hotline complaint from an anonymous source who claimed an AOC employee provided fraudulent Leadership in Energy and Environmental Design (LEED) and Project Management Professional (PMP) certifications when they applied for a position at the AOC. The complainant cited the AOC employee listed questionable LEED and PMP certifications on their



profile page on LinkedIn, a social media website. The complainant also suspected the AOC employee may have lied, exaggerated or falsified credentials on their resume and AOC job application for the position currently held.

The investigation did not substantiate, through testimony and documentary evidence, that the AOC employee violated Title 18, United States Code §1001 by submitting fraudulent LEED or PMP certifications when they applied for a position at the AOC. Testimony determined LEED and PMP certifications were not required and not a determining factor in hiring the AOC employee. There were no indications on the AOC employee's resume that they claimed to possess LEED or PMP certifications. However, the resume did cite LEED and PMP examination preparation training courses.

The investigation substantiated, through testimony and documentary evidence, that the AOC employee violated the AOC "Standards of Conduct" and "Use and Creation of Social Media" policies when they created a social media account on LinkedIn using LEED and PMP certification titles, which they did not possess, along with their AOC position title. Use of the LEED and PMP certifications created an appearance that the AOC employee possessed the certifications while representing the AOC in an official capacity. The AOC employee explained the use of the certification titles on LinkedIn, was hypothetical based on a class assignment in a Career Development course at DeVry University that they had taken. The assignment required students to create a LinkedIn account and build an internet profile with a branding message geared toward a target job. Following their testimony, the AOC employee voluntarily deleted their LinkedIn account.

#### **Final Management Action:**

The investigation is pending management action.

#### **Solicitation and Attempted Bribery: Referral (2019-0010-INVI-P)**

This investigation was referred to another criminal investigative agency for follow-on investigative activity.

#### **Suspected FECA Fraud by Former AOC Employee: Not Substantiated (2019-0011-INVI-P)**

The AOC HCMD reported a workplace injury suspected to be fraudulent to the AOC OIG. An AOC equipment mechanic alleged that they fell from a 16-foot ladder while working on an overhead water line. The employee also

alleged that they hit their head on a low hanging pipe on the way to notify their supervisor of the fall. A witness to the incident produced a statement contradicting the employee's claim. Based on the medical documentation provided with their claim, as well as the inconsistencies in the description of the incident, HCMD challenged the claim with the DOL and referred the claim to the OIG for investigation.

The employee's work leader was present from the moment they entered the work space (with the ladder) until the injury was reported to their supervisor. In a statement, the witness specified that the employee appeared to pull something in their torso but did not fall nor hit their head. The Office of Workers' Compensation Programs (OWCP) application, completed by the employee's spouse, referenced a chronic non-traumatic subdural hematoma and a prior brain Magnetic Resonance Imaging test in October 2018, suggestive of a pre-existing condition unrelated to the alleged workplace injury. The OIG interviewed a longtime friend and coworker of the employee, who reported that the employee sustained a traumatic head injury several years prior, which caused mental deficit and loss of motor function. The friend explained that the head injury was due to a fall in the employee's kitchen at home and not work related. The employee was contacted for an in-person interview. According to the employee's spouse, they were recovering with family out of state; both employee and spouse declined to appear at the OIG. The employee's spouse disclosed that the employee suffered significant memory loss, brain damage and vertigo following a fall in their home in 2014. The employee was confused following the March 2019 incident and was unable to accurately convey what happened. The spouse reported that the OWCP paperwork was incorrect and their spouse was not injured in the manner originally reported.

#### **Final Management Action:**

The OIG briefed the preliminary findings to the USAO for prosecutorial consideration. The USAO declined prosecution and suggested that an interview of the employee be under the protections of a Kalkines Warning, which would require their participation in an administrative interview in lieu of criminal prosecution. Concurrent with the criminal declination, the employee submitted retirement paperwork to the AOC and withdrew the DOL OWCP claim. The investigation was closed and not substantiated for FECA fraud. There was no loss or recovery of funds to the AOC.

**Wasteful Spending: Substantiated (2019-0013-INVI-P)**

The AOC OIG received a Hotline complaint from an individual who requested confidentiality. The complainant stated that in September 2017, an AOC manager used AOC funds to purchase unnecessary collection/shred containers, which sat unused for over six months. According to the complainant, the AOC had a contract for shredding services which included contractor-provided collection/shred containers; the complainant felt the purchase of additional collection/shred containers was wasteful.

On February 17, 2016, the AOC awarded a contract for shredding services with an annual cost of \$4,858.94 for the base year with four option years. The scope in the contract's statement of work stated the contractor would provide the necessary personnel, vehicles (shred trucks), collection/shred containers, and other equipment needed to secure materials to be shredded for each collection point and securely transfer the material for on-site shredding on a biweekly basis. Further, it stated additional service and collection/shred containers were available for an additional fee of \$170.00 per service, plus a fee of \$0.0725 for up to 2,286 pounds of shredding. Between May 5, 2016 and November 13, 2017, the AOC requested additional contractor shredding service and collection/shred containers on seven occasions to support as-needed services at a cost of \$1,198.85.

In September 2017, an AOC manager purchased 12 four-wheeled collection/shred containers, totaling \$2,943.25 using end of FY 2016 funds. In an interview, the AOC manager stated that frequent ad hoc customer requests for collection/shred containers created an operational need for additional wheeled collection/shred containers to augment those provided by the contractor and that four-wheeled containers were generally preferred over two-wheeled containers. After receiving the AOC-purchased four-wheeled collection/shred containers, the AOC manager returned six two-wheeled collection/shred containers to the contractor, which were part of the base contract.

The investigation substantiated that the purchase of the additional four-wheeled collection/shred containers was wasteful. The purchase was duplicative, as the contractor would provide a sufficient number of collection/shred containers as part of the base contract. The purchase of additional collection/shred containers incurred a cost of \$2,943.25, 65 percent above the annual amount of \$4,858.94 paid on the AOC contract. Despite citing an operational need for purchasing additional wheeled collection/shred containers to augment the nine contractor provided two-wheeled containers, the AOC manager returned

six two-wheeled collection/shred containers (part of the base contract) to the contractor. Thus, the purchase of 12 additional four-wheeled collection/shred containers was not a requirement to accomplish the mission and this purchase was wasteful spending. If more wheeled containers were needed, the AOC manager could have requested them from the contractor. Additionally, we found no justification that four-wheeled containers would more effectively accomplish the mission than the two-wheeled containers that the contractor could supply. While we acknowledge that the purchase was within the AOC manager's purchase authority and the guidelines for purchasing as detailed in AOC orders, returning the contractor-provided collection/shred containers was wasteful.

