

ARCHITECT OF THE CAPITOL  
SEMIANNUAL REPORT  
TO THE CONGRESS

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Office of Inspector General  
April 1, 2022 – September 30, 2022



# Inspector General Message

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I am pleased to submit the Architect of the Capitol's (AOC) Office of Inspector General (OIG) Semiannual Report (SAR) to the Congress for the second half of Fiscal Year (FY) 2022. Every six months, the OIG provides 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 from April 1, 2022 - September 30, 2022. The work detailed herein 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 the AOC's 29th SAR, and it is the 11th report in my five-year tenure. It also showcases the last six months since the establishment of the AOC OIG 15 years ago and the incredible growth and transformation the office has underwent in that time.

I am proud to report that, during these fiscally challenging times, this office was able to submit a budget that did not increase other than for inflation from the previous year as it looked inward and found economical efficiencies within the OIG. As such, this budget allows the OIG to bring onboard more full-time employees and conduct more work using subject matter experts and contract services from independent public accounting firms. These improvements will enable the OIG to reach further across the AOC to provide greater oversight for all programs and jurisdictions and conduct audits, evaluations, and investigations with quicker turnaround times.

Additionally, the OIG's regular engagements with the AOC staff and congressional committees provide opportunities for immense oversight, recommendations, and

management advisories to enhance the Capitol campus and encourage economy, efficiency, safety and security, as well as fiscal responsibility. Over the last six months, OIG and AOC staff have increased these engagements and have had more congenial dialogue, better understanding, and improved coordination.

As a result, the AOC, with input from the OIG, has produced AOC Standard Operating Procedure (SOP) 4-7. This SOP promotes standard coordination and cooperation with the OIG and increases transparency in oversight, in accordance with Office of Management and Budget Memorandum M-22-04, Promoting Accountability through Cooperation among Agencies and Inspectors General.<sup>1</sup>

To ensure consistency and compliance with processes and deadlines, AOC SOP 4-7 provides guidance on responsibilities, actions and proper formatting for responding to OIG work products.

One area in which the OIG wishes to have a more cooperative effort with the AOC is combating waste. Waste is defined by the larger Inspector General (IG) community as "The extravagant careless, or needless expenditure of funds, or the consumption of property that results from deficient practices, systems, controls or decisions."

As documented in the Management Opportunities and Performance Challenges over the last five years, the OIG has identified waste and accountability as a persistent challenge facing the AOC. The OIG regularly observes inconsistencies in the AOC holding staff accountable for wasteful actions. Left unchecked, these actions have the potential to create an agency culture in which reoccurring instances of wasting government resources could become commonplace. The agency has remained silent about addressing waste in its policy and internal communications.

Wasteful spending positions the AOC for increased risk and financial loss if not properly addressed through policy, internal controls, and measures of accountability via proper tone and action from senior leadership. The OIG will continue to investigate and report on waste at the AOC, and we look forward to the agency addressing wasteful spending through future policy, including disciplining those that commit wasteful actions.

<sup>1</sup><https://www.whitehouse.gov/wp-content/uploads/2021/12/M-22-04-IG-Cooperation.pdf>

Additionally, over the last five years the OIG has developed a social media presence on Twitter (<https://twitter.com/AOCOIG/>) and are followed by more than 1,475 citizens, reporters and other OIGs, and this year with the help of CIGIE, we improved our independent AOC OIG website (<https://aocoig.oversight.gov/>) to advance transparency and reporting to the public.

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

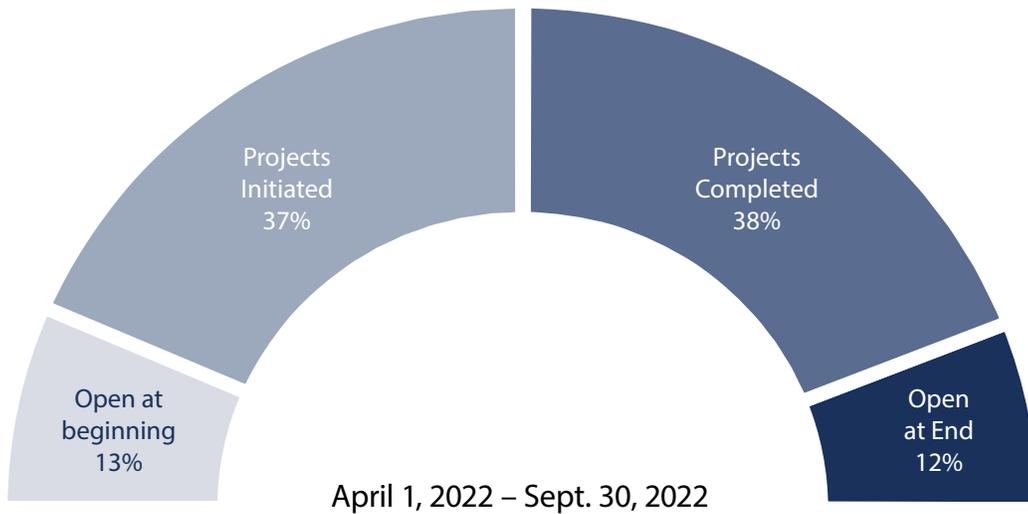
The following pages report the details from oversight efforts that identified over a half a million dollars in questioned,

unallowable, or insufficiently supported funds as well as funds put to better use during this reporting period. This effort could not have been accomplished without a dedicated OIG staff who go above and beyond, taking their oversight roles as seriously as I do. Thank you for supporting my vision for this office over the last five years. I look forward to their continued engagement and input to reimagine the AOC OIG's future.

