

SEMIANNUAL REPORT TO THE CONGRESS

October 1, 2021 – March 31, 2022

Architect of the Capitol
Office of Inspector General





Inspector General Message



I am pleased to submit the Architect of the Capitol's (AOC) Office of Inspector General (OIG) Semiannual Report (SAR) to Congress for the first half of fiscal year (FY) 2022. 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 six months ending March 31, 2022. The work detailed here contains results from the efforts of an OIG staff dedicated to promoting economy and efficiency, and preventing and detecting fraud, waste and abuse within 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 to working with the Council of the Inspectors General on Integrity and Efficiency (CIGIE) on important issues that touch our government.

This report is our 28th SAR and the 10th report in my five-year tenure. It also marks the 15th anniversary of the establishment of the AOC OIG.

The AOC OIG has come a long way since its establishment in 2007. From an organization with a handful of personnel in an agency unaccustomed to oversight, we have now grown to 20 full-time equivalent (FTE) employees authorized in FY 2022 with plans to expand to 25 FTE in the coming years. We have produced hundreds of audit and evaluation reports as well as conducted hundreds of investigations.

Our regular engagements with the AOC staff and congressional committees provide immense oversight, recommendations and management advisories to enhance the Capitol campus and encourage economies and efficiency, safety and security, as well as fiscal responsibility.

To better serve the AOC and Congress, in the last five years I have added a very successful Inspections and Evaluations (I&E) Division, contracted the use of construction independent public accounting (IPA) firms, and this year established a Follow-Up Division (FLD). I am happy to

welcome Brittany Banks who will head the FLD. Brittany and her two follow-up evaluators will revisit past audits and evaluations and determine if the recommendations suggested and accepted by the AOC are being implemented as intended, are working, or require changes to provide better economies and efficiencies.

Additionally, over the last five years we have developed a social media presence on Twitter and are followed by over 1,370 citizens, reporters and other OIGs, and this year with the help of CIGIE, we established an independent AOC OIG website (<https://aocoig.oversight.gov/>) to improve transparency and reporting to the public.

Within those tweets and posts to our website, the public can find the work completed this SAR period by our dedicated staff who worked tirelessly to complete statutory requirements, audits, evaluations, investigations, special reviews and flash reports, and congressional requests in the highly challenging environment posed by the COVID-19 pandemic.

Within the following pages, we report the details from oversight that identified over \$4.15 million in questioned, unallowable, insufficiently supported funds, or funds put to better use this period.

I must continue to applaud my staff for their tremendous work ethic and dedication to the mission during these challenging times. Their efforts, handling increased workloads and producing reports in this environment, are a shining example to all federal workers, and the demand for their services has only increased based on their outstanding results. I look forward to what their talents will bring to the agency over the next 15 years and how together, we can reimagine an OIG that is more efficient, economical and transparent, diverse and inclusive, and an example to all small and large IG offices.

I would like to thank the Architect and the AOC jurisdictions for their support in providing documentation, their time and their expertise. I thank you in advance for your continued cooperation so that we may provide the Architect with valuable oversight of this dynamic organization.

OIG Productivity



19 Projects in Progress at Start

41 Projects Initiated

38 Projects Completed

22 Projects in Progress at the End



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 (IG) 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 U.S. Capitol by the AOC derives from Section 1811 of Title 2 of the U.S.C. 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 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.

Architect of the Capitol J. Brett Blanton performs his duties in connection with various House and Senate committees. The Committee on House Administration, as well as several other House committees, oversee the Architect of the Capitol's activities in the U.S. House of Representatives. The Senate Committee on Rules and Administration provides oversight for the Architect of the Capitol's duties associated with the Senate office buildings. The AOC is responsible for the care and repair of works of art in the U.S. Capitol under the direction of the Joint Committee of Congress on the Library. In addition, the AOC 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 of Congress on the Library.

OFFICE OF INSPECTOR GENERAL

The Architect of the Capitol Inspector General Act of 2007, 2 United States Code (U.S.C.) § 1808, established 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 IG's duties and authorities and established 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 SAR 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 SAR to the Architect of the Capitol and Congress.

AUDITS

COMPLETED ACTIVITY THIS REPORTING PERIOD

1. AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to the Contractor on the Cannon House Office Building Renewal (CHOBBr) Project (OIG-AUD-2022-01)

As a follow-up to our Audit of the Cannon House Office Building Renewal Project's Reimbursable Costs (Report No. OIG-AUD-2021-04) issued June 8, 2021, we performed an independent assessment of the remaining population of reimbursable cost transactions that were not reviewed during that audit. The objective of the independent assessment was to identify unallowable costs reimbursed to contractors on the CHOBBr Project. To assist us with this independent assessment, the AOC OIG contracted an IPA firm as a subject matter expert to perform a detailed review of these transactions to identify unallowable cost types.

We determined that throughout all the CHOBBr Project phases to date, the AOC repetitively reimbursed small dollar amounts of unallowable costs to the CHOBBr Project's construction manager as constructor (CMc). Specifically, we identified 358 occurrences of costs reimbursed with unallowable cost descriptions. Of those reimbursed, 154 occurrences, or 43 percent, were determined to be unallowable costs amounting to \$38,529. The remaining 204 occurrences amounting to \$48,100, with similar cost descriptions as those previously recognized as unallowable from our audit, were not substantiated during the review; and therefore, the costs were questioned. Lastly, during the review period, we were unable to validate the allowability of \$7,135, in reimbursable punch-list costs; therefore, we also questioned these costs.

In total, we identified \$93,764 in unallowable (\$38,529) and questioned costs (\$55,235).

We made three recommendations to correct the deficiencies and management concurred with the recommendations.

2. Effects of COVID-19 and the Events of January 6 Have Increased the CHOBBr Project's Contracts by \$5.6 Million and Further Increases are Expected (OIG-AUD-2022-02)

The OIG contracted with an IPA firm to conduct a performance audit to determine the effects of COVID-19 and the events of January 6 on the CHOBBr Project. We determined that the CHOBBr Project team's increased costs and estimates resulting from both the COVID-19 pandemic

and events of January 6 of \$5,614,035, appear reasonable. Our review assisted the CHOBBr Project's team in reducing its costs and estimates by \$426,632, which has and will continue to assist the AOC when requesting additional CHOBBr Project funding from the Office of the Chief Financial Officer and, subsequently, the U.S. Congress. AOC management concurred with the report's findings and conclusion.

No recommendations were issued for this audit.

AUDIT DIVISION PROJECTS IN PROGRESS

1. FY 2021 Financial Statement Audit (2021-AUD-008-A)

The OIG contracted with an IPA firm to perform the audit of the AOC Financial Statements as of and for the fiscal year ending September 30, 2021. The IPA is responsible for conducting the audit in accordance with auditing standards generally accepted in the United States; Generally Accepted Government Auditing Standards as prescribed by the U.S. Comptroller General; Office of Management and Budget Bulletin No. 21-04, Audit Requirements for Federal Financial Statements (as amended); the U.S. Government Accountability Office's (GAO) Federal Information System Controls Audit Manual; and the GAO Financial Audit Manual. Specifically, they are responsible for providing an opinion on 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 announced the audit on July 8, 2021. The OIG serves as the contracting officer representative (COR) on the contract with the IPA, which includes overseeing the contract requirements. The OIG plans to transmit the IPA's final report in May 2022.

2. Audit of the AOC Contract Provisions for Multi-Million Dollar Construction Projects (2021-AUD-012-A)

As a part of our audit and evaluation plan of continuous oversight for construction-related audits, an IPA is conducting a performance audit of the AOC's contract provisions for multi-million-dollar construction projects. The OIG announced this audit on September 28, 2021. The objective of this audit is to assess the AOC's contract provisions for multi-million-dollar construction projects



to determine compliance and/or alignment with federal laws, regulations, AOC policies and procedures, industry standards and consistency across AOC jurisdictions.

The OIG serves as the COR on the contract with the IPA, which includes overseeing the contract requirements. The OIG plans to transmit the auditor's final report in July 2022.

3. Independent Assessment of the AOC's Progress on the Backlog of Security-Related Deferred Maintenance Projects Subsequent to the Events of January 6 (2022-AUD-003-O)

As a follow-up to our Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings (OIG-AUD-2021-03) issued May 5, 2021, we are conducting an independent assessment of the AOC's progress on the backlog of security-related deferred maintenance projects after the events of January 6. The OIG announced this assessment on February 1, 2022. The objective of the independent assessment is to assess the AOC's progress in reducing the backlog of the security-related deferred maintenance projects subsequent to the events of January 6.

The OIG plans to issue a final report in April 2022.

4. CHOBr Project Semiannual Status Update for July 1 through December 31, 2021 (2022-AUD-002-O)

The Explanatory Statement accompanying the Fiscal Year (FY) 2016 Legislative Branch Appropriations Act, Public Law 114-113, Consolidated Appropriations Act, 2016 directed the OIG to transmit quarterly status updates to the House Committee on Appropriations (HCA) regarding AOC's progress related to the CHOBr Project (formerly addressed as the Cannon Renewal Project). The statement required the OIG to provide the HCA with AOC's confirmation that the CHOBr Project is progressing in a timely and cost-effective manner, to include scope, budget, schedule and cost schedule risk assessments. In spring 2018, the committee approved our request to transmit these status updates semiannually.

On January 19, 2022, the OIG issued a request for information on the CHOBr Project performance during the semiannual period of July 1 through December 31, 2021. The CHOBr Project team was unable to respond to our request in a timely manner. Consequently, the OIG issued a formal request to HCA for a 30-day extension on the statement requirement due March 22, 2022, which was granted. The OIG will issue the required CHOBr Project status update by April 21, 2022.



INSPECTIONS AND EVALUATIONS

COMPLETED ACTIVITY THIS REPORTING PERIOD

1. Evaluation of the AOC's Fleet Management Program (2021-0001-IE-P)

The OIG announced the evaluation of the AOC's Fleet Management Program on May 24, 2021, to determine if adequate mechanisms and controls were in place to account for the AOC's vehicle fleet, including agency cost and usage rate of vehicles. We contracted with subject matter experts from Grant Thornton to support this effort.

The OIG issued the official report to the AOC on November 29, 2021. Our evaluation found that nonstandardized data capture processes across jurisdictions and jurisdictional self-determination on fleet acquisition and recordkeeping combined to hamper the quality of data necessary for effective fleet management. We made six recommendations for continued improvement to the AOC's Fleet Management Program and the AOC concurred. The AOC provided proposed corrective action for each of the recommendations

INSPECTIONS AND EVALUATIONS DIVISION PROJECTS IN PROGRESS

1. Evaluation of AOC's Security Badging Program (2022-0001-IE-P)

The OIG announced the evaluation of the AOC's Security Badging Program on November 10, 2021. Our objective for this evaluation is to assess the badging process for AOC employees and contractors and determine if vulnerabilities exist within the program. We anticipate releasing the final report in the third quarter of FY 2022.

2. Evaluation of AOC's Information Technology Division Inventory Accountability and Controls (2022-0002-IE-P)

The OIG announced the evaluation of the AOC's Information Technology Division (ITD) Inventory Accountability and Controls on November 8, 2021. Our objective for this evaluation is to determine if adequate mechanisms and controls are in place to account for issued information technology equipment such as laptops and cell phones, and to what extent procedures are in place to report, track and replace missing property. We anticipate releasing the final report in the third quarter of FY 2022.



INVESTIGATIONS

Since March 2020, the AOC OIG has worked under COVID-19 restrictions and authorized maximized telework flexibilities. As of February 28, 2022, the Investigations Division has returned to the Fairchild Building, Washington D.C. The AOC OIG is once again maintaining a physical presence during core hours.

In response to the COVID-19 Pandemic, the OIG continues to ensure the continuity of investigative operations to include video teleconference interview options and in the case of in-person interviews, avoiding face-to-face contact, using social distancing and barriers, as necessary.

We continue to conduct telephonic and video conference interviews, as well as in-person interviews to accommodate critical position employees who are not telework eligible. We also continue to conduct meetings via video conference and use webinars to complete training when available.

During this reporting period, the OIG received or initiated a total of 13 complaints. From those complaints, investigators opened six new investigations. We referred a total of nine complaints to other government agencies, AOC program offices and/or AOC Avenues of Assistance. See Table A: Investigative Data This Reporting Period for details. One case was referred to the Assistant United States Attorney's (AUSA) office and is pending a prosecutorial decision.

We would like to welcome Meghan Blasi as a new criminal investigator/special agent in the OIG's Investigation's Division. Meghan joins us from a private global security consulting firm, where she served as Senior Operations Manager specializing in threat analysis, protection, investigations, consulting, intelligence and security training services on a global scale. Meghan is also a 13-year veteran of the U.S. Capitol Police (USCP), where she served as a special agent under the Threat Assessment and Criminal Investigations sections. Meghan has conducted over a thousand threat assessments/investigations into threats and concerning communications that undermined the security of congressional staff, Members of Congress and their immediate family.

Meghan is a graduate of the Federal Law Enforcement Training Centers - Criminal Investigator Training Program. She also holds a bachelor's degree in political science from Saint Mary's College of Notre Dame, Indiana.

Table A: Investigative Data This Reporting Period

Investigative Activity	Count
Complaints	
Hotline Complaints Received (Phone and/or Email)	7
Complaints Received (Walk-ins)	0
Direct Phone or Email to the OIG	5
U.S. Mail or Facsimile Machine	0
OIG Observed or Developed	1
Total Complaints	13
Investigations	
Investigations Opened	6
Investigations Closed ¹	8
<u>Issuance of Subpoenas</u>	
OIG Subpoenas Served	0
Grand Jury Subpoenas Served	0
<u>Disciplinary Actions Resulting from Administrative Investigations</u>	
Actions Pending	7
Allegations Not Substantiated or Disproven by the OIG	1
Allegations Substantiated/Person(s) Unknown	0
Employee Removals/Resignations/Retirements (in lieu of)	2
Employee Reprimands/Warnings/Counseling	1
Employee Suspensions	0
Total Disciplinary Actions	3
Referrals	
<u>Criminal Investigation Referrals²</u>	
Accepted for Prosecution	1
Declined for Prosecution	7
<u>Administrative Investigation Referrals</u>	
Informal Referrals (to AOC Program Offices, no follow-up or report required)	2
Formal Referrals (follow-up required within 60-90 days)	0
Law Enforcement Referrals	7
Employee Assistance Referral (to AOC Avenue of Assistance)	0
Total Referrals	17

¹ Reflects six investigations opened during previous periods.

² Referred to law enforcement agency or the AUSA for prosecution consideration.