The investigation did not substantiate that the purchase of additional collection/shred containers was prohibited by the AOC Government Purchase Card Orders and Policies.

**Final Management Action:**

The investigation is pending management action.

**Misuse of AOC Resources to Support Outside Employment: Substantiated (2019-0014-INVI-P)**

In October 2018, the AOC OIG received a confidential complaint that an AOC employee used AOC computer and telephone systems to sell real estate during office hours. Record searches identified the AOC employee as a licensed real estate agent. Although most online resources provided a personal phone number for the AOC employee, the Trulia.com website lists the AOC employee as a listing agent using a telephone number assigned to the employee by the AOC. The employee was interviewed and confirmed that they were a licensed realtor with a signed and approved "Notice of Outside Employment or Self Employment Form" filed with the AOC. The employee denied using AOC resources for personal gain and provided copies of their user profile for the Multiple Listing Service and commercial real estate web-application, Homesnap.com. Both databases depicted the employee's private address and phone number for contact. The employee was unaware that their AOC cellular phone number was listed on the Trulia.com website and was unable to explain why, suggesting it was entered as an oversight when they joined approximately 10 years ago. The employee agreed to take steps to have the cellular number removed from the third-party real estate search engine.

**Final Management Action:**

The OIG substantiated that the employee used their AOC issued telephone number on a third-party real estate site



but could not substantiate that they used other AOC resources for personal gain. The administrative violation was submitted for consideration by the jurisdiction. The employee was given a verbal counseling in September 2019 and a record of the counseling was placed in the supervisor's personnel file for the employee.

#### **Loss of AOC Assigned Computer: Substantiated (2019-0015-INVI-P)**

In July 2019, the AOC OIG received a telephonic complaint reporting a missing AOC-owned MacBook Computer. The employee was interviewed and confirmed that they understood the ITD policy requiring them to safeguard issued equipment. The employee reported that the laptop was last used in mid-June 2019, and they reported the loss in July 2019, believing that the device was located somewhere in their possessions. The employee searched but could not find the computer in their office, residences or vehicles. The employee agreed to continue to look for the MacBook and notify the OIG if it was located. The original item was valued between \$1,300 and \$1,500; with a current replacement value of approximately \$1,600.

#### **Final Management Action:**

The OIG could not substantiate the computer was stolen, sold or other; however the OIG did substantiate that the employee violated AOC policy by not safe-guarding and losing their AOC-issued ITD equipment. The administrative violation was submitted for consideration by the jurisdiction. Management action is pending.

#### **Investigations Involving Senior Government Employees: None**

#### **Open Investigations**

We currently have six open investigations:

- 2018-0002-INVI-P
- 2018-0008-INVI-P
- 2019-0006-INVI-P
- 2019-0012-INVI-P
- 2019-0017-INVI-P
- 2019-0018-INVI-P

Per OIG policy, we are unable to comment about ongoing investigations. We anticipate reporting these as closed investigations in the next reporting period.

## Action Resulting from Investigations Reported in Previous SARs

### **Violation of Government Ethics (Abuse of Authority and Preferential Treatment) and Use of Selective Placement Factors Unique to One Individual for Hiring and Promotion (2018-0022-INVI-P)**

The AOC OIG initiated an investigation in August 2017 based on information received from an AOC mid-level supervisor (W1) and a confidential source (W2) that another mid-level supervisor (SUBJECT) was shown favoritism and benefitted from having their current and prior positions created specifically for them by their former managers (substantiated). W1 also alleged SUBJECT was having a romantic relationship with their former managers and benefitted from those relationships (not substantiated). W2 claimed that AOC leaders circumvented the hiring and promotion eligibility required of others at the AOC for SUBJECT, and SUBJECT had received a disproportionate number of cash awards and bonuses compared to others in the jurisdiction (substantiated). Both complainants alleged SUBJECT had been a GS-13/8 but was now being paid as a GS-14/5 and treated as a supervisor while placed in an Administratively Determined (AD-00) pay grade. They claimed this was intentionally done in circumvention of the hiring and promotion process since SUBJECT did not qualify for a promotion to GS-14 due to an AOC criterion that GS-14s have an undergraduate degree (substantiated).

The investigation determined that, based upon the preponderance of evidence and the timeline of events, SUBJECT was pre-selected for the position, and the job announcement was written purposefully with SUBJECT in mind using selective placement factors unique to their resume. The job opportunities announcement (JOA) and certification of candidates were mere formalities in the circumvention of the hiring and promotion process. The investigation determined that the certification of eligible applicants to this branch-level position contained two additional candidates' names in addition to SUBJECT and both candidates held degrees and similar qualifications to SUBJECT; neither candidate was interviewed. Further investigation determined that one senior AOC manager, two former AOC executive leaders, and a senior manager within HCMD discussed using hiring flexibilities to allow for the

selection of SUBJECT for the branch manager position (although the person lacked the required educational qualifications for promotion) 36 days before the JOA was posted. Additionally, HCMD recommended three increases in pay via Quality Step Increases before advertising the position such that SUBJECT would be paid at the GS-14/5 pay level once selected and placed in an AD position.

The investigation also substantiated that a current AOC executive leader was aware of the lack of educational requirements for this hire and required HCMD and AOC managers to add the stipulation that SUBJECT would be required to complete their undergraduate degree in order to be promoted to GS-14. Until full promotion, SUBJECT would be placed in an AD-00 position with the pay and responsibilities of a GS-14. The investigation revealed SUBJECT made no attempt to complete their degree after receiving the reassignment to AD-00. The investigation also substantiated that in 2017 the SUBJECT's senior AOC manager and the current senior AOC executive authorized the SUBJECT two individual cash awards (one for \$3,500 and one for \$3,350) in which the type of award was not listed in the remarks section of the Notification of Personnel Action standard form (SF)-50. According to the policy memorandum, jurisdiction heads can approve Special Contribution Awards up to \$2,500 per award. Other awards in higher amounts required approval from the Architect of the Capitol, which was also not listed in the SF-50 and is a violation of AOC policy. As a result of SUBJECT's "reassignment" from GS-13 to AD-00 in June 2013, SUBJECT had accrued \$45,959 in additional salary without promotion and \$27,469 in cash awards, totaling \$73,428.

Although there was no expiration date for the reassignment, due diligence to ensure the educational requirement was being fulfilled during the employee's one year probationary period was ignored by their supervisor. This is evidenced by the fact that HCMD approved of SUBJECT's continued employment at the AD-00, GS-14 equivalent pay grade after one year vice full promotion to GS-14.