The OIG would like to thank the Architect and the AOC jurisdictions for their support in providing documentation, their time, and their expertise in support of OIG work. We also want to thank members of Congress for their continued support so that the OIG may provide the AOC with valuable oversight of the symbols of democracy and organization that it maintains.



# OIG Productivity



20 Projects in  
Progress at Start

56 Projects  
Initiated

58  
Projects Completed

18 Projects in  
Progress at the End



## OUR MISSION

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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

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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.



# Table of Contents

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Inspector General Message	2
Our Mission	5
Our Vision	5
Inspector General Act	7
Profiles	9
Audits	10
Inspections and Evaluations	14
Follow Up	14
Investigations	16
Other Work	37
Management Advisories	39
Notices of Concern	39
Review of Legislation and Policies	39
Instances of the AOC Refusing to Provide Information or Assistance or Interfering with the OIG's Independence	42
Status of Reports or Recommendations	42
Significantly Revised Management Decisions	42
Significant Management Decisions with which the OIG Disagrees	43
Instances in Which an Inspection, Evaluation or Audit was Completed and not Disclosed to the Public	43
Peer Review Reporting	44
Recommendations	44
Tables C-G: Implemented and Closed Recommendations	44-61
Funds Questioned or Put to Better Use	62
Appendices	66
List of Acronyms Used in this Report	68
Office of Inspector General Organization Chart	70



## 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 IG's duties and authorities, and establish important protections for AOC employees and responsibilities for the AOC.



## PROFILES

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### 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 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 an SAR to the Architect of the Capitol and Congress.

# AUDITS

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## COMPLETED ACTIVITY THIS REPORTING PERIOD

### FY 2021 Financial Statement ([OIG-AUD-2022-04](#))

The OIG contracted with an independent public accounting (IPA) firm to audit the financial statements of the AOC as of and for the FY that ended September 30, 2021, to provide reports on internal control over financial reporting, and on compliance and other matters. The contract required that the audit be performed in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; Office of Management and Budget Bulletin No. 21-04, Audit Requirements for Federal Financial Statements; the U.S. Government Accountability Office's (GAO) Federal Information System Controls Audit Manual; and the GAO/CIGIE Financial Audit Manual. Specifically, the IPA was responsible for forming and expressing 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 served as the Contracting Officer's Representative (COR), providing oversight of contract requirements. The IPA issued an unmodified opinion for the FY 2021 financial statements and one material weakness in internal control over financial reporting. The combined report did not identify any significant deficiencies or noncompliance with AOC's financial management systems, provisions of laws tested or other matters.

The IPA made two recommendations to correct the material weakness; however, management did not concur with the recommendations.

### FY 2021 Financial Statements Audit Management Letter ([OIG-AUD-2022-05](#))

As a supplement to the Independent Auditor's Report on the AOC's financial statements for FY 2021, the IPA issued a management letter that identified three deficiencies in the AOC's internal control over financial reporting. These three deficiencies did not rise to the level of material weaknesses or significant deficiencies but should be corrected.

The OIG served as the COR, providing oversight of contract requirements and transmitting the auditor's final report in June 2022.

The IPA made three recommendations to correct these deficiencies; however, management only concurred with two of the three recommendations.

### Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added ([OIG-AUD-2022-07](#))

The OIG contracted with an IPA firm to conduct a performance audit of the AOC's contract provisions for multi-million-dollar construction projects. Prior audits of the AOC's construction projects resulted in findings and recommendations related to the AOC's management and administration of construction contracts. As a follow-up on findings and recommendations resulting from previous audits of the AOC's construction contracts, the objective of this audit was to assess the AOC's contract provisions to determine their compliance and/or alignment with federal laws, regulations, AOC policies and procedures and industry standards, as well as their consistency across AOC jurisdictions.

The OIG determined that overall, the AOC's contract provisions for multi-million-dollar construction projects were compliant and aligned with federal laws, regulations, AOC policies and procedures and industry standards, and were consistently applied across AOC jurisdictions. However, the report did identify a few enhancements to the AOC's construction contracts that the AOC should consider, as well as areas for improvement related to the AOC's process of ensuring that the proper clauses are included in its construction contracts.

The OIG served as the COR, providing oversight of contract requirements and transmitting the auditor's final report in July 2022.