Source: OIG investigative files



FIGURE 1: Investigations Division Charge Substantiation

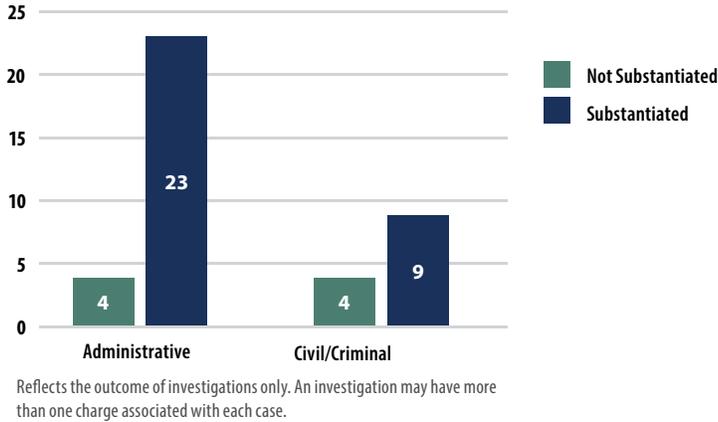


Figure 1 highlights the number of charges, both substantiated and not substantiated by type for the eight investigations closed during the period under review. There were 27 administrative charges. Of those, 23 were substantiated. Of the civil/criminal charges, nine were substantiated and four were not. Management action is pending for each case with substantiated charges.

FIGURE 2: Investigations Division Violations by Type

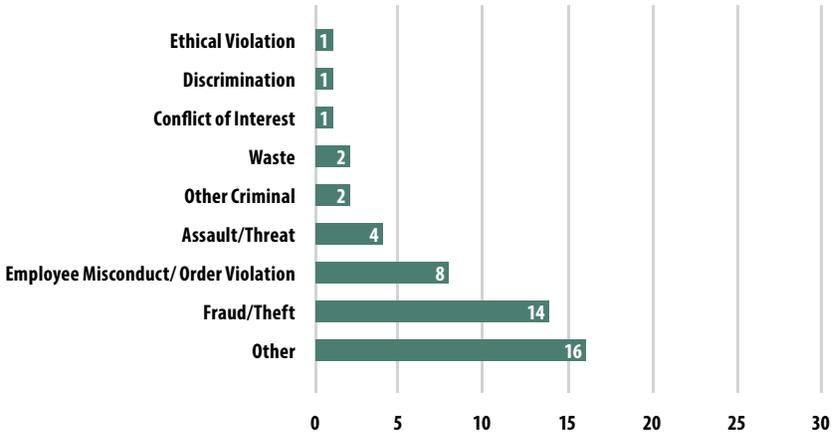


Figure 2 represents investigation activities that include complaints and referrals for the period under review broken out by violation type. Other (violations that did not meet a certain case criterion when initiated)³, Fraud/Theft and Employee Misconduct/Order Violation were the most frequent types of violations committed by AOC employees.

³ Other law enforcement coordination, inadequate processes and COVID-19/safety concerns.



OPEN INVESTIGATIONS

We currently have seven open investigations:

- 2020-0012-INVI-P
- 2021-0011-INVI-P
- 2021-0018-INVI-P
- 2022-0002-INVI-P
- 2022-0004-INVI-P
- 2022-0005-INVI-P
- 2022-0006-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.

CLOSED INVESTIGATIONS

1. Supervisors Failed to Provide Adequate Oversight While Employees Took One-Hour Lunches for Years

Three AOC Employees: Suspected Violations of the AOC Time and Attendance Policy and Procedures and Standards of Conduct Policies: *Substantiated*; Two AOC Supervisors: Suspected Violations of the AOC Time and Attendance Policy and Procedures, Standards of Conduct and Government Ethics Policies: *Substantiated*. (2021-0007-INVI-P)

On February 3, 2021, the AOC OIG initiated a spin-off investigation from information obtained while conducting a previous investigation (2020-0009-INVI-P). Interviews conducted during 2020-0009-INVI-P revealed that employees of the Senate Office Buildings jurisdiction had consistently taken a one-hour meal period (in addition to their two 15-minute breaks) during the eight-hour workday, thus only working seven-and-a-half hours per day and claiming eight hours for time and attendance (T&A).

The three AOC employees identified testified to taking one-hour lunches and the two AOC supervisors failed to provide adequate daily oversight. These supervisors continued to certify their bi-weekly T&A records with inaccurate hours recorded.

A three-month review of the employees' T&A records showed that two of the employees were overpaid by a total of \$463.75 each and the third was overpaid by a total of \$524.99, contributing to a government overpayment of at least \$1,452.49, for just these three identified employees.

The supervisor responsible for certifying these employees' T&A records, Mr. Yaki Sidberry, former WS-04, custodial worker supervisor, Night Custodial Unit, Senate Office Buildings, has since left the agency.

The OIG interviewed a total of 14 employees and supervisors who all confirmed a long-standing culture of AOC employees taking one-hour meal breaks, greatly increasing the amount the government was defrauded. Employees and supervisors both stated the practice of one-hour meal periods has happened at the AOC for decades. This investigation also identified that most senior supervisors were aware of AOC policy allowing for a 30-minute meal period; however, mid-level and direct supervisors were either unaware or dishonest about their knowledge of the policy. Supervisors who were aware of the policy did not enforce the 30-minute meal period due to: (1) an inability to communicate with subordinate employees while on shift, (2) limited contact with subordinate employees, and (3) a lack of support from other supervisors spread throughout the congressional buildings.

This prevailing issue is indicative of waste and not holding employees accountable. The OIG has conducted multiple investigations and referrals on this topic since 2011 and has included the topic of waste as a Management Opportunity and Performance Challenge. On January 25, 2012, the Chief Administrative Officer sent a Lunch Break Policy Reminder to AOC supervisors to remind them of the 30-minute meal period. The memorandum mentioned that AOC leadership had learned that supervisors from several work units throughout the AOC had been allowing employees to take one-hour or longer meal periods. The memorandum reminded supervisors of the policy and allowable exceptions.

We use the one-year cost avoidance method 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, as reported in the SAR. The AOC average salary for FY 2021 was \$71,760 per employee and divided by 26 pay periods equates to \$2,760 a pay period or \$34.50 per hour for an 80-hour pay period. Using this same method, if all AOC employees within the specific jurisdiction investigated took an additional 30 minutes of paid time for lunch (one hour total) for one pay period, it would cost the AOC \$83,663.

Testimony from supervisors stated this is common practice across multiple jurisdictions where they previously worked. The AOC employs a total of 2,493 employees. If all AOC employees took an additional 30 minutes of paid time for lunch (one hour total) for one pay period, it would cost the government \$430,043 or approximately \$11,181,118 per year.



Final Management Action: The OIG substantiated that the AOC employees violated AOC policy when they consistently took extended meal breaks and AOC supervisors failed to provide adequate daily supervision and oversight of T&A. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.

2. AOC Employees and Contractors Accused of Noncompliance, Obeyed USCP Orders on January 6

Suspected Violations of the AOC Government Ethics, Standards of Conduct, and Safety Manual 10-1, Vol I, Chapter M - Project Safety: **Not Substantiated.** (2021-0013-INVI-P)

On March 2, 2021, the USCP OIG reported to the AOC OIG, that construction items were left behind by AOC employees and contractors and used against USCP officers during the events of January 6, 2021. Allegedly, USCP personnel on the U.S. Capitol West Front ordered the workers (who were there to construct the Presidential Inaugural stands) to take equipment with them as they departed the area. Purportedly, some workers stood in the stands and took pictures of the large crowd instead of helping to remove items that protesters subsequently used against the USCP. The USCP OIG was not sure if the workers were AOC employees or AOC contractors.

The AOC OIG coordinated with the USCP and AOC senior leaders from the Capitol Building, Office of the Chief Engineer, Office of Safety Code and Compliance and Office of the Chief Security Officer to identify, via a questionnaire, possible witnesses to determine their specific duties and whereabouts.⁴ We requested assistance in identifying AOC construction employees and AOC construction contractors hired by their directorate or jurisdiction, specifically focusing on employees tasked with construction duties on the U.S. Capitol West Lawn on January 6, 2021. We identified a total of two AOC employees and approximately 25 AOC contractors supporting the construction of the inaugural platform and stands.

AOC Government Employees Supporting the Presidential Inauguration 2021

From the two AOC employees identified on the West Lawn, we found that one was a supervisory painter. The individual reported that several of their subordinates evacuated the area prior to the riot. Their occupation specialty did not require special tools and they used general paint supplies. The other was a facility operations specialist who was there to discuss

final changes or modifications to the stands in preparations for a punch list walk through with contractors – this position also did not require special tools or equipment.

AOC Contractors Supporting the Presidential Inauguration 2021

We identified five AOC contract companies supporting construction of the inaugural platform and stand. We further identified approximately 25 contractors from those companies who were on the West Lawn, many of whom used hand and power tools. Respondents to our questionnaire and subsequent verbal testimony noted that they were told by the USCP to secure their tools and evacuate the area, many did not have time to gather their tools and equipment to take with them. The contractors interviewed reported damaged or stolen equipment, fire extinguishers being discharged, scrim from around the stands being destroyed and multiple missing hand tools upon their return.

USCP

We contacted the USCP regarding their recollection of events in clearing the West Lawn of AOC employees and contractors and found that the officers named in the original allegation from the USCP OIG could not recall specifics of any refusal to remove tools or evacuate the area.

Conclusion

Photo evidence from the West Lawn on January 6, 2021, revealed that several individuals stood in the stands built for the inauguration and took pictures of the large crowd of protesters as they stormed the U.S. Capitol Building. However, USCP officers we contacted could not corroborate if AOC employees or contractors disobeyed their orders to assist in removing items that could be used as weapons by the protesters.

Because of the confusion and hectic nature of the day, we surmised that the USCP directed AOC employees and contractors to evacuate the West Front as the crowd became uncontrollable. We could not determine whether this was before contractors could secure all their equipment and tools. Allegations of criminal misconduct submitted to the AOC OIG have been referred to the appropriate agencies. We will continue to work with partner agencies should additional allegations come to our attention.

Final Management Action: The investigation is closed.

3. Two AOC Employees Found to Violate Time and Attendance Policy and Procedures by Swapping Identification Cards

⁴AOC OIG emailed questionnaires between June 7, 2021, and December 27, 2021, to all AOC employees and contractors (not mandatory for contractors) identified in support of (bleachers, stands, sound systems) the 2021 Presidential Inauguration.



Employee 1: Suspected Violations of the AOC Standards of Conduct Policy; Time and Attendance Policy and Procedures; Time Clock Standard Operating Procedures; AOC Order 40-1 Cooperation of AOC Employees: **Substantiated.**

Employee 2: Suspected Violations of the AOC Standards of Conduct Policy; Time and Attendance Policy and Procedures; Time Clock Standard Operating Procedures; AOC Order 40-1 Authority and Responsibilities of the OIG and Cooperation of AOC Employees ; and 18 U.S.C. § 1001 – False Statements: **Substantiated. (2021-0016-INVI-P)**

On June 2, 2021, the AOC OIG received a complaint via the AOC OIG Hotline from a management and program analyst within the House Office Buildings. The complaint alleged that a House Office Buildings supervisor was made aware that two AOC employees were swapping their ID cards for overtime purposes.

The OIG determined through testimonial evidence and a review of the WebTA system that Employee 1 and Employee 2 did violate AOC Order 550-3, Time and Attendance Policy and Procedures by failing to clock in and or out of their scheduled shift on multiple occasions. It was also determined, through Employee 1's admission that they provided their AOC ID card to Employee 2 who then clocked Employee 1 out of their scheduled shift. Additionally, Employee 2 admittedly took Employee 1's AOC ID card and confirmed 17, clocking them out. We further determined that Employee 2 had knowingly provided false statements to the OIG by advising the OIG that they had never received previous disciplinary action pertaining to their T&A. The OIG obtained a copy of Employee 2's employee file that refuted this statement. A review of Employee 2's file determined that they had in fact received written disciplinary action on several occasions dating from February 2019 to November 2021, to include a notification of being placed on Leave Restriction as of October 19, 2021.

The OIG reviewed the AOC Time Clock – Standard Operating Procedure and conducted interviews with Employee 1's and Employee 2's supervisors to determine how overtime was approved. We consulted with the AOC General Counsel pertaining to ethics violations and Human Capital Management Division (HCMD) regarding an employee working 16 hours of overtime during back-to-back shifts with only a 52-minute break between shifts on a weekend. All of these investigative efforts determined that Employee 1 and Employee 2 did not commit theft in regard to T&A fraud by knowingly stealing

overtime on the weekends. The Time Clock Standing Operations Procedures does not prohibit clocking in and out between overtime shifts.

By their own admissions, Employee 1 and Employee 2 knowingly and willfully violated AOC policy.

Final Management Action: The OIG substantiated that the AOC employees violated multiple AOC policies when they knowingly swapped their AOC ID cards to clock each other out of the Time Clock system and that one employee was untruthful when interviewed by the OIG. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The OIG referred the substantiated false statements charge under 18 U.S.C.) § 1001 to the Department of Justice for prosecutorial consideration, however, it was declined due to limited resources. The case is closed, and management action is pending.

4. AOC Employee Used Forged Medical Doctors Notes to Justify Sick Leave

Suspected Violations of the AOC Standards of Conduct, Absence and Leave, Time and Attendance and Government Ethics Policies; and D.C. Code § 22-3241 – Forgery; 18 U.S.C. § 1343 – Fraud by Wire, Radio or Television; 18 U.S.C. § 641 – Public Money, Property or Records; and 18 U.S.C. § 1001 – Statements or Entries Generally: **Substantiated. (2021-0017-INVI-P)**

On August 20, 2021, the AOC OIG received a hotline complaint from the Senate Office Buildings of potential fraudulent medical appointment and excuse notes being provided by an employee.

The OIG determined through documentary evidence that the employee claimed on multiple occasions to be a patient at two different medical practices. Further investigation and testimonial evidence later revealed that the employee was only a patient at one of the medical practices. They are not currently, nor have they ever been a patient at the second medical practice. Additionally, the AOC employee identified an employee within the second medical practice who had provided them the blank excuse notes to use.

The investigation revealed that the employee had used a total of 68 hours of annual leave, 22 hours of sick leave, 14 hours of leave without pay (LWOP) and 56 hours of absent without leave (AWOL) during pay periods 1 (January 3 – 16, 2021), 6 (March 14 – 27, 2021), 7 (March 28 – April 10, 2021), 12 (June 6 – June 19, 2021) and 14 (July 4 – July 17, 2021) in conjunction with six fraudulent medical excuses.

AOC Order 630-1, Absence and Leave, March 28, 2014, states that all employees are required to provide medical documentation in support of their sick leave absences in excess of three days. The employee provided the forged documentation upon their return to work following both approved and unapproved absences, whether it was sick, annual or administrative leave.

Although the employee used their own earned leave (or was not compensated) during the time frames to pay their salary, they forged the medical documentation in support of the leave. Data provided by the Office of the Chief Financial Officer showed that the AOC continued to pay their civilian personnel benefits during these time frames. The total cost of civilian personnel benefits that could have been put to better use⁵ for the pay periods in question was identified as \$2,011.40.