Title 2 U.S.C., Human Resources Program, Section 1831, (c) (2) (A) requires the AOC to establish a personnel management system which ensures applicants for employment and employees of the AOC are appointed, promoted, assigned on the basis of merit and fitness after fair and equitable considerations of all applicants, and employed through open competition. One senior AOC manager, two former AOC executive leaders, and a senior manager within HCMD abused their hiring authority and circumvented

the hiring process specifically for SUBJECT's benefit and did not make this hiring practice and reassignment category available to other qualified applicants. Thirteen months following SUBJECT's reassignment to AD-00 at GS-14/5 equivalent pay from GS-13, a policy requiring an undergraduate degree was made official in policy making it impossible for others in that situation to achieve the pay and level of success SUBJECT was given.

#### **Final Management Action:**

The two AOC executive leaders no longer work at the AOC and were the primary decision makers. The senior AOC manager was carrying out the directives from their supervisors (two former AOC executive leaders). The senior AOC manager from within HCMD was acting in an advisory role and was not a decision maker in the matter. No administrative actions were taken on the two senior AOC managers, however employees were verbally advised to include risk considerations in future recommendations provided to decision makers.

The previously substantiated finding that the current senior AOC executive and senior AOC manager violated AOC Policy Memorandum 451-1, AOC's Award Program, will now be changed to "not substantiated" as additional documents were provided after the conclusion of the investigation that determined the award policy was followed.

## OTHER WORK

#### **OIG Response to Congressional Inquiry of AOC Budgetary Request for James Madison Memorial Building Emergency Generators (OIG-AUD-2019-02)**

On April 9, 2019, we received a congressional inquiry into the AOC's FY 2020 budget request of \$48.8 million for two emergency generators for the Library of Congress, James Madison Memorial Building. In response to the request, we contracted the USACE to perform an Independent Cost Review of the AOC's \$48.8 million budget request. The Independent Cost Review was performed by USACE's professional costs estimators in accordance with the USACE cost engineering regulations.

The USACE reviewed the project from a best practices standpoint from both the USACE cost engineering regulations and the AOC Architect/Engineer Design Manual – December 2013. The USACE determined that overall, while the USACE could not validate all aspects

of the estimate, the AOC's estimate is appropriate for budgetary purposes.

#### **Semiannual Report of the Cannon House Office Building Renewal (CHOBr) Project (OIG-AUD-2019-06)**

The Explanatory Statement accompanying the FY 2016 Legislative Branch Appropriations Act, P.L. 114-113, directed the AOC OIG to transmit quarterly status updates to the House Committee on Appropriations about the AOC's progress on the CHOBr Project (formerly addressed as Cannon Project). In spring 2018, the committee approved the AOC OIG's request to transmit these status updates semiannually.

On September 26, 2019, we transmitted our status update on the AOC's progress on the CHOBr Project for the six-month period of January 1, 2019 to June 30, 2019. Our key observations for the period included:

- (1) Phase 1 wing was opened to the public on the first day of the 116th Congress on January 3, 2019. Completion of certain Phase 1 ancillary spaces and the Phase 1 punch list will likely continue through the winter of 2019. As of June 30, 2019, the project had over 4,000 punch list items with an estimated 200 remaining open. To expedite progress, the AOC project team reassigned a construction representative to manage the close-out of the Phase 1 punch list. The current Phase 1 budget of approximately \$180 million is now estimated at \$194 million due to unforeseen conditions, design issues and increased scope. The AOC project team plans to request funding authorization for an additional \$14 million for Phase 1 in July 2019. Some cost changes experienced in Phase 1 will be carried over to future phases and are expected to increase the total project budget by 10 to 15 percent.
- (2) In Phase 2, the AOC project team continues to closely examine and monitor the contractor's critical and near critical path construction activities to ensure contractual dates are met including dates and durations, number of concurrent activities, and total float. Phase 2 work activities include the ongoing erection of the Independence Avenue and courtyard scaffold, installation of the truss system for the Temporary Roof Enclosure (TRE), protection of historic building fabric, and interior demolition in preparation for installation of new mechanical systems. As of June 30, 2019, the TRE construction and subsequent roof demolition is on the critical path





and was seven days behind schedule. The project team identified measures, inclusive of working overtime, to bring these activities into schedule compliance. As of August 21, 2019, three of the seven days have been recovered and the remaining four days were planned for recovery in September 2019.

- (3) The Phase 2 working budget estimate was \$172.4 million; however, a detailed cost analysis on Phase 2 and the remaining phases is ongoing. The project team has been coordinating the Phase 2 design and construction schedules for plan and specification revisions to incorporate remaining lessons learned and stakeholder changes that were introduced to the project at the end of Phase 1. Project management has identified several areas to control costs and are implementing changes for the completion of the project. These controls include: new change management and stakeholder coordination processes; incorporating known changes from Phase 1 early into the Phase 2 base contract; more aggressive schedule management; better protocol for contractors to provide cost, schedule and feasibility feedback for proposed changes; and expediting the evaluation and selective demolition to identify potential unforeseen site conditions.
- (4) During Phase 2, the AOC identified areas of high risk to the project to include: lack of sufficient construction resources to incorporate bulletin work; insufficient AOC staff to review contractor's work in a timely manner; not managing the quality and timeliness of stakeholder changes that may subsequently create schedule and budget overages; failure to properly incorporate bulletins into the contract documents; and accounting for multiple AOC submittal reviews which would delay project execution. The AOC will further analyze these risks as part of the AOC's Integrated Cost Schedule Risk Analysis (ICSRA).
- (5) We reported that the CHOBBr Project's approved total project budget remains at \$752.7 million, as of June 30, 2019. The CHOBBr's Project budget is currently estimated at \$831.9 million, an increase of approximately \$79.2 million or 10.5 percent. The AOC is undergoing a detailed analysis of the project's working cost estimate and ICSRA, performed by third-party contractors. These two analyses will determine the final costs of Phase 1, estimated costs for additional changes to Phase 2, projected costs for

Phase 3 and 4, and final contingency requirements; the results are expected in the fall of 2019. The project team will utilize the results of these two work products to recommend a revised program budget and/or schedule.

## MANAGEMENT ADVISORIES

A Management Advisory reports on specific gaps or weaknesses in AOC internal controls observed during OIG work. These reports are a communication tool that may or may not contain recommendations which may or may not require AOC concurrence.

For the reporting period we issued three management advisories to the AOC.

## NOTICES OF CONCERN

A Notice of Concern reports on specific AOC safety or security issues observed during the course of OIG work and are provided to AOC management for immediate action they deem appropriate. These reports do not provide recommendations.

We did not issue any Notices of Concern during the reporting period.