The IPA made seven recommendations to correct these deficiencies and management concurred with the recommendations.



### **Termination of the 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)**

The OIG terminated the 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), announced on February 1, 2022. The objective of the assessment was to assess the AOC's progress in reducing the backlog of the security-related deferred maintenance projects subsequent to the events of January 6. As a part of the OIG's Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings (Report No. OIG-AUD-2021-03), we requested a detailed list of the AOC's deferred maintenance relative to the AOC's security requirements. During the planning phase of this assessment, the OIG was informed that the list provided during the previous review was for unfunded security projects, not for security-related deferred maintenance projects. The AOC did not have any security-related deferred maintenance projects.

The OIG determined that the scope of this assessment was no longer valid, and a correction statement was required for the previous review. The OIG issued a correction and termination memorandum on March 14, 2022.

## **AUDIT DIVISION PROJECTS IN PROGRESS**

### **FY 2022 Financial Statement Audit (2022-AUD-005-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, 2022. The IPA is responsible for conducting the audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; Office of Management and Budget Bulletin No. 21-04, Audit Requirements for Federal Financial Statements; the GAO Federal Information System Controls Audit Manual; and the GAO/CIGIE 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 May 17, 2022. The OIG serves as the COR, providing oversight of contract

requirements and plans to transmit the auditor's final report in November 2022.

### **Audit of the AOC's Internal Control Plan for Payment Accuracy (2022-AUD-006-A)**

The OIG contracted with an IPA firm to perform an audit of the AOC's internal control plan for payment accuracy. The objective of the audit is to assess the AOC's Internal Control and Risk Assessment program's internal control plan in place to monitor payment accuracy. Specifically, the audit will assess the effectiveness of the AOC's internal control plan for payments to vendors for construction efforts, professional services and goods procured during normal operations.

The OIG announced the audit on June 13, 2022. The OIG serves as the COR, providing oversight of contract requirements. The OIG plans to transmit the IPA's final report in March 2023.

### **Audit of the Cannon House Office Building Renewal Project's Caucus Room (2022-AUD-010-A)**

The OIG contracted with an IPA firm to perform an audit of the Cannon House Office Building Renewal (CHOB<sub>r</sub>) Project's Caucus Room. The objective of the audit is to determine if the CHOB<sub>r</sub> Project's Caucus Room was constructed and commissioned in accordance with the design, contract documents, and contract terms and conditions within the approved budget. If the OIG determines the scope of review for the Caucus Room is limited, we will extend the scope to include the Veterans' Affairs Hearing Room.

The OIG announced the audit on September 27, 2022. The OIG serves as the COR, providing oversight of contract requirements. The OIG plans to transmit the IPA's final report in June 2023.

### **Audit of the Cannon House Office Building Renewal Project's Punch List and Warranty Work (2022-AUD-011-A)**

The OIG contracted with an IPA firm to perform an audit of the AOC CHOB<sub>r</sub> Project's punch list and warranty work. The objective of the audit is to evaluate and assess contract compliance and resources used to complete the CHOB<sub>r</sub> Project's punch list and warranty work for Phase 2.

The OIG announced the audit on September 27, 2022. The OIG serves as the COR, providing oversight of contract requirements. The OIG plans to transmit the IPA's final report in July 2023.

### **AOC Construction Change Order Review (2022-AUD-012-O)**

The OIG contracted with an IPA firm to perform semiannual reviews of AOC Change Orders (CO) for various multi-million-dollar construction projects. The objective of the review is to determine whether the COs for multi-million-dollar construction projects are

reasonable, authorized, supported and comply with contract requirements.

The OIG announced the review on September 27, 2022. The OIG serves as the COR, providing oversight of contract requirements. The OIG plans to transmit the IPA's final report in January 2023.



# INSPECTIONS AND EVALUATIONS

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## COMPLETED ACTIVITY THIS REPORTING PERIOD

### Evaluation of the 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. The OIG's objective for this evaluation was to assess the badging process for AOC employees and contractors and determine if vulnerabilities existed within the program.

The OIG issued the official report to the AOC on July 25, 2022. The OIG's evaluation found that the AOC's Security Badging Program was inefficient and had significant security vulnerabilities. The OIG made four recommendations for improvement to the AOC's Security Badging Program, and the AOC concurred with two recommendations and provided neither concurrence nor nonconcurrence with two recommendations. The AOC provided proposed corrective action for two recommendations.

### Evaluation of the 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. The OIG's objective for this evaluation was to determine if adequate mechanisms and controls were in place to account for issued information technology (IT) equipment such as laptops and cell phones, and to what extent procedures were in place to report, track and replace missing property.

The OIG issued the official report to the AOC on July 28, 2022. The OIG's evaluation found that ITD's policy for accountable IT property was outdated; inventory management systems were redundant; enforcement efforts for lost,

damaged or stolen mobile devices were underused and lacked a deterrent feature; and that ITD lacked frequent inspections of IT mobile devices. The OIG made four recommendations for continued improvement to the AOC's ITD Inventory Accountability and Controls Program; the AOC concurred with three recommendations and nonconcurred with one recommendation. The AOC provided proposed corrective action for three recommendations.