AOC Order 630-1, Absence and Leave, March 28, 2014, Section 8.2, AWOL, states, “An employee is subject to disciplinary action for AWOL.” AOC Order 752-1, Discipline, dated December 18, 2015, Appendix A, Table 1 states that “Typical Penalties for Infractions, the published penalties for the aforementioned violation are as follows: Violation of Attendance policies. First Offense is Reprimand; Second Offense is Suspension; Subsequent Offenses is Removal.” From January 1, 2021, through August 20, 2021, the employee was AWOL for a total of 184 hours. During that time, no formal disciplinary proceedings to address their AWOL status were initiated.

Final Management Action: The OIG substantiated that the AOC employee violated multiple AOC policies when they submitted forged medical appointment and excuse notes. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The OIG referred the criminal violations and the substantiated false statement charge under 18 U.S.C. § 1001 to the U.S. Department of Justice for prosecutorial consideration, which was subsequently declined. The OIG referred the unethical behavior of the medical practice providing the excuses to the D.C. Board of Medicine for follow-up as they deem appropriate. The case is closed, and management action is pending.

5. AOC Supervisor Suspected of Wasteful Spending for a Third Time

Suspected Violations of the AOC Standards of Conduct Policy; Government Ethics Policy: Substantiated. (2021-0019-INVI-P)

On September 16, 2021, the AOC OIG received a complaint via the AOC Hotline advising that an AOC supervisor within the AOC’s Records and Archives Management Branch had conducted mismanagement of archival records and had wasted AOC funds by shipping 114 boxes containing records from the 1980s and 1990s to the AOC’s off-site vault location. The complainant stated that the 114 boxes were previously scanned and microfilmed by an AOC archivist in 2013, and that the original documents were scheduled for destruction. However, due to the lack of funding at that time, the boxes were stored in the Rayburn House Office Building.

Further investigation revealed that the AOC supervisor held a meeting with their team of archivists on August 17, 2021, to discuss the outcome of the 114 boxes that contained building maintenance records for the Library of Congress buildings. The AOC supervisor disagreed with their employees’ recommendations to have the duplicate items destroyed and directed the records be sent to the off-site facility in September 2021.

The OIG reviewed the invoice pertaining to the total cost of the truck rental and shipment of the 114 boxes to the off-site location and determined that it cost the AOC a total of \$4,367.25. Additionally, the monthly contract that the AOC has with a vendor to shred documents is a fixed-price cost of \$185.00 per month for full-service collection and shredding of up to 2,313 pounds of documents. The estimated average weight per records box is 35 pounds, which indicates that the 114 boxes could have been destroyed in two months.

Overall, the cost of destroying the documents was less than it would cost the AOC to send the boxes off-site. Additionally, a review of Records Schedule 22: Superintendent, Library of Congress, identified that building maintenance records was not listed as a category of archival records⁶ that need to be preserved indefinitely or a heritage asset⁷ indicating they should have been destroyed. This investigation substantiated that the AOC supervisor’s decision to ship the 114 boxes to the off-site location was wasteful and did not conform to AOC policy. The sum of \$4,367.25 for removal and transportation to the off-site location is identified as questioned costs.

A review of the OIG’s Case Management Tracking System revealed that the same AOC supervisor had been the subject of two previous OIG investigations in 2019 ([AOC OIG 2019-0013-INVI-P](#)) and 2020 ([AOC OIG 2020-0003-INVI-P](#)), both pertaining to wasteful spending. The charges were substantiated in each of the previous cases

⁵ As defined in the Section 5(f)(4) of the IG Act, the term “recommendation that funds be put to better use” means a recommendation by the OIG that funds could be used more efficiently if management of an establishment took actions to implement and complete the recommendation.

and the AOC supervisor was found to have cost the AOC a total of \$3,779.95.

Final Management Action: The OIG substantiated that the AOC supervisor violated multiple AOC policies when they knowingly shipped duplicate documents to the off-site facility. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.

6. AOC Employee Displayed Their Personal Firearm to Another Employee on U.S. Capitol Grounds in 2016

Suspected Violations of the AOC Standards of Conduct Policy and Violence in the Workplace Memorandum; D.C. Code § 22-4504 – Carrying Concealed Weapons, D.C. Code § 22-4504.02 – Lawful Transportation of Firearms; and 40 U.S.C. § 5104 – Unlawful Activities: Substantiated. (2022-0001-INVI-P)

On September 4, 2021, the AOC OIG received a complaint from the USCP, alleging an employee of the Office of the Chief Engineer brandished a firearm while on U.S. Capitol Grounds. The USCP had been notified that two Office of the Chief Engineer employees were involved in a verbal argument at which time one of the employees (SUBJECT) displayed a firearm that had been kept in their vehicle.

The OIG provided contact information for the AOC employee's and the USCP conducted telephone interviews of both employees. The interviews revealed that a verbal argument took place on August 20, 2021; however, the SUBJECT did not display a firearm at the time of the argument. Both employees stated that the SUBJECT displayed the firearm sometime in 2016. Due to the time that passed since the incident, the USCP closed their investigation without presenting charges to the United States Attorney's Office and provided the information to the OIG for action deemed appropriate.

The OIG determined through testimonial evidence that since 2016, the employees had developed a strained relationship. After having let multiple negative confrontational situations build up over time, the employee approached the SUBJECT to talk on August 20, 2021, which led to a verbal argument. Their different job positions within the section had left the employee feeling they had been treated unfairly and consistently targeted by first line supervisors. During the verbal argument, the employee brought up the firearm incident from 2016, and made a remark that the SUBJECT likely still had the firearm in their vehicle. The argument ended and the two parted ways. No firearms were involved in the argument that took place on August 20, 2021. The SUBJECT then later informed their supervisor of the 2016 incident.

In an interview with the OIG, the SUBJECT admitted they brought a MAC-10,⁸ with a 20-round magazine, to U.S. Capitol Grounds in 2016 because of a planned demonstration called Day of Rage.⁹ The SUBJECT showed the firearm to the employee in their vehicle that was parked outside the Ford House Office Building because he believed they were both gun enthusiasts. The SUBJECT stated the firearm was kept under the seat of the vehicle, they did not attempt to bring it in the congressional office buildings, and it was a one-time occurrence. In the interview, the SUBJECT also stated they were aware it was illegal to possess a firearm on U.S. Capitol Grounds or in Washington, D.C. without a license. The SUBJECT resides in Virginia, did not have a concealed carry weapon permit for Virginia or Washington, D.C. at the time of the incident, and had not obtained one by the date of this report.

By their own admission, the SUBJECT knowingly and willfully violated both AOC policy and D.C. law in 2016.

Final Management Action: The OIG substantiated that the AOC employee violated multiple AOC policies when they transported and brandished a firearm on U.S. Capitol

⁶ Per Order 37-1, 12.8. Archival Records, Reference and Library, include:

- Architectural and engineering drawings
- Architectural models
- Art and reference files
- Art and reference library
- Conservation reports
- Manuscripts and textual records
- Photographs and videos

⁷ The buildings, structures, cultural landscapes, fine art, architectural fine art, decorative art, architectural decorative art, monuments, memorials, archival records, photographic records, living botanical assets, views and vistas, archeological resources, and stored art and architectural materials in the care of the AOC that have historical, architectural, artistic, cultural or educational significance. Heritage assets are generally expected to be preserved indefinitely.

⁸ The Military Armament Corporation Model 10, officially abbreviated as M10 or M-10, and more commonly known as the MAC-10, is a compact, blowback operated machine pistol/submachine gun that was developed by Gordon B. Ingram in 1964. Retrieved January 7, 2022 from <https://en.wikipedia.org/wiki/MAC-10>

⁹ Day of Rage was an attempt by hacktivist group Anonymous to participate in nationwide protests on July 15, 2016.

Grounds. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The AUSA declined prosecution based on the time that has passed since the incident. The case is closed, and management action is pending.

7. AOC Supervisor Threatened a Subordinate Employee and Misused AOC-Issued Information Technology Division (ITD) Resources to Portray Nudity

Suspected Violations of the AOC Standards of Conduct, Violence in the Workplace, AOC Information Technology (IT) Resources and De Minimis Use, Government Ethics and Absence and Leave Policies; and the AOC IT System Rules of Behavior: **Substantiated. (2022-0003-INVI-P)**

On January 21, 2022, the AOC OIG received a referral from the Office of Diversity, Inclusion and Dispute Resolution (DI/DR). DI/DR reported that during the course of a bullying and sexual harassment investigation, it was alleged that a supervisor within the Senate Office Buildings misused ITD resources and equipment and made threats to their subordinate employees.

Interviews conducted by DI/DR alleged that the supervisor had created numerous digitally edited images by adding AOC employees' pictures to images that ranged from inappropriate to sexually explicit. At least one employee stated that the supervisor kept pornographic/explicit photos and videos¹⁰ on their AOC-issued iPhone and others believed that the supervisor created them using their AOC office desktop computer. DI/DR provided the OIG with four specific images for reference; an image of a nude man superimposed with the face of an AOC employee sitting nude next to Senator Bernie Sanders, an image of the same AOC employee being driven over by a pickup truck, and two images of former President Donald Trump. It was also reported that the supervisor frequently shouted at the employees, used profanity toward them and threatened them.

The OIG determined through documentary evidence that multiple inappropriate memes and images had been sent from the supervisor's personal email address to their AOC email address. Documentary evidence also revealed that the supervisor had inappropriately used sick leave to take a family member to a legal appointment.

Digital forensic evidence obtained from the AOC desktop computer used by the supervisor revealed multiple images of females in lingerie, images of AOC employees, nude images of males and females and explicit digitally altered images within the specific AOC user account. The original photograph of the AOC employee that had been altered and used to create the images provided by the DI/DR was also obtained from the supervisor's user account. An additional digital forensic examination of the AOC iPhone issued to the supervisor revealed images of AOC employees, a photo toward an unknown residence taken through an archery scope as well as photos of political figures, including a photo of Speaker of the House Nancy Pelosi exiting the Russell Senate Office Building.

The OIG confirmed through testimonial evidence that the supervisor used AOC-owned ITD equipment to alter the images of AOC employees. They used their personal mobile phone to obtain images from the internet, emailed them to their AOC.gov email address, altered the images on the AOC desktop computer and then printed them using AOC printers. The supervisor admitted to creating the two previously noted images of their subordinate, one with the AOC employee sitting nude next to Senator Sanders and the second with the AOC employee driven over by the pickup truck. The supervisor also printed and displayed an image disparaging a subordinate Hispanic employee because the supervisor thought it was humorous. Many of the images were then displayed in the office. The supervisor stated they were unaware that the images could be found offensive and created the images to bring humor to the office.

The supervisor denied ever using AOC-owned equipment to search for sexually explicit images or to back up their personal mobile device; however, admitted to "possibly" charging their personal mobile device using the AOC desktop a few years ago. They could provide no explanation as to how the explicit photos could have transferred from their personal mobile phone to their AOC user account.¹¹

The supervisor denied frequently shouting at employees, using profanity toward them or threatening them. They later admitted to telling a subordinate employee, "I'm going to beat your ass" during a verbal disagreement that took place over the approval of overtime.

The DI/DR has an ongoing investigation into the alleged violations of the AOC Workplace Anti-Harassment Policy, which will be adjudicated separately.

¹⁰ None of the images obtained by the OIG contained individuals who appeared to be underage.

¹¹ The supervisor's personal phone is a Samsung, which can charge and transfer files via a USB cable connected to a computer.

Final Management Action: The OIG substantiated that the AOC employee violated multiple AOC policies when they altered and created images of AOC employees using AOC owned ITD equipment, displayed them in the office, transmitted inappropriate images from a personal account to their AOC email account, misused sick leave and threatened violence to a subordinate employee during a verbal disagreement. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.

CLOSED INVESTIGATIONS INVOLVING SENIOR GOVERNMENT EMPLOYEES

1. AOC Senior Manager Accused of Negotiating With Vendors and Obligating Funds in Violation of the Antideficiency Act and AOC Policy

Suspected Violations of the AOC Contracting Manual and Government Ethics Policy: Substantiated; Suspected Violations of the AOC Standards of Conduct Policy; 31 U.S.C. § 1341 - Limitations on Obligating Funds and 2 Code of Federal Regulations (CFR) § 200.320 – Methods of Procurement to be Followed: Not Substantiated. (2020-0013-INVI-P)

On August 25, 2020, the AOC OIG received a complaint from an AOC employee who wished to keep their identity confidential. The confidential source (CS) stated they were in fear of retaliation as an AOC senior manager, responsible for one of the AOC Avenues of Assistance, would seek retribution if they found out a complaint was filed with the OIG. The CS reported that on more than one occasion, the senior manager had negotiated with vendors and obligated government funds without the training or credentials to be a COR. The CS indicated that the senior manager had directed staff to complete transactions that were not in accordance with Federal Acquisition Regulations, the AOC Contracting Manual and appropriations law. The CS was concerned that the senior manager had abused their authority by placing subordinates in uncomfortable positions and described one specific contract acquired by the AOC pertaining to agencywide training.

The OIG's investigation focused solely on the allegations of violations of law and AOC policy, not the interoffice relationships or management style within the division. The CS had already brought their additional concerns to the AOC Office of General Counsel (OGC).

On October 28, 2021, in an interview with the OIG, the senior manager described that a portion of their job was to obtain and schedule training for the entire AOC

workforce. To accomplish this, they often had to reach out to vendors and gather preliminary information. In addition to obtaining the specific training course information, the senior manager also needed to ensure they did not exceed their allotted budget. It was not uncommon to request ballpark figures or estimates while conducting market research. The senior manager told agents they had never received COR training and it was common practice to ask Supplies, Services and Material Management Division (SSMMD) for advice on how to proceed with procuring training and government contracts. Emails obtained by our office between the senior manager and the specific vendor confirmed communication in reference to training proposals (including price) and authoring a sole source justification. The senior manager was unaware that communicating directly with a vendor before contract award, having not completed the COR training course, was in violation of the AOC Contracting Manual.

In their interview, the senior manager explained that they attempted to obtain specific vendors via sole source justification due to a skill set or quality they felt would translate well to the employees at the AOC. The senior manager stated there were likely hundreds of companies similar to the vendor contracted that offered the specific category of training; however, not all companies or trainers would be able to relate to the blue-collar employees of the AOC. When directly asked about their attempt to sole source the training, the senior manager told agents that they had observed previous courses taught by the vendor and the vendor was able to engage and relate to all AOC employees. During the process of attempting to obtain a sole source contract award, SSMMD advised the senior manager that the contract was not eligible for a sole source award and would have to be offered to multiple vendors before selection. At that point, the senior manager passed all information to the management and program analyst responsible for overseeing contracts within their division to handle the contract moving forward. The senior manager also explained that because they often initiated conversations and training outreach, the vendors would occasionally communicate with them directly throughout the process. Both the senior manager's testimony and email documentation confirmed they would then forward the information received directly to the COR working on the contract.

Although market research and communication with vendors is encouraged and can add significant value to contract development and award, every effort should be taken to avoid communication in violation of procurement integrity, AOC Order 34-1, Chapter I, Section 1.11.1 Due to the mere appearance of impropriety by the senior manager,



the OIG referred all ethical concerns to the OGC for their awareness and action (if any) they deem appropriate.