## Review of Legislation and Policies

The OIG provides resources in reviewing and providing comments on AOC draft guidance documents as part of our requirement to comment on proposed legislation and policy. This ensures the AOC's orders and/or policy revisions are consistent and promote economy and efficiency. Some of

these orders result directly from OIG recommendations to improve internal controls and maintain an orderly operation. Our review is an integral part of our effort to identify and prevent fraud, waste and abuse. During this reporting period, we reviewed 12 orders or other policy or guidance documents.

**Table B: Review of AOC Legislation and Policies**

Document	Title	Description
Order 10-1	Silica Safety Policy	<p>This policy supersedes previous silica safety guidance documents and summarizes the requirements. Revisions to the policy include:</p> <ul style="list-style-type: none"> <li>• New Permissible Exposure Limit and Action Level</li> <li>• Air Sampling / Exposure Assessment</li> <li>• Specified exposure control methods (OSHA Table 1); or Alternate Exposure Control Methods</li> <li>• Silica Competent Person including their role and responsibility</li> <li>• Housekeeping and other work practices</li> <li>• Regulated areas to prevent exposures to Respirable Crystalline Silica</li> <li>• Training requirements for employees and the Silica Competent Person</li> </ul>
Order 28-6	Universal Accessibility	<p>This is an update to existing policy. The changes are:</p> <ul style="list-style-type: none"> <li>• Added additional accessibility standards exceeding the requirements of the Congressional Accountability Act of 1995 and aligned this policy with the AOC Design Standards <ul style="list-style-type: none"> <li>• International Building Code accessibility requirements</li> <li>• ICC A117.1 Accessible and Usable Buildings and Facilities</li> </ul> </li> <li>• Added procedures and implementation plan to the policy</li> <li>• Added accessibility tolerances from industry best practices</li> </ul>
Order 28-12	Stormwater Retention Credit Program	<p>This order establishes the Stormwater Retention Credit (SRC) Program, policy, governing standards, and authoritative roles for implementing SRC's for all facilities and grounds under jurisdiction of the AOC.</p>
Order 250-2	Human Capital Management Division Delegation of Authority	<p>This policy is an update to Order 250-2, Delegation of Authority dated December 3, 2013. It documents the authority to sign, approve and execute personnel actions within the Human Capital Management Division.</p>
Order 316-1	Separation of Non-Permanent (Temporary) Employees	<p>This order supersedes AOC Order 316-1 of October 15, 2014, Non-Permanent Employment. It provides procedures for the separation of persons employed on non-permanent (temporary) appointments and includes the following changes: Jurisdiction heads have been delegated the authority to approve and sign all decisions regarding the separation of non-permanent (temporary) AOC employees as the final decision making authority.</p> <ul style="list-style-type: none"> <li>• Clarifies the scope of non-permanent (temporary) employees</li> <li>• Termination letter will provide a 10 workday advance notice period for lack of work or funds</li> </ul> <p>An advance notice period of 10 workdays may be appropriate for failure to meet management's expectations.</p>

**Table B: Review of AOC Legislation and Policies Continued**

<b>Document</b>	<b>Title</b>	<b>Description</b>
Order 335-7	Reemployed Rehired Annuitants	<p>This order updates the AOC's policy regarding the employment of federal retired annuitants and provides the criteria by which such individuals may be hired, eligibility requirements for a waiver of salary offset (dual compensation), and the procedures to request the hiring or retention of reemployed retired annuitants.</p> <p>There is a new requirement to implement succession planning efforts when requesting extensions of appointments for reemployed retired annuitants. Extension requests must be accompanied by succession plans that address the workforce requirement long-term and mitigate the need to retain reemployed retired annuitants indefinitely. This update also deletes policy language regarding the termination of salary offset waivers for permanent employees who were reemployed retired annuitants during the inception of this policy in 2015. Internal controls responsibilities have also been updated.</p>
Order 610-2	Community Service Policy	This order is an update of the AOC's Community Service Policy. It covers all employees with the exception of contractors and summer interns. For bargaining unit positions, the provisions of this policy will be implemented in accordance with a collective bargaining unit agreement.
Order 752-2	Standards of Conduct	This order is an update to the AOC's Standards of Conduct.
Order 771-1	Grievance Policy	<p>This order replaces the prior September 2, 2003 order and the December 16, 1996 Order 771-2, Addition to List of Exclusions to AOC Grievance Policy. Policy and procedures regarding the grievance process are revised as follows:</p> <ul style="list-style-type: none"> <li>• Adds clarity to administrative grievance procedures and exclusions</li> <li>• Streamlines process and procedure</li> <li>• Encourages alternative dispute resolution processes</li> <li>• Modifies time limits</li> </ul>
Order 810-1	Workers' Compensation Policy	This revision addressed necessary procedures for returning employees with permanent restrictions to work in a permanent position; to include a missing case component which is necessary for AOC case challenges; to outline additional responsibilities for supervisors; mandatory training for field coordinators and supervisors, and to improve consistency with terminology.
AOC Order	Third-Party Medical Assessment	This is a new order that, in accordance with public law and regulation, sets forth the AOC's policy and procedures concerning third-party medical reviews and examinations.
Policy Memorandum 32-1	Suitable Lodging for Official Travel	This memorandum clarifies what is considered suitable lodging while on official travel and addresses the question about whether lodging obtained through vacation rental sites qualifies for government reimbursement.

## Instances of the AOC Refusing to Provide Information or Assistance or Interfering with the OIG's Independence

There were no instances of the AOC refusing to provide information or assistance or interfering with the OIG's independence during the reporting period.

## Status of Reports or Recommendations

- (1) For Which No Management Decision was Made
- (2) For Which No Management Comment was Made Within 60 Days

During the reporting period, there were no reports or recommendations more than six months old for which we had not received management decisions. Further, there were no reports or recommendations for which management did not provide comments within 60 days.

## Significantly Revised Management Decisions

There were no significantly revised management decisions during the reporting period.

## Significant Management Decisions With Which the OIG Disagrees

There were no significant management decisions with which the OIG disagreed with during the reporting period.

## Instances in Which an Inspection, Evaluation or Audit was Completed and Not Disclosed to the Public

There were no instances during the reporting period in which we completed an inspection, evaluation or audit without disclosing it to the public. All such products are listed at [www.oversight.gov](http://www.oversight.gov).

## Peer Review Reporting

### AUDIT

There was no peer review activity for audit operations this reporting period. The last peer review for the AOC OIG audit function was conducted in September 2018 by the Corporation for Public Broadcasting OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.

### INSPECTIONS & EVALUATIONS

There was no peer review activity for inspections and evaluations operations this period. The last peer review for the AOC OIG inspections and evaluations function was conducted in June 2018 by the Office of the Special Inspector General for Afghanistan Reconstruction and the Pension Benefit Guaranty Corporation OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.