## INSPECTIONS AND EVALUATIONS DIVISION PROJECTS IN PROGRESS

### Evaluation of the AOC's Safety Inspection Program (2022-0004-IE-P)

The OIG announced the evaluation of the AOC's Safety Inspection Program on September 6, 2022. The OIG's objective for this evaluation is to assess the compliance and internal controls of the AOC Safety Inspection Program in accordance with AOC policies, procedures and applicable federal laws and regulations. This review will also include physical inspections of select in-scope buildings/offices or meeting spaces. The OIG anticipates releasing the final report in June 2023.

### Federal Information Security Modernization Act Evaluation (2022-0005-IE-P)

The OIG announced the evaluation of the AOC's Federal Information Security Modernization on August 30, 2022. The OIG's objective for this evaluation is to determine whether the AOC developed and implemented effective information security programs and practices in accordance with the Federal Information Security Modernization Act (FISMA) of 2014. The AOC is not required to follow FISMA, but it is a best practice and will be used as criterion. The OIG anticipates releasing the final report in April 2023.

## FOLLOW-UP

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## FOLLOW-UP DIVISION PROJECTS IN PROGRESS

### Follow-Up Evaluation of the Congressional Request for the AOC's Response to Sexual Harassment (2022-0001-FLD-P)

The OIG announced the follow-up evaluation of the Congressional Request for the AOC's Response to Sexual

Harassment on May 24, 2022. The OIG's objective is to determine whether the AOC implemented corrective actions to address issues identified in the 2019 OIG report, Congressional Request for Office of Inspector General Review of the Architect of the Capitol's Response to Sexual Harassment. The OIG anticipates releasing the final report in the first quarter of FY 2023.



# INVESTIGATIONS

The AOC OIG Investigations Division conducts criminal, civil and administrative investigations of fraud, waste, abuse and misconduct related to AOC programs and operations. Special Agents investigate allegations involving both AOC employees and contractors that threaten the integrity of AOC initiatives. Criminal and civil matters are referred to the relevant U.S. Attorney’s Office (USAO) or to a local prosecutorial entity, for criminal or civil prosecution or monetary recovery. Administrative violations or substantiated matters not accepted for prosecution are referred to AOC management for awareness and administrative action. AOC OIG Special Agents continue to train and work with local and federal agencies to build relationships that together, further enhance the OIG’s capabilities of identifying and mitigating fraud within the AOC.

During this reporting period, the OIG received or initiated a total of 23 complaints. From those complaints, investigators opened 12 new investigations. The OIG referred a total of four complaints to other government agencies, AOC program offices and/or AOC Avenues of Assistance. Three cases were referred to the USAO for prosecutorial decisions.



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

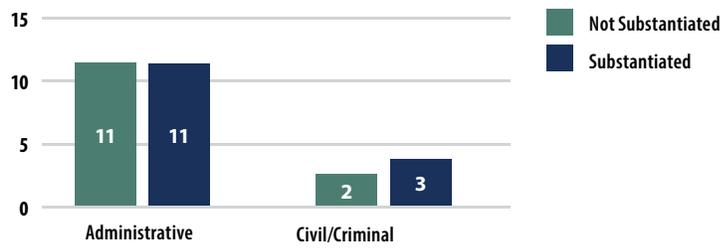
Investigative Activity	Count
<b>Complaints</b>	
Hotline Complaints Received (Phone and/or Email)	10
Complaints Received (Walk-ins)	0
Direct Phone or Email to the OIG	11
U.S. Mail or Facsimile Machine	1
OIG Observed or Developed	1
<b>Total Complaints</b>	<b>23</b>
<b>Investigations</b>	
Investigations Opened	12
Investigations Closed <sup>2</sup>	9
<u>Issuance of Subpoenas</u>	
OIG Subpoenas Served	5
Grand Jury Subpoenas Served	1
<u>Disciplinary Actions Resulting from Administrative Investigations</u>	
Actions Pending	5
Allegations Not Substantiated or Disproven by the OIG	13
Allegations Substantiated	14
Employee Removals/Resignations/Retirements (in lieu of)	6
Employee Reprimands/Warnings/Counseling	4
Employee Suspensions	2
<b>Total Disciplinary Actions</b>	<b>12</b>
<b>Referrals</b>	
<u>Criminal Investigation Referrals<sup>3</sup></u>	
Accepted for Prosecution	0
Declined for Prosecution	3
<u>Administrative Investigation Referrals</u>	
Informal Referrals (to AOC Program Offices, no follow-up or report required)	1
Formal Referrals (follow-up required within 60-90 days)	1
Law Enforcement Referrals	2
Employee Assistance Referral (to AOC Avenue of Assistance)	0
<b>Total Referrals</b>	<b>4</b>

<sup>2</sup> Reflects four investigations opened during previous periods.