The investigation substantiated through testimony and review of documentation that the senior manager had never received the appropriate COR training required or letter of appointment from the Chief of SSMMD authorizing approved equivalencies or substitutions to the training requirements to negotiate contracts on behalf of the AOC. They were in violation of the AOC's Contracting Manual when they attempted to coordinate a sole source contract with the vendor. The OIG did not however, find any evidence of standards of conduct or criminal violations associated with the senior manager.

Final Management Action: The OIG substantiated that the AOC senior manager violated AOC policy when they communicated directly with the vendor throughout the acquisition process without the proper authority or training required of a COR. The administrative violations were submitted to the jurisdiction head for action deemed appropriate, if any. The OIG referred all ethical concerns or violations to the OGC for their awareness and action deemed appropriate, if any. The case is closed, and management action is pending.

ACTION RESULTING FROM INVESTIGATIONS REPORTED IN PREVIOUS SARS

1. AOC Employee Continued to Violate Standards of Conduct, ITD Property and Rules of Behavior and Lied About Losing Four iPhones After Returning From 15 Days Suspension

Suspected Violations of the AOC Standards of Conduct, Accountability IT Property and Authority and Responsibilities of the OIG and Cooperation of AOC Employees Policies; the Personal Property Manual, the Information Technology Division Rules of Behavior; and 18 U.S.C. § 1001 – Statements or Entries Generally: Substantiated. (2021-0004-INVI-P (1st Supplemental)

On March 1, 2021, the AOC OIG, published a report (AOC OIG 2021- 0004-INVI-P) citing Mr. Everett Witcher (former WG-04), Senate Office Buildings with violations of AOC Order 752-2, Standards of Conduct, April 25, 2014; AOC Order 8-5, AOC IT Resources and De Minimis Use, February 20, 2018 and the AOC Information Technology Division (ITD) Rules of Behavior. Witcher engaged in conduct that brought discredit upon the agency, the Congress and the federal government when he used his AOC-issued email and mobile device to

transmit sexually explicit material. In addition, he engaged in criminal activity on multiple occasions, failed to disclose multiple arrests to his supervisor and did not appear for scheduled court dates. Witcher received a 15-workday suspension for his conduct, with the understanding that he would be subject to termination for any future misconduct until July 19, 2022.

In June of 2021, the ITD requested assistance from our office because Witcher (who had a history of requesting replacement iPhones) submitted a request for a replacement iPhone. The iPhone he claimed to have lost was the same iPhone he told his supervisor he lost approximately four months earlier during our initial investigation.

Documentary evidence obtained for this supplemental investigation confirmed that the AOC iPhone issued to Witcher was used for a total of 1,231 incoming and outgoing voice calls from January 21, 2021, through May 31, 2021, the period after he told his supervisor the iPhone was missing. Additionally, call records confirmed there were multiple calls to Witcher's significant other and sibling. In addition to the voice calls, the AOC iPhone was used to send and receive 8,938 text, picture and video messages from the time he reported it missing until May 31, 2021.

In an interview with the OIG, Witcher consistently denied knowing the location of the AOC iPhone or using it to call his significant other or sibling after reporting it missing. Witcher admitted to damaging multiple AOC-issued iPhones in the past as well as providing family and friends the passwords to his AOC-issued iPhones.

This supplemental investigation revealed that Witcher has been issued, at a minimum, four AOC iPhones since 2019, totaling approximately \$2,800.00.

Additionally, since the distribution of AOC OIG 2021-0004-INVI-P, Witcher was arrested in Berkeley, West Virginia, for domestic battery and obstruction of a law enforcement officer.

Final Management Action: The OIG substantiated that Witcher again violated AOC policies by being untruthful to both his supervisor and the OIG, not disclosing an additional arrest to his supervisor, not properly safeguarding his AOC-issued iPhones and passwords or taking seriously his obligation to care for and handle government-furnished property responsibly. The AUSA declined prosecution on October 28, 2021. Witcher's employment was terminated effective December 15, 2021.

2. AOC Employee Secretly Works Second Job While Utilizing AOC Workplace and Leave Flexibilities Afforded to Employees as a Result of the COVID-19 Pandemic

Suspected Violations of the AOC Government Ethics, Standards of Conduct, Absence and Leave Policies and 31 U.S.C. § 3729 – False Claims: **Substantiated**. (2021-0006-INVI-P)

On November 6, 2020, the OIG received a complaint from an AOC supervisor regarding a personnel matter. The supervisor alleged a subordinate employee, Ms. Kenya Lee, WG-04, Custodial Worker, Night Cleaning, Russell Senate Office Buildings also worked another job while using AOC workplace and leave flexibilities afforded to employees due to the COVID-19 pandemic. Lee began employment with the AOC on July 20, 2020 and had not physically reported to work due to childcare issues since September 22, 2020. The supervisor suspected that Lee worked for a local distribution warehouse during the period she used the AOC workplace and leave flexibilities, which authorized her to receive her regular income.

During the COVID-19 pandemic, the AOC Chief Administrative Officer published a memorandum dated October 6, 2020, clarifying expectations of agency employees while on administrative leave. The memorandum stated in part, “Per AOC Order 630-1, administrative leave is an excused (administratively authorized) absence from duty without loss of pay and without charge to leave.” The memorandum directed those employees on administrative leave must be available and able to work on short notice. AOC leadership defined an employee as “available” when, “during his or her normal tour of duty, he or she is communicating regularly with and responding promptly to AOC colleagues and supervisors, participating in telework activities as directed by management, and able to return to work in two to three hours, regardless of jurisdictional operating status.” In December 2020, the OIG in consultation with the OGC, determined there was nothing specific in AOC policy prohibiting AOC employees from working another job (or engaging in other personal activities) while on administrative leave, so long as they were responsive and available to be called back to the AOC on short notice as needed during regular work hours.

The OIG determined through testimonial and documentary evidence that AOC management allowed Lee to take supplemental administrative leave in conjunction with her flexible schedule (one-week on, one-week off) to care for

her child whose school was closed for COVID-19-related reasons. AOC management provided additional guidance that effective October 30, 2020, supplemental administrative leave would be discontinued, and AOC employees would need to apply for the Families First Coronavirus Response Act (FFCRA)¹² to continue paid leave. The FFCRA provides paid sick leave or expanded family and medical leave for specified reasons related to COVID-19 that includes, in part, care of a child whose school is closed due to the pandemic. Thus, agencies no longer had to expense the cost for COVID-19-related expanded leave flexibilities. Lee was informed of this policy change and asked to submit a FFCRA application. On October 27, 2020, Lee prepared and submitted a FFCRA self-certification, citing the need to care for a minor child whose school had closed as a result of the pandemic. On November 4, 2020, AOC management approved Lee’s FFCRA request with guidance that she could take up to 480 hours (12 weeks) of FFCRA administrative leave that expired on December 31, 2020. The OIG confirmed that Lee was also employed by a local distribution warehouse from July 19 through December 26, 2020 and worked at a local distribution warehouse on days when she received supplemental and FFCRA leave, counter to her claim of needing these leave flexibilities to care for a minor out of school due to COVID-19.

Although AOC policy did not prohibit employees from working another job (or engaging in other personal activities) while on FFCRA leave, the investigation also determined that Lee did not complete a Notice of Outside Employment or Self-Employment Form with the AOC, as required by AOC Order 38-1, Government Ethics (November 1, 2018). On April 21, 2021, during her interview with the OIG, Lee admitted to working at a local distribution warehouse while on FFCRA administrative leave.

The AOC continues to have the authority and discretion to grant administrative leave; however, the current policies set forth as a result of COVID-19 were silent regarding outside employment. The policy gap identified increases the AOC’s risk exposure to fraud. As a result, AOC employees have been able to “double dip” by working for an outside employer during the time granted under administrative leave. The OIG feels strongly the employee’s actions are tantamount to payroll fraud whereby an employee has claimed a need that prevents them from performing their AOC duties and in turn receives compensation under FFCRA administrative leave. Meanwhile Lee, who claimed she could not perform her AOC duties, performed comparable work at another employer for additional compensation.

¹² Congress passed FFCRA in response to the growing COVID-19 pandemic. The president signed it into law on March 18, 2020, and it became effective on April 1, 2020. Retrieved from <https://www.abetterbalance.org/resources/federal-coronavirus-proposal-the-families-first-coronavirus-response-act-h-r-6201>

Lee defrauded the AOC out of \$20,197.16 in salary and benefits.

Final Management Action: The OIG substantiated that Lee violated AOC policy when she failed to obtain advance permission for outside employment from her Agency Designee and claimed a need that prevented her from performing her AOC duties and in turn received compensation under FFRCA administrative leave. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. Where applicable and allowable, the OIG suggests the AOC attempt to recoup identified funds put to better use. This investigation and other cases involving administrative leave were collectively presented to the AUSA for potential prosecution. The report of investigation was transmitted to the superintendent on August 10, 2021. No administrative action was taken against Lee because she had already resigned from her position with the AOC effective July 28, 2021. The AUSA declined prosecution on October 28, 2021.

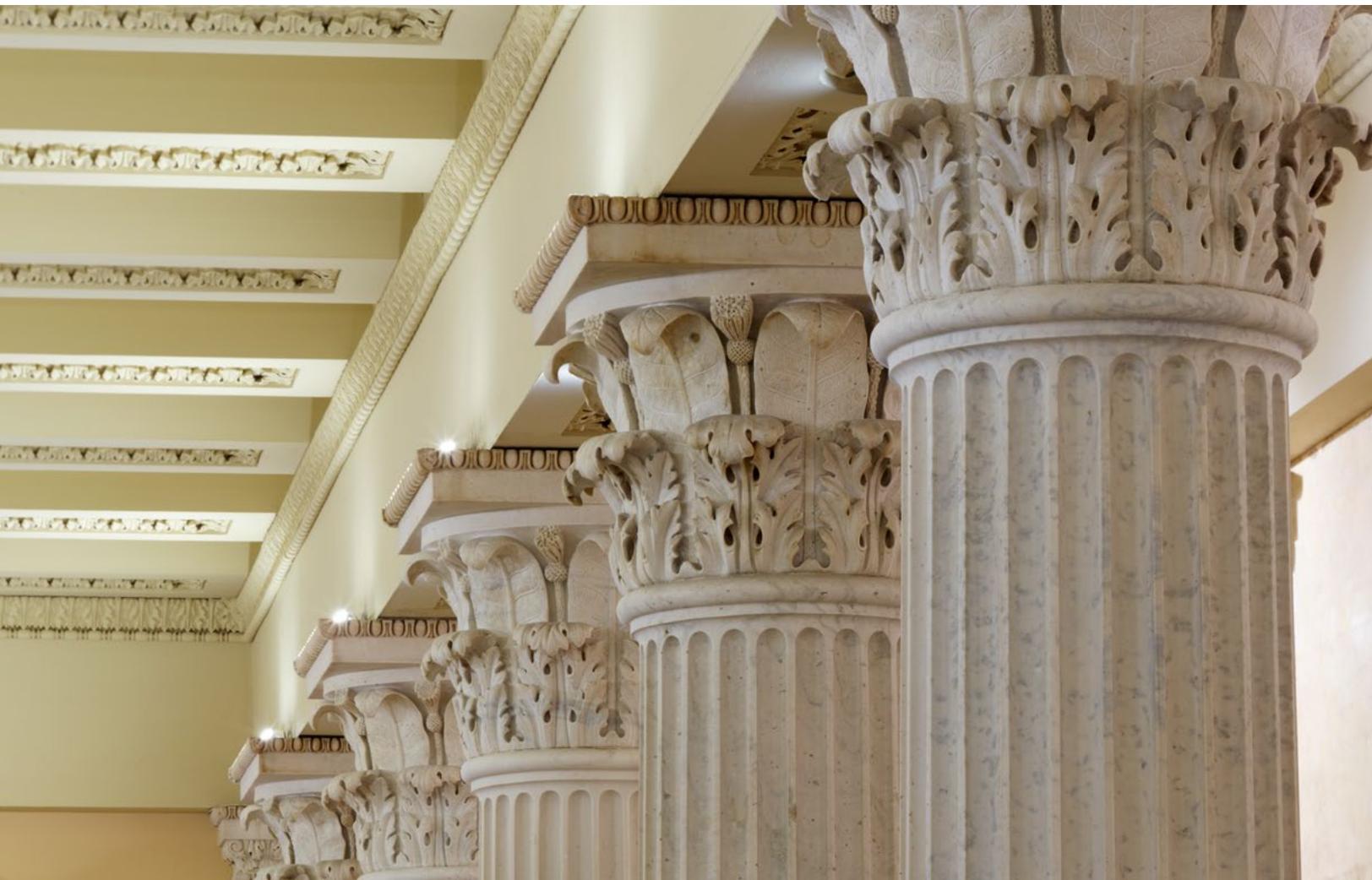
3. While On Paid Administrative Leave (Coronavirus Prevention and or Remediation) from the AOC, CVC Employee Moved to Spokane, Washington and Worked Remotely for an

Insurance Company, While Simultaneously Collecting Pay and Benefits From the AOC

Suspected Violations of the AOC Government Ethics (Section H – Political Activities) Policy: Not Substantiated; Government Ethics (Section I – Outside and Post – Government Employment): Substantiated; Standards of Conduct, Authority and Responsibilities of the OIG and Cooperation of AOC Employees Policies, Administrative Leave Uses and Update on the Administration of Leave During COVID-19 and 18 U.S.C. § 1343 – Fraud by Wire, Radio or Television: Substantiated. (2021-0008-INVI-P)

On February 5, 2021, the OIG, received a complaint from the U.S. Capitol Visitor Center jurisdiction regarding Ms. Blakely LeMasters, (former GS-05) abusing the COVID-19 pandemic administrative leave and working outside employment without prior approval.

LeMasters became an AOC employee on September 3, 2019. On March 13, 2020, the AOC jurisdiction closed to the public due to the COVID-19 pandemic. LeMasters worked in a nontelework-eligible position and she along with her colleagues were placed on administrative leave



due to these positions requiring direct interaction with the public. While on administrative leave, LeMasters was expected to be available, to stay in communication with her manager and to complete required telework activities and training.

The agency defined “available” in a memorandum issued on October 6, 2020, as “[an employee is available] when, during his or her normal tour of duty, he or she is communicating regularly with and responding promptly to AOC colleagues and supervisors, participating in telework activities as directed by management, and able to return to work in two to three hours, regardless of jurisdictional operating status.” The memorandum also provided the following example, “if an employee needs to leave the Washington, D.C., metropolitan area, undergo a medical procedure or attend a medical appointment, then they are required to submit the appropriate leave request (e.g., annual or sick leave) to their supervisor for approval as they will not be able to return to work in two to three hours or will not be able to participate in telework activities as directed by management.”

The jurisdiction administrative officer (AO) requested the OIG’s assistance as LeMasters had union representation and would not cooperate with jurisdiction management (who was in consultation with the HCMD and the OGC). The AO and LeMasters’ supervisor did not want to request anything from LeMasters that they had not requested from other AOC employees who were all union employees and only required to report to work voluntarily.