### INVESTIGATIONS

There was no peer review activity for investigation operations this reporting period. The last peer review for the AOC OIG investigations function was conducted in July 2017 by the Federal Housing Finance Administration OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.



# Recommendations

**Table C: Unimplemented Recommendations**

Subject	Report No. Issue Date	Office	Rec No.	Summary of Recommendations and Action
<b>Architect of the Capitol/Office of the Chief Administrative Officer</b>				
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division and Information Technology Division	A.1	<p><b>Report Summary:</b> The OIG performed an audit of the AOC ITD Contracting Services BPA AOC16A3000. Overall, the BPA was awarded in accordance with laws and contracting requirements; however, the BPA file lacked information and contracting officials did not properly monitor the BPA.</p> <p><b>Recommendation:</b> Contracting officials ensure the IGCE is adequately supported and documented in the contract file in accordance with AOC guidance.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the finding that the BPA file lacked the required detailed documentation to support how the IGCE was calculated.</p>
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division	B.1	<p><b>Recommendation:</b> Acquisition and Material Management Division (AMMD) clarify in the Contracting Manual 34-1 – Section 13.1.2 COTR(c) the requirements for the CO's regular review of the COTR records to ensure proper performance of post award administration duties.</p> <p><b>AOC Management Decision:</b> Not Concur. AMMD provides clear guidance to COs regarding the regular review of COTR records. This requirement is contained in each CO's annual performance plan, and managers track this in the CO's mid-year and end-of-year reviews as an internal control.</p>
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division	B.2	<p><b>Recommendation:</b> AMMD clarify in the Contracting Manual 34-1 – Section 13.1.2 COTR(c)(1) the usage of the COTR Review Checklist by all staff to ensure proper COTR performance of post award administration duties.</p> <p><b>AOC Management Decision:</b> Not Concur. AMMD provides clear guidance to COs regarding the regular usage of the COTR Review Checklist in the Contracting Manual and supplemental instructions.</p>
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division and Information Technology Division	B.3	<p><b>Recommendation:</b> The CO and COTR perform the duties as required in the Appointment of COTR Memorandum and Contracting Manual 34-1 – Section 13.1.2(c) COTR for the ITD BPA Task Order No.1.</p> <p><b>AOC Management Decision:</b> Partially Concur. Although most of the post-award duties of the CO and COTR were performed in accordance with AOC Order 34-1 – Section 13.1.2(c) COTR for the ITD BPA Task Order No. 1 and the COTR Appointment Letter, better documentation could have been provided to support duties performed. AMMD will review existing policies and procedures relative to documentation requirements to ensure they are up to date and the COTR's file for the task order to ensure that it contains all required documentation.</p>
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division and Information Technology Division	B.4	<p><b>Recommendation:</b> The CO and COTR document and maintain detailed records of the COTR's and contractor's performance.</p> <p><b>AOC Management Decision:</b> Concur. The COs and COTRs must document and maintain detailed records of the COTR's and contractor's performance.</p>

Table C: Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Office	Rec No.	Summary of Recommendations and Action
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division Information Technology Division	B.5	<b>Recommendation:</b> The AOC establish proper internal controls to ensure the performance of CO and COTR post-award administration duties. <b>AOC Management Decision:</b> Partially Concur. Although AMMD has established internal controls to ensure the performance of CO and COTR post-award administration duties, we agree with the concerns about the need for more COTR reviews and the eventual need for additional clarity relative to the work “regularly” that is currently in AOC Order 34-1 to set the number of COTR reviews.
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division	B.6	<b>Recommendation:</b> The CO develop measurable performance standards and quality assurance plans for Task Order No. 1. <b>AOC Management Decision:</b> Partially Concur. Although AOC Order 34-1 does not require every task or subtask in the SOW to have a measurable performance standard, the CO will review tasks not covered by such standards to determine whether any other measurable performance standards would be appropriate and practicable.
Audit of the AOC ITD Contracting Services BPA AOC16A3000	OIG-AUD-2019-03 July 30, 2019	Acquisition and Material Management Division	B.7	<b>Recommendation:</b> The CO establish proper internal controls to ensure that contracting documents include measurable performance standards and quality assurance plans. <b>AOC Management Decision:</b> Concur. The COs must establish proper internal controls to ensure that contracting document include measurable performance standards, if appropriate and practicable, and quality assurance plans.
<b>Architect of the Capitol/Utilities and Power Plant Operations; Acquisition and Material Management Officer; and Planning and Project Management</b>				
Audit of the AOC Capitol Power Plant Cogeneration Facility	OIG-AUD-2019-05 September 30, 2019	Acquisition and Material Management Division, Capitol Power Plant, and Planning and Project Management	A.1	<b>Report Summary:</b> The OIG performed an audit of the AOC Capitol Power Plant Cogeneration Facility. Overall, the Cogeneration Facility was constructed in accordance with contract requirements; however, we found the contract requirements for the Commissioning Process and Reliability Run were not clearly defined. <b>Recommendation:</b> The AOC incorporate well-defined contract requirements for future Utility Energy Service Contracts, to include but not limited to: <ul style="list-style-type: none"> <li>• Commissioning requirements – General Description, Commissioning Roles and Responsibilities, Systems to be Commissioned, Commissioning Plan, Scheduling, Commissioning Report</li> <li>• Reliability Run requirements –Duration, Classification of Interruptions, and Scheduling</li> </ul> <b>AOC Management Decision:</b> Concur. Many types of projects involve the need for commissioning. The AOC is updating its 2010 Commissioning Guidelines and will include provisions in the update to address the issues raised by the OIG. The AOC expects to complete this update by July 2020.
Audit of the AOC Capitol Power Plant Cogeneration Facility	OIG-AUD-2019-05 September 30, 2019	Acquisition and Material Management Division	A.2	<b>Recommendation:</b> The AOC enhance its contracting policies and procedures for origination and execution of UESC to include developing contract templates for future projects that reflect lessons learned and current industry practice. <b>AOC Management Decision:</b> Concur. The AOC will prepare a lessons learned document by January 31, 2020, covering the Cogeneration Project to address the issues identified by the OIG. This document will be used to enhance contracting policies and procedures should the AOC decide to pursue another UESC.