<sup>3</sup> Referred to USAO, State Attorneys General offices or local entity for prosecutorial decision.

Source: OIG investigative files

**FIGURE 1: Investigations Division Charge Substantiation\***



\*Reflects the outcome of investigations only. An investigation may have more than one charge associated with each case.

Figure 1 highlights the number of charges, both substantiated and not substantiated by type for the nine<sup>4</sup> investigations closed during the period under review. There were 22 administrative charges. Of those, the OIG substantiated 11. Of the five civil/criminal charges, the OIG substantiated three. Management action is pending for each case with substantiated charges.

**FIGURE 2: Investigations Division Violations by Category**

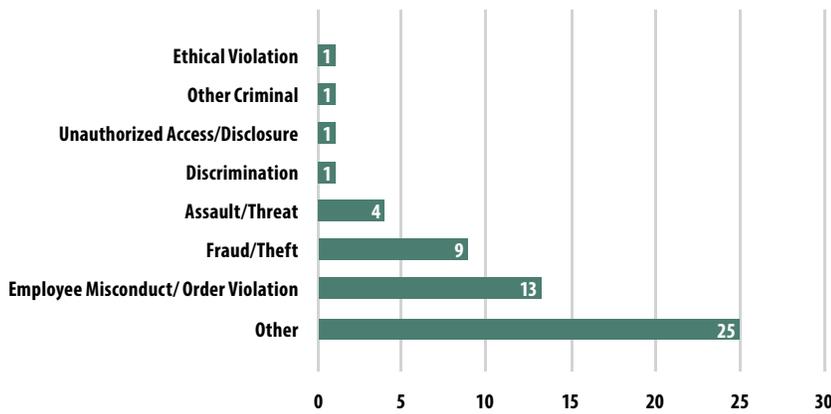
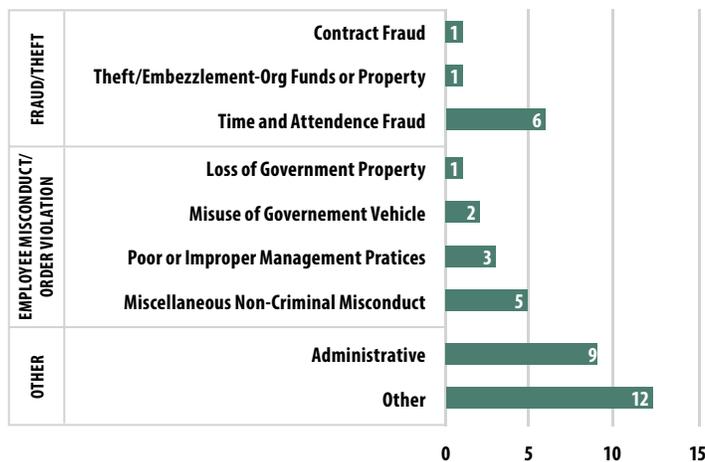


Figure 2 represents investigation activities that include complaints and referrals for the period under review broken out by violation type. Fraud/Theft, Employee Misconduct/Order Violation, and Other (violations that did not meet a certain case criterion when initiated) were the most frequent types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

**FIGURE 3: Top Three Violations by Subcategory**



<sup>4</sup> While there were nine closed cases, only eight contained charges.



## OPEN INVESTIGATIONS

The OIG currently has 10 open investigations:

- 2021-0011-INVI-P
- 2021-0018-INVI-P
- 2022-0006-INVI-P
- 2022-0007-INVI-P
- 2022-0010-INVI-P
- 2022-0013-INVI-P
- 2022-0015-INVI-P
- 2022-0016-INVI-P
- 2022-0017-INVI-P
- 2022-0018-INVI-P

Per policy the OIG is unable to comment about ongoing investigations. The OIG anticipates reporting these as closed investigations in the next reporting period.

## CLOSED INVESTIGATIONS

### 2022-0002-INVI-P – AOC Supervisor Conducted Outside Employment Without Prior Approval for Several Years

#### **Suspected Violation of the AOC “Government Ethics” Policy. **Substantiated.****

On November 18, 2021, the AOC OIG, received a complaint to the AOC OIG Hotline from an AOC employee who wished to keep their identity confidential. The complainant alleged that an AOC supervisor showed favoritism toward employees that were alleged to have engaged in outside employment with the AOC supervisor. The complainant also alleged that the AOC supervisor harassed, disrespected and undermined several employees. Additionally, the complainant alleged that the AOC supervisor mishandled AOC tools and the complainant had on one occasion witnessed the AOC supervisor confiscate AOC scrap material, specifically copper, and did not properly dispose of it. The complainant insinuated that the AOC supervisor had potentially sold the copper for monetary gain.