The AO conducted an internet search and found LeMasters on LinkedIn. LeMasters listed her current employer as an insurance company and her job title as the director of Group Benefits. The AO stated LeMasters had not declared outside employment, nor did she have an approved notice of outside employment on file in accordance with AOC Order 38-1 Government Ethics.

LeMasters’ supervisor identified several social media posts of LeMasters and her husband who was running for City Council in Spokane, Washington. Blakely LeMasters was featured in some of her husband’s campaign photos and social media posts. The AO was concerned that LeMasters participated in political activities while on paid administrative leave and possibly committed a violation of AOC Order 38-1, Government Ethics.

The OIG investigation disclosed that LeMasters’ supervisor contacted the AO to inform them that LeMasters was purchasing a home and that the mortgage company needed employment verification. During the loan application process, LeMasters notified the AO and her supervisor that

she had been in Spokane, Washington, from January 9-29, 2021, without being on approved leave in violation of AOC Order 630-1, 18-2 (Administrative Leave Uses), March 28, 2014, and Update on the Administration of Leave during COVID-19, October 6, 2020.

The AO then received an email on Friday, January 22, 2021, from the loan company and verified LeMasters employment with the AOC. On Monday, January 25, 2021, the AO received a follow-up email from the loan company regional manager asking how a visitor assistant was able to work remotely and to confirm that LeMasters’ salary would not change with her change in location from Washington, D.C. to Spokane, Washington.

When LeMasters’ supervisor questioned her in a follow-up conversation via Skype on January 27, 2021, she stated she was four hours away and was not clear when she would return. LeMasters’ supervisor then allowed her to submit an unscheduled annual leave request for January 9-29, 2021, the time she was out of the area, which was then approved. In follow-on conversations, LeMasters would only answer her supervisor stating that she was “available” for work and “her location was personal information” and that she would “prefer not to disclose that information” in violation of AOC Order 752-2, Standards of Conduct. LeMasters eventually stopped communicating with her supervisor and the AO. LeMasters’ supervisor and the AO never directed her to report to work and continued to process and certify her time within the AOC’s web-based T&A application (WebTA).

The OIG conducted a Google search on LeMasters, which identified her as the director of Group Benefits at the same insurance company noted earlier on LinkedIn. On May 10, 2021, the OIG interviewed LeMasters’ insurance company supervisor, who confirmed that LeMasters had been employed with them since October 21, 2020. After notifying LeMasters’ supervisor from the insurance company that LeMasters was also employed by the AOC until March 23, 2021, they stated she led them to believe that the AOC was her former employer when she was hired.

LeMasters had been teleworking with the insurance company since October 21, 2020, when she started. Her normal duty hours were 9 a.m.-5 p.m. with the insurance company while in Washington, D.C. (Eastern time zone) and 11 a.m.-7 p.m. (Pacific time zone) to account for the time difference from the east coast to west coast after she moved to Spokane, Washington.

The OIG searched LexisNexis/Accurint for LeMasters. The search revealed that LeMasters resided at/and or was responsible for the utilities in Alexandria, Virginia 22314-

5523, Alexandria City, from April 23, 2020, through February 2021.

The search also identified that from February 10, 2021 (connect date) LeMasters resided at/and or was responsible for the utilities in Spokane, Washington 99223-3606, Spokane County (her current residence).

In March 2021, the OIG sent two emails to LeMasters in an attempt to schedule her interview regarding the complaint. LeMasters did not respond to the OIG's repeated attempts in violation of AOC Order 40-1, Authority and Responsibilities of the Office of Inspector General and Cooperation of AOC Employees. On March 23, 2021, LeMasters contacted her AOC supervisor via email resigning from her position with the AOC citing being "increasingly harassed by management which has caused psychological stress." She stated that she had maintained an Alexandria, Virginia address and decided to permanently relocate to spend more time with her husband in Spokane, Washington.

On April 27, 2021, an open-source search was conducted on LeMasters' husband. He was identified as one of two candidates running for a seat on the Spokane City Council District 2, which included East Central, the South Hill and downtown Spokane. He was running against the incumbent city councilperson.

Agent's Comment: On January 25, 2021, LeMasters' AOC supervisor requested she retroactively submit leave for the dates she had been out of the area. LeMasters' AOC supervisor approved her unscheduled leave request from January 9-29, 2021. Throughout this incident, jurisdiction leadership never formally requested LeMasters return to work. They maintained oversight of their employees with one mandatory meeting every two to three months and used voluntary team meetings every two to three weeks. While the accusation against LeMasters is egregious in nature, the lack of oversight and communication by the jurisdiction's management to their employees during the COVID-19 pandemic allowed the policy to be misunderstood or possibly exploited. LeMasters stated via text message to her AOC supervisor on January 25, 2021, that she was unaware of the October 6, 2020, memorandum and apologized for the confusion. She was then approved for unscheduled annual leave for the time she was out of the area visiting her husband in Spokane. LeMasters continued to be paid from January 31, 2021, through March 23, 2021, even though LeMasters would not verify whether she was in the Washington, D.C., or commutable surrounding location as her nontelework position required, or Spokane, Washington.

LeMasters refused to respond to the OIG's request for interviews and resigned from the AOC on March 23, 2021. Due to LeMasters' resignation, the OIG, under its authority, was unable to interview her or determine her exact location, motivation or actions during the period in question. Since supervisors allowed LeMasters to change her timesheet to unscheduled leave, the OIG was not able to determine if there was confusion about the administrative leave policy. However, based on LeMasters' employment with both the AOC and the insurance company from October 21, 2020, through March 23, 2021, we identified intentional T&A fraud by concurrently representing both organizations in violation of 18 U.S.C. § 1343, Fraud by Wire, Radio, or Television.

LeMasters, as well as other AOC employees, were placed on Corona Virus Prevention and or Remediation (11ZZCOVID19) for pay purposes in WebTA. This temporary pay assignment allowed LeMasters paid administrative leave on the condition that she be available to return to full duty in Washington, D.C., in accordance with AOC policy. LeMasters instead moved to Spokane, Washington, and worked remotely for the insurance company, while simultaneously collecting pay and benefits from the AOC.

LeMasters defrauded the AOC out of \$20,450.40 in salary and benefits.

As of June 23, 2021, the jurisdiction employees remained on administrative leave and voluntarily participate in work-related projects and teams. LeMasters was never asked to return to work before her resignation.

Final Management Action: Although the allegations were substantiated, LeMasters is no longer an AOC employee based on her resignation, therefore the case is closed. Where applicable and allowable, the OIG suggests the AOC attempt to recoup identified funds put to better use. This investigation and other cases involving administrative leave were collectively presented to the AUSA for potential prosecution, which was declined on October 28, 2021.

4. An AOC Employee Held Outside Employment While Simultaneously Utilizing Paid Administrative Leave From the AOC Due To Being in a High-Risk Category for Contracting COVID-19

Suspected Violations of the AOC Government Ethics Policy: Substantiated; Violation of the AOC Standards of Conduct Policy: Not Substantiated. (2021-0009-INVI-P)



On February 11, 2021, the OIG received information that an employee held outside employment while simultaneously using paid administrative leave from the AOC due to being in a high-risk category for contracting COVID-19.

During the COVID-19 pandemic, the AOC has placed employees who were potentially affected by the pandemic into one administrative leave category. For example, when telework or other work arrangements could not be made, or their work areas were closed, and they were not needed (such as U.S. Capitol Visitor Center tour guides) they were placed on administrative leave by AOC management. Additionally, there is a large group of employees over the age of 65 or with underlying health issues (making them more at risk from COVID-19) who applied for (with proof from a doctor) this special accommodation to protect them from exposure while working at the AOC.

The Chief Administrative Officer for the AOC published a memorandum dated October 6, 2020, clarifying expectations of agency employees while on administrative leave. The memorandum stated in part, “Per AOC Order 630-1, administrative leave is an excused (administratively authorized) absence from duty without loss of pay and without charge to leave.” The memorandum directed those employees on administrative leave “must be available and able to work on short notice.” AOC leadership defined an employee as “available” when, during his or her normal tour of duty, he or she is communicating regularly with and responding promptly to AOC colleagues and supervisors, participating in telework activities as directed by management, and able to return to work in two to three hours, regardless of jurisdictional operating status. In December 2020, the OIG in consultation with the OGC, determined there was nothing specific in AOC policy prohibiting AOC employees from working another job (or engaging in other personal activities) while on administrative leave, so long as they were responsive and available to be called back to AOC work on short notice as needed during regular work hours, they received prior approval and the position did not conflict with official duties and responsibilities.

The OIG determined through testimonial and documentary evidence that the employee was provided a special accommodation of administrative leave from March 26, 2020, through December 6, 2020, by AOC management due to a pre-existing medical condition. The employee did not initially seek out the special accommodation provided to them, and the OIG found no evidence that the employee intended to defraud the AOC by obtaining outside employment after requesting a special accommodation from the AOC. In a memorandum dated November 16, 2020, the

DI/DR office denied the employee additional administrative leave following the request for all AOC employees to submit medical documentation and a COVID-19 High-Risk Identification Form.

Upon receipt of the denial memorandum, the employee was placed back in the work rotation and permitted to use their own leave during their scheduled work rotations.

The investigation determined that the employee was also employed at a large grocery chain with locations throughout the District of Columbia, Maryland and Virginia. The employee was forthcoming during an interview with the OIG and admitted they had outside employment but were unaware of the policy. The employee filed the proper paperwork upon their immediate return to work.

The investigation disclosed that the employee violated AOC Order 38-1 Government Ethics, November 1, 2018, Section I - Outside and Post-Government Employment, 39. Outside Employment: 39.3 by not obtaining advance permission from their Agency Designee in writing or by email using a Notice of Outside Employment or Self-Employment Form.

Final Management Action: The OIG substantiated that the AOC employee violated AOC policy when they failed to obtain advance permission for outside employment from their Agency Designee. The administrative violation was submitted to the jurisdiction for consideration. On October 27, 2021, the employee received an official letter of counseling. The case is closed.

OTHER WORK

1. Flash Report Series – U.S. Capitol Building Window Installation, Preservation and Repair: Before and After January 6, 2021 (2022-0003-IE-P)

On December 20, 2021, the OIG initiated a review of the installation, preservation and repair to the U.S. Capitol Building windows before and after the events at the U.S. Capitol on January 6, 2021. This Flash Report was an independent inquiry as part of the Joint Oversight Project (2021-OIG-JT-001) announced on January 14, 2021.

The OIG issued a final report to the AOC on March 8, 2022. Our review found that while all windows damaged on January 6, 2021, have been repaired, there are further enhancements and repairs needed for U.S. Capitol windows. Additionally, we found that the multi-year funds from the security supplemental to further address security enhancements at the U.S. Capitol have not yet been fully executed but are expected to be so before they expire in September 2023.

Our report included three findings and two recommendations. The agency provided redaction recommendations but did not provide proposed corrective actions at the time of this report.

2. Pandemic Response Accountability: Architect of the Capitol Use of Enhanced Paid Leave Authorities

In June of 2020, the AOC OIG received a complaint alleging that employees who self-certified their eligibility

for COVID-19-related administrative leave based upon age or Centers for Disease Control and Prevention-identified medical conditions were also working outside employment, thus receiving dual compensation. The complaint outlined a lack of oversight into the execution of the administrative leave process and a lack of requirements for the submission of medical documentation from employees claiming to have underlying conditions. The AOC OIG later received additional, similar and corroborating complaints regarding misuse of COVID-19-related leave and inconsistencies in leave administration amongst the various AOC jurisdictions. The OIG conducted a review of the agency's reporting of T&A via WebTA, relevant policies and pandemic legislation to assess the extent to which AOC employees used and potentially abused congressionally authorized paid leave entitlements.

The OIG issued a final report to the AOC on March 15, 2022. Our review identified multiple instances of fraudulent behavior and significant potential for abuse. While we ultimately determined that payroll systems were properly configured to account for the various paid leave entitlements authorized, altogether the AOC authorized 105,000 hours of administrative leave (\$3.6 million) to employees who might not otherwise be eligible if the agency had implemented documentation standards for high-risk status at the start of the pandemic.

Our report contained no recommendations.

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 that may or may not require AOC concurrence.

We issued three management advisories to the AOC during the reporting period:

- (1) Inconsistent Application of COVID-19 Workplace Leave and Flexibilities and AOC Policy at the SCBG (2021-0001-INVM-P)
- (2) Application of AOC Time and Attendance Policies and Procedures Regarding the House Office Buildings, Night Laborers (Recyclers) Shifts (2022-0001-INVM-P)
- (3) Safety at Capitol Visitor Center (2022-0002-INVM-P)



NOTICES OF CONCERN

A Notice of Concern reports on specific AOC safety or security issues observed during the course of OIG work and is provided to AOC management for any 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 4-1	Issuing Policy and Procedural Guidance	This order outlines the framework for creating and disseminating AOC policy, which includes: AOC orders, policy memoranda and standard operating procedures, or other types of policy that may be necessary. This order supersedes Order 4-1, dated November 22, 2013, and Order 4-2, dated May 8, 2015. This revised Order 4-1 includes updates to the policy process, incorporates Order 4-2 Documenting Procedures into one unified advisory document and establishes procedures similar to those for issuing policy publications from the AOC. This updated order makes changes to exceptions, provides useful Policy and Special Programs Division templates and removes the AOC Policy Request Form.
Order 4-3	Snow and Ice Removal	This policy assigns roles and responsibilities to ensure public safety, worker safety and continuity of congressional and Supreme Court operations when snow and ice removal is required. This policy provides that the AOC will effectively plan for and remove snow and ice in a safe, effective and efficient manner to support the needs of the U.S. Congress and the Supreme Court. It supersedes the prior January 22, 2021, order. Changes include updates to organizational responsibilities.

TABLE B: Review of AOC Legislation and Policies Continued

Document	Title	Description
Order 8-3	Information Technology Investment Program	This order applies to members of the AOC Information Technology Investment Program (ITIP) in requesting, funding, monitoring and overseeing IT business case expenditures. This order supersedes Order 8-3, AOC IT Governance Charter dated February 14, 2019, and the memorandum titled Information Technology Projects 'Buy a Priority' procedure dated October 23, 2009. This revised order changes the name of the program, titles and division names of the members in the IT Council (ITC) in accordance with the AOC reorganization. This policy outlines the updated process to include Integrated Project Teams and removes the role of the ITC Working Group. These updates provide a streamlined and efficient process to better support the AOC Strategic Plan.
Order 10-1	Confined Space	This order establishes the requirements for protecting AOC employees from the hazards of work in all confined spaces. Though not legally applicable to the AOC, confined space safety regulations, statutes and laws cited in this policy are herein adopted as best business practices. It includes updated citations due to regulatory and standard additions and updates. This new policy incorporates the May 4, 2015, changes to the Confined Spaces in Construction standard (29 CFR § 1926 Subpart AA), as well as internal policy changes, rescue procedures, and forms. The policy also includes information from consensus standards American National Standard Institute/American Society of Safety Professionals Z117.1 (2016) Safety Requirements for Confined Spaces, and National Fire Protection Association 350 (2019) Guide for Safe Confined Space Entry and Work, respectively, to broaden requirements for personnel, training and operations.
Order 10-1	Control of Hazardous Energy	This policy applies to all AOC-managed facilities located on Capitol Hill and at satellite locations in the District of Columbia, Maryland and Virginia where there is possibility of injury due to unexpected start-up or release of stored energy during maintenance of or service work on equipment or machinery. This policy summarizes requirements to prevent injury or death from unexpected start-up or release of stored energy during maintenance of or service work on equipment or machinery at AOC. This policy also describes duties and responsibilities of employees with respect to the control of hazardous energy regulations that apply to the AOC. The policy supersedes prior volumes of the AOC Safety Manual 10-1.
Order 10-1	Hazard Communications	This policy establishes procedures of the updated Occupational Safety and Health Administration Hazard Communication Standard (2012) and aligns with the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS Revision 4, 2011). This policy is intended to equip supervisors with the tools needed to properly communicate chemical hazards to affected employees. To ensure chemical safety in the workplace, information about the identities and hazards of the chemicals must be available and understandable to workers. This policy supersedes the following volumes in AOC Safety Manual 10-1 Volume I – Policy, Policy G, Hazard Communication and Chemical Safety, dated May 2011.