Table C: Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Office	Rec No.	Summary of Recommendations and Action
Audit of the AOC Capitol Power Plant Cogeneration Facility	OIG-AUD-2019-05 September 30, 2019	Acquisition and Material Management Division and Planning and Project Management	A.3	<p><b>Recommendation:</b> The AOC establish well-defined AOC policies and procedures for providing and documenting oversight of UESC to ensure contract compliance.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will include oversight in the lessons learned document discussed in Recommendation A.2 and will establish the relevant policies and procedures should another UESC be pursued in the future.</p>
<b>Architect of the Capitol/Office of the Chief Administrative Officer</b>				
Follow-up Evaluation of Audit of the AOC's Compliance with Federal Workers' Compensation Act Program	2018-0006-IE-R June 25, 2018	Human Capital Management Division	A.2	<p><b>Recommendation:</b> The Workers' Compensation Program Unit (WCPU) update their written procedures to reflect current practices.</p> <p><b>AOC Management Decision:</b> Concur. Human Capital Management Division's Office of Workers' Compensation has updated and disseminated Workers' Compensation Standard Operating Procedures in November 2018 involving case management to assist staff in reviewing cases to determine if the Department of Labor should take action or correct a previous action. The Revision of AOC Order 810-1, Workers Compensation Policy, is still pending staffing and release due to unanticipated delays between the Safety, Fire and Environmental Programs and Performance, Strategy and Innovation Divisions in redefining roles and responsibilities of jurisdiction safety specialists and field coordinators.</p>
Evaluation of the AOC's Cyber Security Program	2018-0001-IE-P April 10, 2019	Information Technology Division	1	<p><b>Recommendation:</b> Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed.</p> <p><b>AOC Management Decision:</b> Concur. The AOC anticipates that corrective action to address the recommendation will be complete by September 30, 2019.</p>
Evaluation of the AOC's Cyber Security Program	2018-0001-IE-P April 10, 2019	Information Technology Division	2	<p><b>Recommendation:</b> Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed.</p> <p><b>AOC Management Decision:</b> Concur. The AOC anticipates that corrective action to address the recommendation will be complete by March 30, 2020.</p>
Evaluation of the AOC's Cyber Security Program	2018-0001-IE-P April 10, 2019	Information Technology Division	3	<p><b>Recommendation:</b> Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed.</p> <p><b>AOC Management Decision:</b> Concur. The AOC anticipates that corrective action to address the recommendation will be complete by September 30, 2019.</p>
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	A	<p><b>Recommendation:</b> The Chief Administrative Officer update and revise AOC Order 34-45 (Personal Property Manual) and all other associated policy directives to establish internal control requirements, including standard definitions and criteria for highly pilferable and mission critical non-consumable property valued less than \$1,500.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with updating Property Manual 34-45 to identify pilferable and mission essential property under \$1500. To define pilferable and mission essential property under \$1500.00, plus the impact on resources, will require coordination with the jurisdictions via a working group symposium. This working group will convene by the end of the 2nd quarter, FY 2020.</p>

Table C: Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Office	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	B.1	<p><b>Recommendation:</b> The Chief Administrative Officer update and revise AOC Order 34-45 (Personal Property Manual) and all other associated policy directives to establish guidelines to document, report and track missing non-consumable property valued less than \$1,500.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with updating Property Manual 34-45 to document, report and track missing non-consumable property valued at less than \$1,500. This will be done by the end of the 2nd quarter, FY 2020.</p>
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	B.2	<p><b>Recommendation:</b> The Chief Administrative Officer update and revise AOC Order 34-45 (Personal Property Manual) to enforce the requirement for mission critical non-consumable property valued less than \$1,500 to be recorded in the personal property management system.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with updating Property Manual 34-45 to enforce the requirement for mission critical non-consumable property valued at less than \$1,500 be recorded in the property management system. This will be done by the end of the 2nd quarter, FY 2020.</p>
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	C	<p><b>Recommendation:</b> The Architect of the Capitol direct an organizational assessment to determine the feasibility of creating full-time property management positions that strictly deal with property management.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs that having full time accountable property officers and property custodians is a good idea. However, this is a position/funding issue that has to be studied and possibly budgeted. Subject to the availability of funds, a review and/or study of this recommendation will be done by the end of the 3rd quarter, FY 2020.</p>
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	D.1	<p><b>Recommendation:</b> The Architect of the Capitol review all existing allocated and assigned storage space across each jurisdiction and reallocate and reassign facility space based on the needs of the jurisdictions.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with reviewing existing storage spaces across jurisdictions and reallocating based on the needs of the jurisdictions. Jurisdictional input is required, and possibly a feasibility study. Subject to availability of funds, review and/or study will be done by the end of the 3rd quarter, FY 2020.</p>
Evaluation of the AOC's Inventory Accountability and Controls	2018-0002-IE-P August 20, 2019	Acquisition and Material Management Division	D.2	<p><b>Recommendation:</b> The Architect of the Capitol complete a cost estimate and assess the feasibility of building a consolidated and centralized AOC inventory control center.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with assessing the feasibility of a centralized inventory center. This too requires jurisdictional input and a possible feasibility study. Subject to availability of funds, review and/or study will be done by the end of the 3rd quarter, FY 2020.</p>

**Table C: Unimplemented Recommendations Continued**

Subject	Report No. Issue Date	Office	Rec No.	Summary of Recommendations and Action
<b>Architect of the Capitol/Office of the Chief Administrative Officer</b>				
Evaluation of the AOC's Compliance with the Government Purchase Card Program	2018-0003-IE-P August 13, 2019	Acquisition and Material Management Division	A.1	<p><b>Recommendation:</b> We recommend that the AMMD identify and implement data analytics software that can automate continuous credit card transaction monitoring and reviews. This should include automation for detection of potential split-purchases as well as for use of potentially inappropriate MCCs or third-party vendors.</p> <p><b>AOC Management Decision:</b> The AOC concurs that if future funding is secured, data analytics software to assist in purchase card monitoring would be a wise investment and enhance existing monitoring. By the end of the second quarter of Fiscal Year 2020, the AOC will identify a data analytics software to assist with monitoring, and if such software does not already exist at the AOC, procurement will be necessary and will be executed subject to the availability of funds.</p>
Evaluation of the AOC's Compliance with the Government Purchase Card Program	2018-0003-IE-P August 13, 2019	AOC	A.2	<p><b>Recommendation:</b> We recommend the AOC increase staffing levels for purchase card oversight.</p> <p><b>AOC Management Decision:</b> The AOC concurs additional staffing is needed. Our Fiscal Year 2020 budget includes a request for five additional positions. If approved, one of these positions will be targeted to assist with purchase card program management.</p>
Evaluation of the AOC's Compliance with the Government Purchase Card Program	2018-0003-IE-P August 13, 2019	Acquisition and Material Management Division	A.3	<p><b>Recommendation:</b> We recommend that the AMMD develop written procedures for the APC daily, monthly, and annual purchase card review.</p> <p><b>AOC Management Decision:</b> The AOC will develop a Standard Operating Procedure on purchase card reviews by the end of the third quarter, Fiscal Year 2020.</p>
Evaluation of the AOC's Compliance with the Government Purchase Card Program	2018-0003-IE-P August 13, 2019	AOC	B	<p><b>Recommendation:</b> We recommend the AOC update purchase card use guidance and training to include examples of split purchases and how to avoid them.</p> <p><b>AOC Management Decision:</b> The AOC concurs with making guidance clearer in the CM on split purchases and strategies on how to avoid them. The AOC Chief Financial Officer is currently developing additional reporting capabilities that will assist AMMD in monitoring the purchase card program.</p>