The OIG determined through testimonial evidence that the AOC supervisor 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) and admittedly conducted outside

employment over the last several years. However, due to lack of cooperation from the complainant and witness testimony regarding additional outside employment, the OIG was unable to substantiate the theft of AOC materials and misuse of AOC-issued tools.

The OIG substantiated that the AOC supervisor violated AOC policy when they knowingly engaged in outside employment without properly obtaining advanced permission by the Agency Designee by submitting a completed Notice of Outside Employment or Self-Employment Form. The administrative violation was submitted to the jurisdiction for action deemed appropriate, if any. The case is closed and management action is pending.

### 2020-0012-INVI-P – Contractors and Subcontractors Marked Up Costs and Intentionally Renamed Unallowable Line Items

#### **Suspected Violations of the AOC “Government Ethics” and “Standards of Conduct” Policies. **Not Substantiated.****

#### **Suspected Violations of “Title 18 U.S.C. § 1001,” “Title 18 U.S.C. § 1343” and “Title 31 U.S.C. § 3729.” **Not Substantiated.****

On August 17, 2020, the AOC OIG initiated an investigation based on a referral from the OIG Audit Division concerning questionable proposal costs submitted by a construction company during the completion of a renovation project.

The construction company submitted multiple proposals, which lacked justification of costs, and their first and second tier subcontractor proposals were not in compliance with the Changes clause of the multiple award construction contract (MACC). On multiple occasions, the construction company was directed to review all proposals and confirm the cost markups were in compliance with the MACC.

A final proposal, submitted to the AOC with a total cost of \$9,333,553, was approved by the AOC Construction Management team but still contained price markups and line items that were not in compliance. A second proposal, marked with the same original date, was submitted approximately one week later. The unallowable line items had been renamed and moved to different categories; however, the total cost remained the same.

After the second proposal was brought to the AOC’s attention, the agency determined that a portion of the costs were allowable despite the inaccurate labeling. A total of \$49,112 remained unallowable, which they then recuperated from the



construction company. The construction company did not attempt to conceal any of the above information, provided explanations for the relabeling and provided a memorandum written to the AOC that outlined why they believed certain portions of the MACC were written incorrectly, causing normally allowable costs to be unallowable.

The AOC's Contract Manual states that official records shall be established and maintained for all procurement actions in accordance with the records schedule. It further states that the contract file shall contain documentation, both formal and informal, of all actions taken with respect to the transaction, including final disposition. Such information may be necessary to provide essential facts for litigation or congressional inquiries, to furnish information for investigations or to satisfy other similar requirements. The policy does not provide an exhaustive or inclusive list of all records normally kept, but the OIG's investigation showed that contract documents pertaining to this specific change order were not accurately recorded in the Price Negotiation Memorandum or stored in a location within the Office of the Chief Engineer. Failure to maintain accurate and thorough contract files is not a criminal or civil violation but it is an administrative concern to the AOC.

The OIG did not find evidence in support of violations of AOC policy or deliberate violations of law by AOC employees. Consultation with the USAO confirmed that because the AOC allowed the costs and recouped appropriated funds, there would be no additional recourse for the "inaccurate" proposals submitted by the construction company. The USAO declined to prosecute the case. The case is closed.

#### **2022-0011-INVI-P – AOC Employee Attended Personal Medical Appointments on Government Time With a Government Vehicle**

**Suspected Violations of the AOC "Standards of Conduct," "Government Ethics," "Time and Attendance," and "Fleet Management" Policies; and Title 18 U.S.C. § 641 – Theft of Public Money, Title 18 U.S.C. § 287 – False, Fictitious or Fraudulent claims and Title 18 U.S.C. § 1001 – Statements or Entries Generally. *Substantiated.***

On May 6, 2022, the AOC OIG received a complaint from an AOC employee who wished to keep their identity confidential. The complainant alleged that a coworker had misused AOC vehicles and committed time and attendance fraud by attending personal medical appointments during their scheduled shifts at the AOC. Our office investigated and obtained both documentary and testimonial evidence that corroborated the allegations.

The employee testified that they had permission from their supervisors and did not attend appointments, merely picked up prescriptions and returned to the Capitol campus. They admitted to using AOC vehicles by parking them in congressional parking lots that were walking distance from the medical facility. Testimonial evidence provided by the employee's current and past supervisors stated the opposite and revealed that the employee had never asked, nor been granted permission to attend medical appointments during scheduled AOC shifts.

An Inspector General's subpoena was issued in accordance with the Architect of the Capitol Inspector General Act of 2007, 2 U.S.C. § 1808, and the Inspector General Act of 1978, 5 U.S.C. Appendix, § 6 (as amended) for the employee's medical appointment dates, times and locations from January 1, 2021 – May 20, 2022. The documents revealed that the employee completed nine medical appointments at that specific medical facility during those 17 months while on the clock for the AOC. The OIG conducted analyses of AOC financial records, the subpoena return and completed internet research on the average length of medical appointments. Calculations determined the employee was paid a total of approximately \$573.57, by the AOC during the times they were physically at the medical facility. Due to the employee obtaining these funds in violation of AOC policy as well as U.S.C., the OIG labeled these funds as net questioned costs.