TABLE B: Review of AOC Legislation and Policies Continued

Document	Title	Description
Order 10-1	Respiratory Protection	This policy describes duties and responsibilities of respiratory protection requirements for AOC employees and summarizes the components of a respiratory program and the elements required for respiratory protection. It supersedes AOC Safety Manual, Volume I, Policy F, Chapter F.5 Respiratory Protection, dated May 2011; Volume II – Technical Guidance, Chapter F, dated May 2011; Volume III – Standard Operating Procedures [SOPs], Chapter F, dated May 2011; Volume IV – Audits, Chapter F, dated May 2011.
Order 30-2	Construction Project and Program Funding	This is a new order that outlines the funding sources available for AOC construction projects and construction project phases.
Order 32-5	Accounting for Capital Assets	This order establishes financial management policy concerning the capitalization of real property, acquisitions, betterments and improvements, equipment and vehicles, assets under capital leases, internal use software (intellectual property), disposals, stewardship assets and deferred maintenance and repairs. This order supersedes AOC Order 32-5, dated October 1, 2010.
Order 32-11	Investments	This order establishes the policy for the AOC to invest congressionally authorized funds. It supersedes AOC Order 32-11, dated May 3, 2011. The major revisions made effective with this revised order include a clarification of the recommended investment threshold amounts and their term of investment with the U.S. Department of the Treasury's (Treasury) Bureau of the Fiscal Service. In addition, the revised order clarifies the accounting principles and standards for recording and valuing investments and identifies the complementary program controls.
Order 34-1	Contracting Manual	This revised Contracting Manual (CM) is issued to provide ongoing and current policy and procedures for the acquisition of supplies, services, and construction, and provides guidance to staff applying those policies and procedures. New definitions were added. Certain sections were revised consistent with recent changes to federal acquisition rules. Certain sections were revised to clarify application of the guidance or acquisition rule. Certain sections were revised to allow the AOC to incorporate some best practices consistent with the Federal Acquisition Regulation and some acquisition publications were rescinded and had their substantive language incorporated directly into the CM itself.
Policy Memorandum 7-5	International Travel with IT Equipment	This policy memorandum articulates the notification and authorization process for foreign travel and the use of IT government-furnished equipment during official or unofficial international travel. The information contained within this policy memorandum will be found in forthcoming policy co-authored by the Office of the Chief Security Officer and ITD.

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**

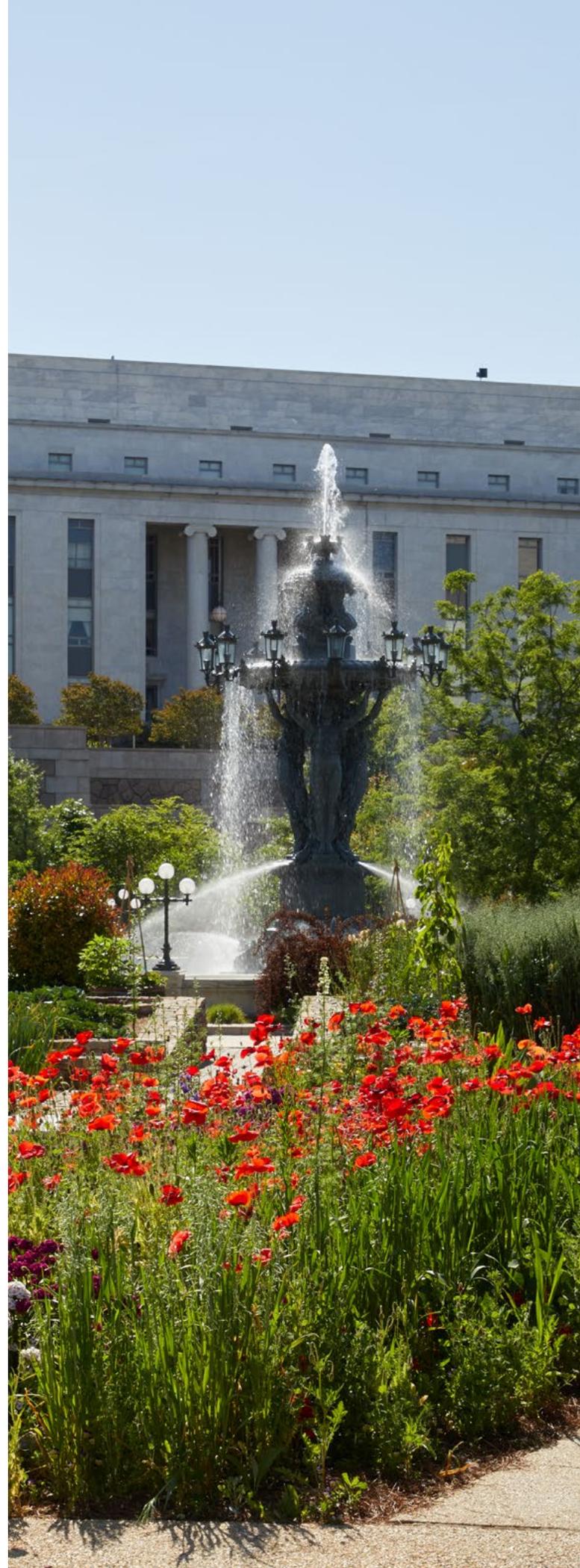
There were no reports or recommendations more than six months old for which we had not received management decisions during the reporting period. Further, there were no reports or recommendations for which management did not provide comments within 60 days.

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 and aocoig.oversight.gov.

PEER REVIEW REPORTING

AUDIT

There was no peer review activity for the Audit Division this reporting period. The last peer review for the OIG audit function was completed on September 1, 2021, by the Federal Maritime Commission OIG. The AOC OIG received a peer review rating of Pass, and there are no outstanding recommendations.

INSPECTIONS AND EVALUATIONS

There was no peer review activity for the Inspections and Evaluations Division this reporting period. The Equal Employment Opportunity Commission OIG conducted an external peer review of AOC OIG inspections and evaluations operations and issued a final report on September 23, 2021. The AOC OIG received a peer review rating of Pass, the highest rating possible, confirming that inspection and evaluation operations are performed in accordance with CIGIE Blue Book standards. There are no outstanding recommendations in the final report.

INVESTIGATIONS

There was no peer review activity for the Investigations Division this reporting period. The last peer review for the OIG investigation 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

12

REPORTS

52

RECOMMENDATIONS

\$1,239,344

FINANCIAL IMPACT

Tables C through F below reflect 52 recommendations associated with 12 reports. Of those, eight recommendations were implemented and closed; 44 remain open/unresolved.

TABLE C: Audits Unimplemented Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF FINANCIAL OFFICER			
Audit of FY 2019 Financial Statements Audit Management Letter	OIG-AUD-2020-02 December 17, 2019	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC FY 2019 Financial Statements.</p> <p>Recommendation: Ensure that Momentum® user administration guidance and procedures are updated to reflect current processes and controls, including processes for approving both new accounts and roles and modifications to existing access to the system.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		2	<p>Recommendation: Require, document and maintain approvals for Momentum® access modifications in addition to original account provisioning actions.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		5	<p>Recommendation: Enforce AOC Order 30-1 requiring a review of unliquidated obligations (ULO). Consider drafting a standard operating procedure to simplify the periodic review process for the status of ULOs and to ensure appropriate contract personnel and jurisdictional account holders communicate when funds are no longer valid. The process should include the requirement to provide documentation of the review of the status of the ULO balances that lack expenditure activity for a prolonged period.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		6	<p>Recommendation: Conduct appropriate training and provide formal communication (e.g., correspondence, minutes) on a periodic basis to applicable AOC personnel (e.g., Contracting Officers, CORs) to ensure proper execution over the monitoring of ULO balances and timely de-obligations of invalid ULO balances. Training should include information on the AOC's ULO review process, specifically on how to execute a review, in addition to understanding the importance of de-obligating unneeded funds in a timely manner.</p> <p>AOC Management Decision: Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of FY 2019 Financial Statements Audit Management Letter		7	<p>Recommendation: Continue to have Chief, Acquisition of Architecture, Engineering and Construction Services Division; Chief, Acquisition of SSMMMD or their representative and the Accounting and Finance Officer work jointly to develop an automated solution.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		8	<p>Recommendation: The HCMD should review the policies and procedures related to overtime and leave and make updates if considered appropriate.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		9	<p>Recommendation: AOC managers, supervisors and timekeepers must adhere to the policies and procedures put in place for supervisors and responsible parties to properly monitor the overtime and leave of absence use in their jurisdictions.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		10	<p>Recommendation: AOC jurisdictional leaders should reinforce to their managers, supervisors, timekeepers and employees the importance of following the leave and overtime approval process by frequently communicating and meeting with personnel with responsibility to monitor overtime and leave use. Jurisdictional leaders should have situational awareness of instances where overtime and leave requests are not being approved in accordance with AOC Orders 550-1 and 630-1, respectively.</p> <p>AOC Management Decision: Concur.</p>
Audit of FY 2019 Financial Statements Audit Management Letter		11	<p>Recommendation: If overtime or leave cannot be approved in advance, document and maintain an explanation for the delay. Hard copy requests and approvals should be retained in a location that is easily available upon request or annotated in the remarks section in WebTA if overtime or leave requests are requested and approved in the system.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter	OIG-AUD-2021-02 December 14, 2020	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC FY 2020 Financial Statements.</p> <p>Recommendation: Ensure that AOC staff responsible for evaluating System and Organization Controls (SOC 1[®]) reports adequately understand the impact of controls performed by subservice organizations on the AOC's financial systems and consider whether the absence of SOC 1[®] testing of these controls requires implementation of additional Complementary User Entity Controls (CUEC).</p> <p>AOC Management Decision: Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
FY 2020 Financial Statements Audit Management Letter		2	<p>Recommendation: Determine whether the National Finance Center (NFC), Invoice Processing Platform (IPP), and subservice provider SOC 1[®] reports will be delivered in a timely manner and contain the following information required for an effective review and analysis:</p> <ul style="list-style-type: none"> a. Complete system description b. Description of controls tested and the results of those tests c. Applicable management responses d. Incorporate any applicable changes to IPP and Treasury Web Application Infrastructure (TWA) subservice providers to the AOC IPP risk assessment that impacts the accounts payable financial statement assertion for transactions through IPP <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		3	<p>Recommendation: Complete an IPP/TWAI-specific risk assessment to ensure implementation of key controls relevant to the Accounts Payable financial statement assertion (e.g., through complete and timely SOC 1[®] reports and/or internal AOC CUECs). If the AOC becomes aware that the content of IPP/TWAI-related SOC 1[®] reports will continue to be provided in an untimely manner or presented in redacted format, AOC management should implement, through its risk assessment, a process to separately identify and assess mitigating and compensating controls to its environment. Additionally, for known control deficiencies at the service and key subservice providers, the AOC should identify compensating control(s) to mitigate the risks within the AOC control environment.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		4	<p>Recommendation: Complete an NFC-specific risk assessment to ensure implementation of key controls relevant to the payroll financial statement assertion (e.g., through complete and timely SOC 1[®] reports and/or internal AOC CUECs). If the AOC becomes aware that the content of NFC-related SOC 1[®] reports will continue to be provided in an untimely manner, AOC management should implement, through its risk assessment, a process to separately identify and assess mitigating and compensating controls to its environment. Additionally, for known control deficiencies at the service and key subservice providers, the AOC should identify compensating control(s) to mitigate the risks within the AOC control environment.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		5	<p>Recommendation: Update AOC patching guidance by setting specific timelines for implementation related to high-risk patches.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		6	<p>Recommendation: Prioritize application of specific patches based on the security impacts, versus the functional impacts of the patch application.</p> <p>AOC Management Decision: Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
FY 2020 Financial Statements Audit Management Letter		7	<p>Recommendation: Implement critical security patches within prescribed timelines, remediate vulnerabilities through configuring the software (e.g., turning off or limiting access to ports or services), or obtain and document the open vulnerabilities in a plan of action and milestones.</p> <p>AOC Management Decision: Concur.</p>
Audit of the AOC's Unliquidated Obligations	OIG-AUD-2021-06 September 29, 2021	1	<p>Report Summary: The OIG performed an audit of the AOC's ULOs.</p> <p>Recommendation: The AOC review and properly closeout the following dormant ULOs:</p> <ul style="list-style-type: none"> • 68 invalid ULOs valued at \$479,907.61 • Nine unsupported, questioned ULOs valued at \$90,109.58 • Nine valid ULOs valued at \$8,230 that have not received a final invoice • 231 ULOs with balances less than \$50 <p>Funds put to better use: \$479,907.61 and questioned costs: \$90,109.58</p> <p>AOC Management Decision: Concur.</p>
Audit of the AOC's Unliquidated Obligations		2	<p>Recommendation: The AOC ensure supporting documentation for ULOs is maintained and readily available.</p> <p>AOC Management Decision: Concur.</p>
Audit of the AOC's Unliquidated Obligations		3	<p>Recommendation: The AOC finalize the new Quarterly Financial Review SharePoint application and ensure this new application addresses the current and prior year audit findings; and revise the AOC's policies and procedures to align with the new application.</p> <p>AOC Management Decision: Concur.</p>
ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF SECURITY OFFICER			
Flash Report Series – Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings	OIG-AUD-2021-03 May 5, 2021	1	<p>Report Summary: The OIG performed an independent assessment of the AOC's role in securing the Capitol campus during large public gatherings.</p> <p>Recommendation: The AOC coordinate with legislative stakeholders to draft legislation that would incorporate the following:</p> <ul style="list-style-type: none"> • Add the Office of the Chief Security Officer to an advisory or consultative role to assist in the plans and execution of securing the Capitol campus for large public gatherings. • Require communication, coordination and collaboration between the AOC, Capitol Police Board and the USCP. <p>AOC Management Decision: Concur.</p>
Flash Report Series – Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gathering		2	<p>Recommendation: The AOC Office of the Chief Security Officer coordinate with USCP to draft a memorandum of agreement to support the roles, responsibilities and services required for preparation and execution of the perimeter security plans for large public events.</p> <p>AOC Management Decision: Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Flash Report Series – Independent Assessment of the AOC’s Role in Securing the Capitol Campus for Large Public Gathering		3	<p>Recommendation: The AOC Office of the Chief Security Officer establish well-defined policies and procedures with a preparation checklist for jurisdictions based on the severity of threat that provides clear guidance on execution of support activities related to coordination, mobilization, demobilization, asset protection and reporting of activities associated with special events across the Capitol campus.</p> <p>AOC Management Decision: Concur.</p>
Flash Report Series – Independent Assessment of the AOC’s Role in Securing the Capitol Campus for Large Public Gathering		4	<p>Recommendation: The AOC coordinate with the Capitol Police Board and legislative stakeholders to evaluate the overall focus on Capitol campus security, and reevaluate the responsibilities for design, installation and maintenance of the Capitol campus security systems and determine who should execute those responsibilities.</p> <p>AOC Management Decision: Concur.</p>
Flash Report Series – Independent Assessment of the AOC’s Role in Securing the Capitol Campus for Large Public Gathering		5	<p>Recommendation: The AOC Office of the Chief Security Officer hold a security briefing with AOC senior leadership for each event, which highlights the security threats and risks identified during their monitoring and received from coordinating agencies along with the AOC’s approach to manage such risks and instructions for jurisdictions to execute the developed preparation checklist.</p> <p>AOC Management Decision: Concur.</p>
Flash Report Series – Independent Assessment of the AOC’s Role in Securing the Capitol Campus for Large Public Gathering		6	<p>Recommendation: The AOC inform the USCP of the deferred security maintenance work elements before large public gatherings and events on the Capitol campus.</p> <p>AOC Management Decision: Concur.</p>

ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF ENGINEER

Audit of CHOBBr Project’s Reimbursable Costs	OIG-AUD-2021-04 June 8, 2021	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the CHOBBr Project’s contract reimbursable costs.</p> <p>Recommendation: The CHOBBr Project team strengthen the review process for small-dollar reimbursable cost transactions to help ensure that the CMC does not include, and the CHOBBr Project team does not approve, unallowable costs in the pay applications.</p> <p>AOC Management Decision: Concur.</p> <p>The CHOBBr Project team will: review labor positions, rates and hours to confirm calculations; review consultant invoices and allocation documentation for proper calculations, reasonableness and allowability; confirm costs are allowable per contract requirements; and monitor reimbursable cost billings against the awarded contract value per line item.</p> <p>OIG Response: This remains open until confirmed.</p>
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TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of CHOBBr Project's Reimbursable Costs		2	<p>Recommendation: To the extent legally and administratively possible, the CHOBBr Project team recover the \$54,246 of unallowable costs reimbursed and, if applicable, any additional unallowable amounts resulting from the application of items such as overhead and fees to the unallowable costs.</p> <p>AOC Management Decision: Concur. The AOC obtained a credit of \$21,490 for unallowable Phase 2 costs and determined that the remaining unallowable costs are not recoverable because they were part of a settled Requests for Equitable Adjustment or received prior approval from the contracting officer.</p> <p>OIG Response: This remains open until confirmed.</p>
Audit of CHOBBr Project's Reimbursable Costs		3	<p>Recommendation: CHOBBr Project teamwork with the CMC to identify any additional transactions for unallowable cost types identified in our report for which the AOC reimbursed the CMC. We also recommend that, to the extent legally and administratively possible, the CHOBBr Project team recover these costs and, if applicable, any additional amounts resulting from the application of items such as overhead and fees to the unallowable costs.</p> <p>AOC Management Decision: Concur. The AOC OIG plans to conduct its own review of the remaining nonsampled transactions to identify any additional unallowable cost types identified during the audit for which the AOC reimbursed the CMC.</p> <p>OIG Response: This remains open until confirmed.</p>
Audit of CHOBBr Project's Reimbursable Costs		4	<p>Recommendation: As it pertains to the full \$234,383 in outside legal costs, we recommend that the CHOBBr Project team review all of the costs that the CMC incurred and billed to the AOC related to the hearing and determine if the costs are allowable and reasonable as reimbursable costs.</p> <ul style="list-style-type: none"> • If the CHOBBr Project team determines that any of the costs that the CMC incurred for the hearing are allowable, the CHOBBr Project team should determine whether the AOC should fund the costs through a contract change order and what funding source the AOC should use to fund the costs (e.g., contingency, allowance). • If any of the costs that the CMC incurred for the hearing are unallowable, the CHOBBr Project team should recover the costs to the extent legally and administratively possible. If applicable, the CHOBBr Project team should also recover any additional amounts resulting from the application of items such as overhead and fees to the unallowable costs. <p>AOC Management Decision: Concur. The AOC is now pursuing a credit of \$35,426 from the CMC. The AOC also instituted a tracking system to identify reimbursable costs that have been billed but not previously approved.</p> <p>OIG Response: This remains open until confirmed.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of CHOBBr Project's Reimbursable Costs		5	<p>Recommendation: The CHOBBr Project team consider implementing a policy requiring the CMc to provide detailed support for any reimbursable costs that exceed an appropriate dollar threshold at the time the CMc submits the pay application.</p> <p>AOC Management Decision: Concur. The AOC implemented a process requiring the CMc to provide detailed support for any reimbursable cost that exceeds \$25,000 on its monthly invoice.</p> <p>OIG Response: This remains open until confirmed.</p>
Audit of CHOBBr Project's Reimbursable Costs		6	<p>Recommendation: We recommend that the CHOBBr Project team review the \$286,933 in insufficiently supported costs and, to the extent legally and administratively possible, recover any amounts for which the CMc cannot provide support. If applicable, the CHOBBr Project team should also recover any additional amounts resulting from the application of items such as overhead and fees to the unsupported costs.</p> <p>AOC Management Decision: Concur. The AOC determined that \$215,263 of the billed \$286,933 was supported, so it obtained a credit of \$71,670 for the remaining unallowable costs plus associated markups. The AOC actions appear to be responsive to the recommendation.</p> <p>OIG Response: This remains open until confirmed.</p>
Audit of CHOBBr Project's Reimbursable Costs		7	<p>Recommendation: The AOC's CHOBBr Project team ensure that the supporting documentation for all costs that the CMc actually incurred and for the amounts reported in its invoices related to the project is sufficient, maintained and readily available for examination.</p> <p>AOC Management Decision: Concur. The AOC will ensure that the supporting documentation for reimbursable costs is sufficient, maintained and readily available for examination. It will also perform periodic test checks of the supporting documentation.</p> <p>OIG Response: This remains open until confirmed.</p>
Audit of the CHOBBr Project's Subcontractor Bids and Awards	OIG-AUD-2021-05 August 30, 2021	3	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOBBr Project's subcontractor's bids and awards.</p> <p>Recommendation: The CHOBBr Project team consider updating its Project Management Plan to include procedures to ensure that, for each scope of work, the AOC has maintained written documentation of:</p> <ul style="list-style-type: none"> • The conditions for satisfaction in situations where the AOC received fewer than three bids; specifically, the steps it took to evaluate the bid amounts in the absence of preferred competition levels • The Contracting Officer's approval of the CMc rationale in situations where the CMc recommended hiring a subcontractor that was not the lowest bidder • The CMc's compliance with the COR's solicitation requirements, which require the CMc to perform an analysis of the proposals received and to provide a recommendation to the CHOBBr Project team regarding which subcontractor to select based on this analysis <p>AOC Management Decision: Concur. The CHOBBr Project team will update the Project Management Plan to ensure it maintains documentation for the items covered in the recommendation.</p> <p>OIG Response: This remains open until confirmed.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of the CHOB Project's Subcontractor Bids and Awards		4	<p>Recommendation: To ensure consistency during the subcontractor bid and award process, we recommend that the CHOB Project team develop a checklist or other template describing the steps the CHOB Project team should take to meet satisfaction requirements in situations where the CMc obtained fewer than three bids for a scope of work.</p> <p>AOC Management Decision: Concur. The CHOB Project team will develop the recommended checklist.</p> <p>OIG Response: This remains open until confirmed.</p>
AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to the Contractor on the CHOB Project	OIG-AUD-2022-01 March 24, 2022	1	<p>Report Summary: The OIG performed an independent assessment of unallowable costs reimbursed to AOC's CMc on the CHOB Project.</p> <p>Recommendation: We recommend that, to the extent legally and administratively possible, the CHOB Project team recover the \$38,529 of unallowable costs reimbursed and, if applicable, any additional unallowable amounts resulting from the application of items such as overhead and fees to the unallowable costs.</p> <p>AOC Management Decision: Concur. The CHOB Project team has recovered these funds.</p> <p>OIG Response: This remains open until confirmed.</p>
AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to the Contractor on the CHOB Project		2	<p>Recommendation: We are questioning \$55,235 in unsupported costs. We recommend that, to the extent legally and administratively possible, the CHOB Project team review these costs and, recover any amounts for which the CMc cannot provide support. If applicable, the CHOB Project team should also recover any additional amounts resulting from the application of items such as overhead and fees to the unsupported costs.</p> <p>AOC Management Decision: Concur. The AOC will review the allowability of the questioned costs, recognizing that a great deal of these costs are associated with closed contracts.</p> <p>OIG Response: This remains open until confirmed.</p>
AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to the Contractor on the CHOB Project		3	<p>Recommendation: We recommend that the AOC reevaluate its approach to strengthen the review and internal control process for small-dollar reimbursable cost transactions to help ensure that the CMc does not include, and the CHOB Project team does not approve, unallowable costs in the pay applications.</p> <p>AOC Management Decision: Concur. The AOC reevaluated the actions it previously took in response to the OIG's June 2021 audit report and presented a revised plan to strengthen its review and internal control process for small-dollar reimbursable cost transactions.</p> <p>OIG Response: This remains open until confirmed.</p>

TABLE D: I&E Unimplemented Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
ARCHITECT OF THE CAPITOL/ OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER			
Evaluation of the AOC's Compliance With Its Discipline Order	2019-0001-IE-P June 5, 2020	C	<p>Report Summary: The OIG performed an evaluation to determine if AOC disciplinary actions taken from FY 2015 to 2019, in response to employee misconduct complied with established policy and penalty guidance. We also reviewed disciplinary actions to determine if punitive actions were applied consistently based on appropriate criteria and evidence.</p> <p>Recommendation: The AOC develop and publish a discipline policy for exempt personnel, for transparency and consistency with other employee groups.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation to develop and publish a discipline policy for Senior Rated personnel, for transparency and consistency with other employee groups. The AOC's policy governing Senior Rated employees (AOC Order 213-1, Exempt Personnel) has been revised to include a section on discipline and is currently under review by the AOC.</p> <p>OIG Response: This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program	2021-0001-IE-P November 29, 2021	1	<p>Report Summary: The OIG performed an evaluation to determine if adequate mechanisms and controls were in place to account for the AOC's vehicle fleet, including agency cost and usage rate of vehicles.</p> <p>Recommendation: The Chief Administrative Officer develop and implement additional policies and procedures that:</p> <ol style="list-style-type: none"> a. Ensure adherence to vehicle utilization reporting b. Include a more formal scheduled vehicle maintenance program c. Collect, track, monitor and analyze fleet costs throughout the vehicle life cycle at the vehicle level <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation. In response, the AOC intends to or is currently in the process of taking the following steps:</p> <ol style="list-style-type: none"> a. The SSMMMD has begun a review of the Fleet Management policy (Order 34-2) and will make appropriate edits to ensure reporting matrixes accurately reflect standard vehicle reporting. b. SSMMMD will continue to evaluate the current state of fleet maintenance and develop/implement a more formal maintenance program if practical. c. SSMMMD has begun market research to evaluate the availability of a vehicle life-cycle database that captures fleet costs. SSMMMD will procure a vehicle life-cycle database provided funding and personnel resources are made available to operate and manage the database. <p>OIG Response: This remains open until confirmed.</p>

TABLE D: I&E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Fleet Management Program		2	<p>Recommendation: The Chief Administrative Officer review jurisdiction-level fleet policies and standardize jurisdictional best practices across the AOC where appropriate.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation to review jurisdiction-level fleet policies and standardize jurisdictional best practices across the AOC where appropriate. SSMMMD has requested jurisdiction-level fleet policies and standard operating procedures for review and will take appropriate steps to implement corrective actions as necessary to fill gaps in fleet policies and procedures to standardize best practices across the AOC.</p> <p>OIG Response: This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		3	<p>Recommendation: The Chief Administrative Officer procure an AOC-wide fleet management information system with best-in-class fleet management capabilities, to include vehicle inventory, acquisition, disposal, utilization, cost, mileage and fuel use information for each vehicle, and automatic notification to fleet managers of maintenance due.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation. SSMMMD has conducted initial market research to evaluate the availability of a best-in-class fleet management database that captures comprehensive vehicle information to include acquisition, inventory, usage costs such as mileage and fuel and disposal information. An acquisition plan and further identification of resources is forthcoming.</p> <p>OIG Response: This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		4	<p>Recommendation: The Chief Administrative Officer conduct a feasibility study to develop and implement centralized vehicle maintenance contract(s) for routine (and nonroutine) maintenance to standardize AOC's maintenance processes and realize efficiencies resulting from centralized contract(s).</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation. SSMMMD has conducted initial market research on contractors who perform agencywide routine and nonroutine vehicle maintenance. SSMMMD is still in the process of sourcing options to best centralize vehicle maintenance contract(s) for routine (and nonroutine) maintenance to standardize AOC's maintenance processes.</p> <p>OIG Response: This remains open until confirmed.</p>

TABLE D: I&E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Fleet Management Program		5	<p>Recommendation: The Chief Administrative Officer in coordination with AOC organization leaders, review and revise AOC-wide and jurisdictional policies to include standards for vehicle utilization, and guidance for implementing these standards while maintaining jurisdiction-level operational flexibility.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation. SSMMMD established a working group of cross-functional members from other jurisdictions to make recommendations on filling policy and procedural gaps and to standardize best practices for improving vehicle maintenance and capturing life-cycle costs throughout the fleet. The recommendations from the working group are being compiled and will be evaluated to determine whether the recommendations are feasible to implement.</p> <p>OIG Response: This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		6	<p>Recommendation: The Chief Administrative Officer procure a fleet management information system with fleet management capabilities, to include vehicle utilization information for each vehicle.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation. SSMMMD has conducted initial market research to evaluate the availability of a best-in-class fleet management database that captures comprehensive vehicle information to include acquisition, inventory, usage costs such as mileage and fuel, and disposal information.</p> <p>OIG Response: This remains open until confirmed.</p>
ARCHITECT OF THE CAPITOL/ OFFICE OF THE CHIEF SECURITY OFFICER			
Flash Report Series – U.S. Capitol Building Window Installation, Preservation and Repair: Before and After January 6, 2021	Flash Report Series 2022-0003-IE-P March 8, 2022	1	<p>Report Summary: The OIG performed an independent inquiry on the installation, preservation, and repair to the U.S. Capitol windows before and after the events at the U.S. Capitol on January 6, 2021.</p> <p>Recommendation: The Architect of the Capitol in coordination with the Capitol Police Board, implement consistent ballistic protection (Blast Resistant, Bullet Resistant and Forced-Entry Rated) for U.S. Capitol Building windows and other high risk entry points.</p> <p>AOC Management Decision: No Management Comment Received at the time of this report.</p> <p>OIG Response: This remains open until confirmed.</p>
Flash Report Series – U.S. Capitol Building Window Installation, Preservation and Repair: Before and After January 6, 2021		2	<p>Recommendation: The Architect of the Capitol in coordination with the Capitol Police Board, implement budgeted security enhancements with a comprehensive security strategy and integration of countermeasures for the Capitol campus. Additionally, ensure that the security strategy is continuously updated and consistent with the Interagency Security Committee Standard updates and the Department of Homeland Security National Terrorism Advisory System Bulletin.</p> <p>AOC Management Decision: No Management Comment Received at the time of this report.</p> <p>OIG Response: This remains open until confirmed.</p>