**Table D: Implemented and Closed Recommendations**

<b>Subject</b>	<b>Report No. Issue Date</b>	<b>Office</b>	<b>Rec No.</b>	<b>Summary of Recommendations and Action</b>
<b>Architect of the Capitol/Office of the Chief Administrative Officer</b>				
<b>Audit of the AOC's Data Center</b>	OIG-AUD-2019-04 September 27, 2019	Information Technology Division	A.1	<p><b>Recommendation:</b> Chief Information Officer review and revise its Standard Operating Procedures, ITD Authorized Data Center Proxy Card Access List Maintenance to account for non-ITD personnel.</p> <p><b>AOC Management Decision:</b> Concur. The AOC has revised its ITD Authorized Data Center Proxy Card Access List Maintenance Standard Operating Procedure to include non-ITD personnel, effective September 3, 2019, completing this recommendation.</p>
<b>Audit of the AOC's Data Center</b>	OIG-AUD-2019-04 September 27, 2019	Information Technology Division	A.2	<p><b>Recommendation:</b> Chief Information Officer enhance its communications and coordination with the USCP and other AOC jurisdictions to improve physical access controls to the Data Center for non-ITD personnel.</p> <p><b>AOC Management Decision:</b> Concur. The AOC Chief Information Officer has corresponded with and subsequently submitted a memorandum to the AOC Office of Security Programs and the United States Capitol Police on September 4, 2019, establishing a revised process to improve physical access controls to the AOC Data Center for non-ITD personnel.</p>
<b>Follow-up Evaluation of Audit of the AOC's Compliance with Federal Workers' Compensation Act Program</b>	2018-0006-IE-R June 25, 2018	Human Capital Management Division	A.1	<p><b>Recommendation:</b> The WCPU new case tracking system centralizes all cases reported on the most recent AOC DOL chargeback reports, and that it includes reminders on open items, comparison of approved injuries to medical expenses, and tracking of case review for potential Return-to-Work opportunities. The AOC should also ensure that the system retains records for all reviews conducted, including contacts and coordination with DOL regarding questionable costs.</p> <p><b>AOC Management Decision:</b> Concur. HCMD has purchased Cority Software Incorporated's OWCP Case Management Module to support it in managing OWCP data and case management needs. The case management system is currently being used following full implementation in April 2019.</p>

## Funds Questioned or Put to Better Use

**Table E: Audit Recommendations and Management Decisions Put To Better Use Of Funds**

	Number of Reports	Category	Funds Put to Better Use
A. Audit reports for which no Management Decision was issued by the start of the reporting period	0	0	\$0
B. Reports requiring a Management Decision during the reporting period	0	0	\$0
<b>Subtotals (A+B)</b>	<b>0</b>	<b>0</b>	<b>\$0</b>
C. Reports for which a Management Decision was issued during the reporting period	0	0	0
(i) Dollar value of disallowed costs	0	0	\$0
(ii) Dollar value of costs not disallowed	0	0	\$0
D. Reports for which no Management Decision was issued by the end of the reporting period	0	0	\$0
E. Reports for which no Management Decision was made within six months of issuance	0	0	\$0

**Table F: Investigation Recommendations for Better Use of Funds**

Item	Quantity
<b>Cost Avoidance, Savings and Recoveries Resulting From OIG Investigations</b>	
*Cost Avoidance from Employee Removals/Resignations	\$134,118
*Savings from Employee Salaries during Suspensions	0
Administrative Repayment Determinations	0
Court Ordered Fines/Forfeitures/Restitution	0
OIG Recovery of Stolen Government Property/Funds	\$425
<b>Total</b>	<b>\$134,543</b>

\*Using the AOC average salary of \$67,059 per employee per year, or \$258 per workday for suspensions for 2019. The one-year cost avoidance method is used to conservatively estimate the positive impact and savings from investigations that result in the removal or resignation of employees engaged in misconduct in the workplace or who submit fraudulent Workers' Compensation claims.



UNITED STATES OF AMERICA  
COMRADES OF THE ARMY  
OF THE DISTRICT OF COLUMBIA  
D. C. 20007

JAMES A. GARFIELD  
1831 - 1881



# Appendices

## Appendix A: Inspector General Reporting Requirements

IG Act Reporting Requirements	Description	Page No.
Section 4(a)(2)	Review of Legislation and Regulations	26
Section 5(a)(1)	Significant Problems, Abuses and Deficiencies	None
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses and Deficiencies	None
Section 5(a)(3)	Prior Significant Recommendations Not Yet Implemented	32
Section 5(a)(4)	Summary of Matters Referred for Prosecution and resulting convictions	12
Section 5(a)(5)	Summary of Instances Where Information Was Refused	None
Section 5(a)(6)	Listing of Audit, Inspection and Evaluation Reports, including total value of questioned costs and funds put to better use	37
Section 5(a)(7)	Summary of Significant Reports	8-25
Section 5(a)(8)	Statistical Tables on Management Decisions on Questioned Costs (See statute for specifics)	37
Section 5(a)(9)	Statistical Tables on Management Decisions on Recommendations That Funds Be Put To Better Use (See statute for specifics)	37
Section 5(a)(10)	Summary of Each Audit Report Over Six Months Old for Which No Management Decision Has Been Made (See statute for specifics)	28
Section 5(a)(11)	Significantly Revised Management Decisions	28
Section 5(a)(12)	Significant Management Decisions With Which the Inspector General Disagrees	28
Section 5(a)(17)	Statistical Tables on Investigative Reports Issued; Person Referred to Department of Justice, State and Local Prosecuting Authorities for Criminal Prosecution; and Indictments and Criminal Information	12
Section 3(d), Section 5(a)(14)	Peer Review	28
Section 5(a)(18)	Description of the metrics used for developing the statistical tables under 5(a)(17)	12
Section 5(a)(19)	Report on each investigation conducted by the OIG involving senior government employee (See statute for specific info required)	20
Section 5(a)(21)	Detailed description of any attempt to interfere with OIG independence (See statute for specifics)	28
P.L. 114-113	Semi-annual status updates on Cannon House Office Building and the Capitol Power Plant projects	22-25