AOC-owned vehicles are to be used in accordance with AOC Order 34-2, Fleet Management, March 10, 2017, which states, both owned and leased vehicles are used to conduct official AOC business. Using AOC vehicles in this personal manner was not in accordance with AOC policy and prevented the remaining members of the employee's team from having access to those vehicles for official AOC business.

The OIG substantiated that the AOC employee violated multiple AOC policies when they used AOC vehicles for unofficial business and attended personal medical appointments while on the clock for the AOC. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. All criminal violations and the substantiated false statements charge under Title 18, U.S.C. § 1001 were presented to the USAO who declined to prosecute based on the availability of administrative remedies to the AOC. The case is closed, and management action is pending.

**2022-0012-INVI-P – AOC Employee Misuses AOC Identification To Gain Access to Unauthorized Areas of the U.S. Capitol Building While Using Sick Leave**

**Suspected Violations of the AOC Standards of Conduct and Government Ethics Policies. *Substantiated.***

**Suspected Violations of AOC Order 630-1, Absence and Leave Policy. *Not Substantiated.***

On May 17, 2022, the AOC OIG received a complaint from the U.S. Capitol Visitors Center (CVC), regarding allegations of an AOC employee’s misuse of sick leave and misuse of their AOC ID badge. The complaint stemmed from a report that the Chief Executive Officer for Visitor Services received from the Senate Sergeant at Arms alleging that on May 12, 2022, the AOC employee, while on approved sick leave, went to the Democratic Cloakroom door, located across from the Majority Leader’s office on the second floor of the U.S. Capitol, and advocated for their child to be hired as a patronage employee. The employee was described as belligerent and insistent in their approach.

The OIG initiated an investigation into the allegations and confirmed that the employee had been out of work on sick leave since April 2, 2022, with no scheduled date to return to work. Additionally, the OIG confirmed that the employee had submitted appropriate medical documentation for their absence. The OIG revealed that the incident had occurred on May 11, 2022, versus the reported date of May 12, 2022, and determined through testimonial evidence that on May 11, 2022, while on sick leave and during their normal scheduled tour of duty, the employee misused their position as an AOC employee when they used their AOC ID badge to access the Republican and Democratic Cloakrooms of the Senate Chamber. The second floor of the U.S. Capitol building around the Senate Chamber, including the Democratic and Republican Cloakrooms, are nonpublic areas and, without proper congressional ID, are unauthorized to the public. The OIG substantiated that the AOC employee violated multiple AOC policies when they utilized their AOC ID to enter an unauthorized area of the U.S. Capitol Building while off duty and not on official business. Additionally, the employee created a lack of impartiality when they knowingly advocated for a paid congressional employee position for their family member. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.

**2022-0005-INVI-P – AOC Employees Violated the AOC Standards of Conduct and Government Ethics Policies by Wagering on the Outcome of the 2020 Presidential Election and Engaging in Political Conversation While on Duty**

**Employee 1: Suspected Violations of the AOC “Standards of Conduct” Policy and “Government Ethics” Policy. *Substantiated.***

**Employee 2: Suspected Violations of the AOC “Standards of Conduct” Policy and “Government Ethics” Policy. *Substantiated.***

**Employee 3: Suspected Violations of the AOC “Standards of Conduct” Policy and “Government Ethics” Policy. *Not Substantiated.***

On February 14, 2022, the AOC OIG received a referral from the Human Capital Management Division (HCMD) regarding a Diversity, Inclusion and Dispute Resolution (DI/DR) investigation. The OIG reviewed the report, which alleged that Employee 1 had engaged in a \$200 monetary wager with their supervisor, Employee 3, on the outcome of the 2020 presidential election and that this wager took place while on duty, sometime in the fall of 2020. Further evidence in the DI/DR-provided report suggested that Employee 1 did not pay Employee 3 the \$200 for losing the bet once the results of the 2020 presidential election were finalized.

AOC employees are prohibited from participating in all forms of gambling including online gambling, lotteries, football or other pools, numbers, raffles, wagering, bingo and other games of chance while on duty. “Gambling” is defined as: (1) A game of chance, (2) for which one pays to participate (3) to win money or a prize. The absence of any one element is not defined as gambling by AOC policy.

The OIG confirmed through testimonial evidence that Employee 1 originally placed a \$100 monetary wager with Employee 2 on the outcome of the 2020 presidential election in addition and before the \$200 wager with Employee 3. It was also determined through testimonial evidence that the wager placed between Employee 1 and Employee 3 had originated following a discussion that Employee 2 and Employee 1 had in the U.S. Capitol Building breakroom where all parties in question were present. Additionally, Employee 1 and Employee 2 admitted to not only discussing the wager while at work, but that they, including Employee 3, regularly engaged in political conversation while on duty. Employee 1, Employee 2 and Employee 3 all confirmed that they had received the annual AOC Standards of Conduct

and Government Ethics training and that each employee knew it was prohibited to engage in monetary wagers while on duty and on the Capitol campus. The AOC policy requires all three elements be met to constitute gambling. Employee 3 repeatedly denied placing a bet with Employee 1. Money was never exchanged between the two parties and corroborative interviews (outside of Employee 1) did not provide evidence in support of a bet having taken place; therefore, there was not sufficient evidence to substantiate charges against Employee 3. Additionally, considering testimonial evidence, the AOC considered the report of Employee 3 engaging in political conversation while on duty as hearsay.