TABLE E: Audits Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF ENGINEER			
Audit of the CHOB Project's Contract Invoices	OIG-AUD-2020-05 August 25, 2020	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOB Project's contract invoices.</p> <p>Recommendation: The AOC review the terms and conditions of the CMc's contract to ensure that the contract contains the appropriate terms and conditions for the CHOB Project.</p> <p>AOC Management Decision: Concur. By September 30, 2020, the AOC will modify the contract's payment terms to reflect the process being used by the AOC and the CMc. The OIG extended the due date to November 25, 2021.</p>
Audit of the CHOB Project's Subcontractor Bids and Awards	OIG-AUD-2021-05 August 30, 2021	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOB Project's subcontractor's bids and awards.</p> <p>Recommendation: The AOC review the terms and conditions of its CMc contract to ensure the contract contains the appropriate terms and conditions for the CHOB Project.</p> <p>AOC Management Decision: Concur. The CHOB Project team will modify the AOC's contract with the CMc to align with the AOC's intent regarding approval/acknowledgement of subcontract awards.</p>
Audit of the CHOB Project's Subcontractor Bids and Awards		2	<p>Recommendation: The AOC provide guidance to its Contracting Officers to modify contracts promptly in cases in which they find terms or conditions that are not appropriate.</p> <p>AOC Management Decision: Concur. The CHOB Project team will issue guidance to its Contracting Officers instructing them to modify contracts promptly in cases in which they find terms or conditions that are not appropriate.</p>



TABLE F: I&E Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF SECURITY OFFICER			
Evaluation of the AOC's Emergency Preparedness Posture	2020-0002-IE-P February 5, 2021	2	<p>Report Summary: The OIG performed an evaluation to determine the effectiveness of AOC emergency incident drills, exercises and training in accordance with the AOC Base Emergency Action Response Plan (EARP). This evaluation also included a limited review of the AOC's response efforts for the COVID-19 pandemic.</p> <p>Recommendation: Perform a feasibility study to consider the development and implementation of a quarterly AOC Emergency Management Training Program to train and educate AOC executive leaders and organizational emergency management personnel on critical emergency management functions, emergency management responsibilities and emergency incident management systems.</p> <p>AOC Management Decision: Concur. The AOC has implemented training for organizational emergency coordinators and provided an updated manual and training module in September 2021. Effective March 9, 2022, the AOC provided training every Wednesday and Thursday through April 14, 2022. The frequency will decrease to a set schedule once the initial refresher training is complete. This recommendation is closed.</p>
Evaluation of the AOC's Emergency Preparedness Posture		3	<p>Recommendation: Develop and implement a standardized AOC emergency management training evaluation process for all AOC organizations.</p> <p>AOC Management Decision: Concur. The AOC transitioned to the Emergency Management Accreditation Program (EMAP) to ensure all plans, training and evaluations are in accordance with standards. This recommendation is closed.</p>
Evaluation of the AOC's Emergency Preparedness Posture		4	<p>Recommendation: Designate appropriate personnel to review and update the organizational EARP and Base EARP to synchronize alignment of policy structure, content and application guidance.</p> <p>AOC Management Decision: Concur. The AOC has designated personnel to review existing plans and to develop new plans and policies in accordance with standards. This recommendation is closed.</p>
Evaluation of the AOC's Emergency Preparedness Posture		5	<p>Recommendation: Implement a standardized timeline for periodic review of emergency management policies and procedures to improve means of tracking and sustaining these efforts.</p> <p>AOC Management Decision: Concur. The EMAP establishes the required timelines for review of emergency management plans and training. This recommendation is closed.</p>

TABLE F: I&E Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Flash Report Series – AOC’s Emergency Preparedness Ahead of the January 6, 2021, U.S. Capitol Event	Flash Report Series 2021-0002-IE-P April 27, 2021	3	<p>Report Summary: The OIG performed an evaluation to assess the effectiveness and integrity of the AOC’s emergency preparedness training, internal policies, procedures and practices before the events at the U.S. Capitol on January 6, 2021.</p> <p>Recommendation: Review the AOC Emergency Management training and exercise program, develop and implement AOC training and exercise curriculum to address active shooter, workplace violence, protestors and civil disturbances.</p> <p>AOC Management Decision: Concur. The AOC reviewed the existing training program, identified the areas that require updates or additions and are implementing a new series of online training courses with associated curriculum and exercises. This recommendation is closed.</p>



FUNDS QUESTIONED OR PUT TO BETTER USE

TABLE G: Audit Recommendations and Management Decisions Put to Better Use of Funds

	Statutory Language	Number of Reports	Questioned Costs ³	Funds Put to/ For Better Use ⁴
A	Audit reports for which no management decision was issued by the start of the reporting period	0	—	—
B	Reports requiring a management decision during the reporting period	1	—	—
C	Prior Year Adjustments	0	—	—
	Subtotals (A+B+C)	1	—	—
D	Reports for which a management decision was issued during the reporting period:	1	—	—
	(i) Dollar value of disallowed costs¹	1	—	\$38,529.00
	(ii) Dollar value of costs not disallowed²	1	\$55,235.00	—
	(iii) Dollar value of recommendations that were agreed to by management	1	\$55,235.00	\$38,529.00
	(iv) Dollar value of recommendations that were not agreed to by management	0	—	—
E	Reports for which no management decision was issued by the end of the reporting period	0	—	—
F	Reports for which no management decision was made within six months of issuance	0	—	—

Definitions
¹Costs determined to be unallowable by Federal guidance (Funds For Better Use)

²Allowability of costs undetermined (Questioned) or costs considered to be waste (Funds Put to Better Use)

³Costs questioned due to:

- A. an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds;
- B. a finding that, at the time of the audit, such cost is not supported by adequate documentation; or
- C. a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

⁴Recommendation that funds could (“should” for disallowed costs) be used more efficiently if management of an establishment took actions to implement and complete the recommendation.

Example:

- A. Reductions in outlays
- B. Deobligation of funds from programs or operations



Table H: Status of Questioned and Disallowed Costs

Report Name	Report ID	Date Issued	Status of Reported Costs							Status to Date
			Reported Costs		Status of Questioned Costs		Status of Disallowed Costs			
			Questioned Costs	Disallowed Costs	Allowed Costs	Disallowed Costs	Recovered Costs	Not Recovered Costs		
Audit of Cannon House Office Building Renewal Project's Reimbursable Costs	OIG-AUD-2021-04	6/8/21	\$521,316.00	\$54,246.00	—	—	—	—	Open	
Audit of the Architect of the Capitol's Unliquidated Obligations	OIG-AUD-2021-06	9/29/21	\$90,110.00	—	—	—	—	—	Open	
AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the Cannon House Office Building Renewal (CHOB) Project	OIG-AUD-2022-01	3/24/22	\$55,235.00	\$38,529.00	—	—	—	—	Open	

TABLE I: Investigation Recommendations for Better Use of Funds

Cost Avoidance, Savings and Recoveries Resulting From OIG Investigations	
Item	Quantity
*Cost Avoidance from Employee Removals/Resignations	\$149,900.00
*Savings From Employee Salaries During Suspensions	\$0.00
Administrative Repayment Determinations	\$0.00
Court Ordered Fines/Forfeitures/Restitution	\$0.00
OIG Recovery of Stolen Government Property/Funds	\$0.00
Funds put to better use:	
Salary and Benefits	\$3,625,963.89
Waste	\$4,367.25
Total	\$3,780,231.14

**Using the AOC average salary of \$74,950 per employee per year or \$288 per workday for suspensions for FY 2022. 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.*



APPENDICES

APPENDIX A: Inspector General Reporting Requirements

IG Act Reporting Requirements	Description	Page No.
Section 4(a)(2)	Review of Legislation and Regulations	35-37
Section 5(a)(1)	Significant Problems, Abuses and Deficiencies	10-13
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses and Deficiencies	40-53
Section 5(a)(3)	Prior Significant Recommendations Not Yet Implemented	40-50
Section 5(a)(4)	Summary of Matters Referred for Prosecution and Resulting Convictions	14-15
Section 5(a)(5)	Summary of Instances Where Information Was Refused	38
Section 5(a)(6)	Listing of Audit, Inspection and Evaluation Reports, Including Total Value of Questioned Costs and Funds Put to Better Use	54-56
Section 5(a)(7)	Summary of Significant Reports	10-34
Section 5(a)(8)	Statistical Tables on Management Decisions on Questioned Costs (see statute for specifics)	54-56
Section 5(a)(9)	Statistical Tables on Management Decisions on Recommendations That Funds Be Put to Better Use (see statute for specifics)	54-56
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)	38
Section 5(a)(11)	Significantly Revised Management Decisions	38
Section 5(a)(12)	Significant Management Decisions with Which the Inspector General Disagrees	38
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	14
Section 3(d), Section 5(a)(14)	Peer Review	39
Section 5(a)(18)	Description of the Metrics Used for Developing the Statistical Tables Under 5(a)(17)	14
Section 5(a)(19)	Report on Each Investigation Conducted by the OIG Involving Senior Government Employee (See statute for specific info required)	25-27
Section 5(a)(21)	Detailed Description of Any Attempt to Interfere with OIG Independence (See statute for specifics)	38
P.L. 114-113	Quarterly Status Updates on Cannon House Office Building and the Capitol Power Plant Projects	12

APPENDIX B: Definitions of Terms Used in This Semiannual Report

Term	Definition
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 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, evaluation or investigative report and the issuance of a decision by management, including actions the AOC plans to take in response to the recommendations.
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.

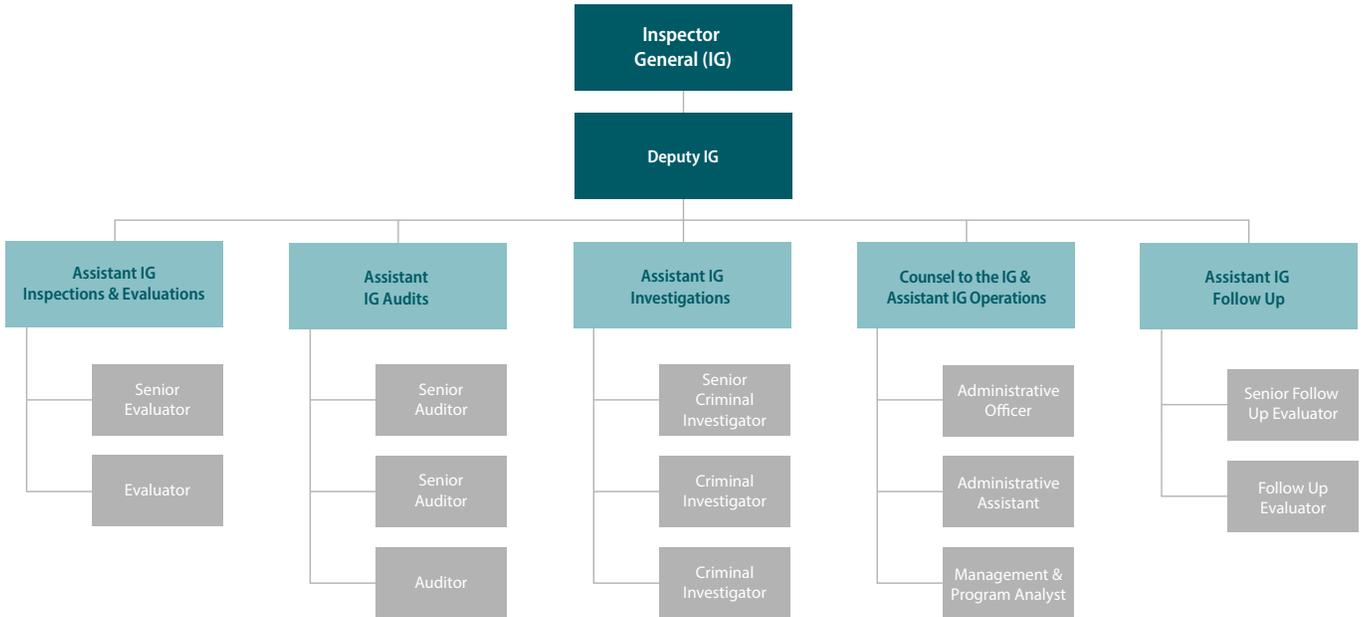


LIST OF ACRONYMS USED IN THIS REPORT

AOC	Architect of the Capitol	HCA	House Committee on Appropriations
AO	Administrative Officer	HCMD	Human Capital Management Division
AUSA	Assistant United States Attorney	IG	Inspector General
AWOL	Absent Without Leave	I&E	Inspection & Evaluation
CFR	Code of Federal Regulations	IPA	Independent Public Accounting Firm
CHOBr	Cannon House Office Building Renewal	IPP	Invoice Processing Platform
CIGIE	Council of the Inspectors General on Integrity and Efficiency	ITC	Information Technology Council
CM	Contracting Manual	ITD	Information Technology Division
CMc	Construction Manager as Constructor	LWOP	Leave Without Pay
COR	Contracting Officer Representative	NFC	National Finance Center
COVID-19	2019 Novel Coronavirus	OGC	Office of General Counsel
CS	Confidential Source	OIG	Office of Inspector General
CUEC	Complementary User Entity Controls	P.L.	Public Law
DI/DR	Diversity, Inclusion and Dispute Resolution	SAR	Semiannual Report
EARP	Emergency Action Response Plan	SOC	System and Organization Controls
EMAP	Emergency Management Accreditation Program	SSMMD	Supplies, Services and Material Management Division
FFCRA	Families First Coronavirus Response Act	T&A	Time and Attendance
FLD	Follow-Up Division	TWAI	Treasury Web Application Infrastructure
FTE	Full-time Equivalent	ULO	Unliquidated Obligations
FY	Fiscal Year	U.S.C.	United States Code
GAO	Government Accountability Office	USCP	U.S. Capitol Police



Office of Inspector General Organization Chart



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

Please send any comments to Christopher Failla, CIG at Christopher.failla@aoc.gov.





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