## Appendix B: Definitions of Terms Used in this Semiannual Report

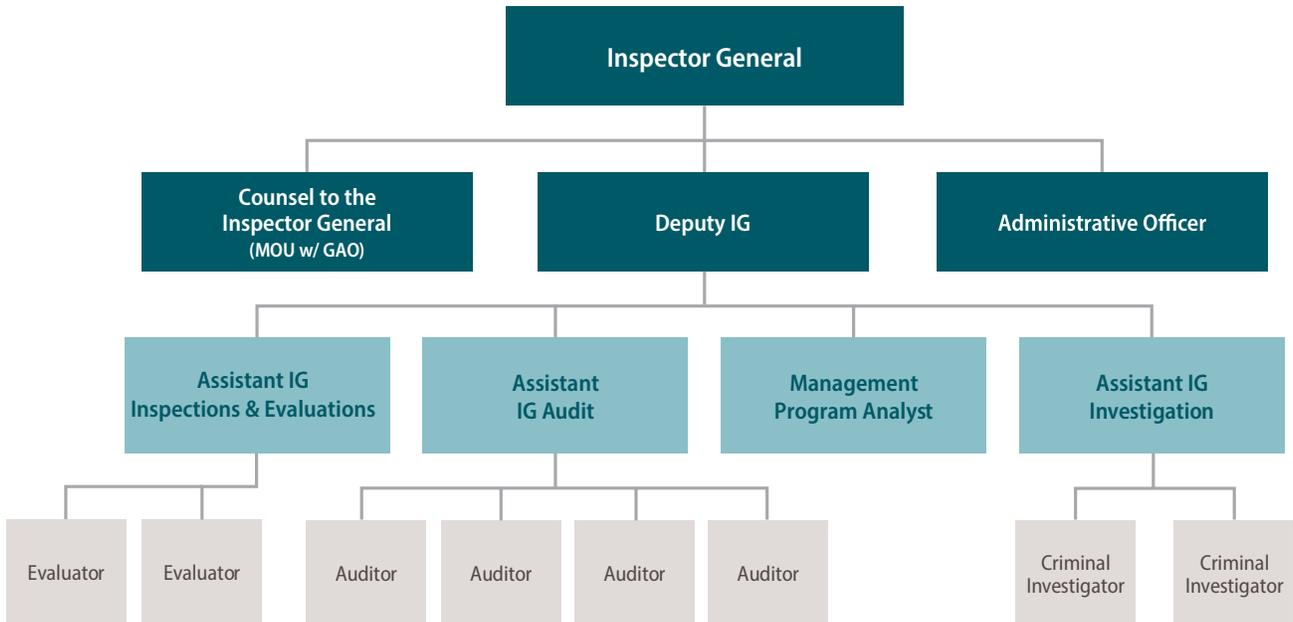
Terms	Definition
Questioned Cost	A cost that is questioned because (i) of an alleged violation of a provision of a law, regulation, contract or other agreement or document governing the expenditure of funds; (ii) the cost is not supported by adequate documentation; or (iii) the expenditure of funds for the intended purpose is unnecessary or unreasonable.
Disallowed Cost	A questioned cost that management, in a Management Decision, has sustained or agreed should not be charged to the government.
Funds Put To Better Use	A recommendation made that funds could be used more efficiently if management took actions to implement and complete the recommendation.
Management Decision	Management’s evaluation of the findings and recommendations included in an audit or investigative report and the issuance of a decision by management, including actions the AOC plans to take in response to the recommendations.



## List of Acronyms Used in this Report

<b>AD</b>	Administratively Determined	<b>L.E.</b>	Law Enforcement
<b>AMMD</b>	Acquisition and Material Management Division	<b>LEED</b>	Leadership in Energy and Environmental Design
<b>AOC</b>	Architect of the Capitol	<b>LWOP</b>	Leave Without Pay
<b>BPA</b>	Blanket Purchase Agreement	<b>OIG</b>	Office of Inspector General
<b>CHOB</b>	Cannon House Office Building Renewal Project	<b>OWCP</b>	Office of Workers' Compensation Program
<b>CIGIE</b>	Council of the Inspectors General on Integrity and Efficiency	<b>PMP</b>	Project Management Professional
<b>CO</b>	Contracting Officer	<b>SAR</b>	Semiannual Report
<b>COTR</b>	Contracting Officer's Technical Representative	<b>SF</b>	Standard Form
<b>DOL</b>	Department of Labor	<b>SME</b>	Subject Matter Expert
<b>FECA</b>	Federal Employment Compensation Act	<b>SR</b>	Senior Rated
<b>FMLA</b>	Family Medical Leave Act	<b>SRC</b>	Stormwater Retention Credit
<b>FY</b>	Fiscal Year	<b>SSA</b>	Social Security Administration
<b>GSS</b>	General Support System	<b>T&amp;A</b>	Time and Attendance
<b>HCMD</b>	Human Capital Management Division	<b>TRE</b>	Temporary Roof Enclosure
<b>ICSRA</b>	Integrated Cost Schedule Risk Analysis	<b>USBG</b>	U.S. Botanic Garden
<b>IG</b>	Inspector General	<b>UESC</b>	Utility Energy Service Contract
<b>IGCE</b>	Independent Government Cost Estimate	<b>USACE</b>	U.S. Army Corps of Engineers
<b>IPA</b>	Independent Public Accounting Firm	<b>USAO</b>	U.S. Attorney's Office
<b>IT</b>	Information Technology	<b>USCP</b>	U.S. Capitol Police
<b>ITD</b>	Information Technology Division	<b>USMS</b>	United States Marshals Service
<b>JOA</b>	Job Opportunities Announcement	<b>WCPU</b>	Workers' Compensation Program Unit

# Office of Inspector General Organization Chart



# To Report Fraud, Waste and Abuse



**Confidential Toll-Free Hotline** 877.489.8583  
**Phone** 202.593.1948



**Confidential OIG Website Hotline Report**  
[http://www.aoc.gov/aoc/oig\\_hotline.cfm](http://www.aoc.gov/aoc/oig_hotline.cfm) (For the Public)  
<http://compass.aoc.gov/help-me-with/faqs/office-inspector-general-oig> (AOC Intranet)



**Email** [Hotline@aoc-oig.org](mailto:Hotline@aoc-oig.org)



**Visit** Fairchild Building, Suite 518, 499 South Capitol Street, SW, Washington, DC 20515

**To request a copy of this Semiannual Report, please send a written request to:**

Architect of the Capitol | U.S. Capitol, Room SB-16 | Washington, DC 20515

Email: [webfeedback@aoc.gov](mailto:webfeedback@aoc.gov)

We welcome any feedback, comments, concerns or suggestions on this report.

Please send any comments to Christopher Failla at [Christopher.failla@aoc.gov](mailto:Christopher.failla@aoc.gov).