By their own admissions, Employee 1 and Employee 2 knowingly and willfully violated AOC policy and their actions met all three elements of the AOC Standards of Conduct definition for gambling while on duty. The AOC substantiated that AOC Employee 1 and Employee 2 violated multiple AOC policies when they knowingly placed a wager on the outcome of the 2020 presidential election and had political discussions while on duty. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, and management action is pending.

#### **2022-0009-INVI-P – AOC Supervisor Accusations of Abuse of Power, Mismanagement and Reprisal**

**Suspected Violations of the AOC “Standards of Conduct” and “Authorities and Responsibilities of the AOC and Cooperation of AOC Employees” Policies. *Not Substantiated.***

On April 25, 2022, the AOC AOC received a complaint from former employee, Mr. Jorge Torres-Velez, GS-12, restaurant contract manager, CVC. Torres-Velez reported that his supervisor had abused their power and mismanaged employees, which required Torres-Velez to complete work in excess of his job description. Torres-Velez further alleged he was often tasked with work outside of normal business hours and that he was denied the ability to return his AOC-issued electronic devices before retirement. Torres-Velez felt that CVC management treated him differently due to his bringing multiple complaints to the AOC during his career.

The AOC initiated an investigation into the complaints, which revealed the allegations arose around the time the AOC announced the CVC and CVC Restaurant would be reopening following a closure during the COVID-19 pandemic. Testimonial and documentary evidence confirmed that Torres-Velez was treated no differently than other CVC employees during that time frame. He was afforded the same opportunities to telework and seek a reasonable

accommodation if he felt necessary. Additionally, the investigation revealed that Torres-Velez proactively decided to spend his last five or six weeks of employment preparing to retire. He wanted to turn in his AOC-issued phone and laptop over a month before his last day and anticipated remaining accessible only by personal mobile device.

The AOC found no validity to the claims made by Torres-Velez, and his past complaints filed with the AOC did not have investigative merit or were not substantiated. Torres-Velez retired from the AOC on April 30, 2022.

#### **2022-0014-INVI-P – AOC Employee Misused Their Position and Violated Both AOC and a Private Contractor’s Policies**

**Suspected Violations of the AOC “Standards of Conduct” and “Government Ethics” Policies. *Substantiated.***

On July 14, 2022, the AOC AOC received a referral from the DI/DR alleging that an AOC employee assigned to the Capitol Power Plant threatened Capitol Power Plant contract employees and others with violence over a parking spot. The AOC employee had been reported for blocking off an unassigned parking spot at the Capitol Power Plant for personal use and using the term “hanging” on several occasions toward individuals who parked in the unassigned parking space. According to the complainant, the AOC employee had also stated, “They were tired of walking on eggshells and that things were going to change,” in addition to stating they could use their position at the AOC to make life difficult for the contract employees should they continue to park in the parking spot.

The investigation revealed that in addition to blocking off an unassigned parking space, the AOC employee had also physically driven vehicles belonging to the contractor to relocate them from the preferred parking spot. The contractor’s vehicles are not part of the AOC fleet and AOC coordination with the company’s management confirmed that vehicles in their fleet are to be driven only by their employees. It was also discovered that until recently, the AOC employee had used the Capitol Power Plant parking area as a personal parking space full time as they reside within walking distance of the Capitol Power Plant and did not have parking at their residence.

During an interview with the AOC, the AOC employee denied making any statement referencing “hanging,” advising agents they had done research before coming to the AOC and were familiar with several lawsuits surrounding the same topic. They claimed to occasionally block off spaces to ensure availability for other uses such



as deliveries, but then later referenced a preference to keep their personal vehicle close by. The AOC employee openly made statements regarding their unhappiness with their lack of authority at the AOC, and that they had been brought to the Capitol Power Plant by the former Deputy Director, Mr. James O’Keefe, retired, GS-15, Utilities and Power Plant Operations, to straighten out the behavior and discipline problems at the AOC. The AOC employee described the current director as a “democratic leader” and stated, “I came to work for the retired ship captain not for the democratic politician.” They further stated the OIG would probably be seeing them again as now they needed to “buckle down even harder.” In addition to the employee’s unprompted statements regarding AOC leadership, they also responded with the below statement when advised by the OIG that it was inappropriate for an AOC employee to drive a private contractor’s vehicle, “I’ll be honest with you ... I find it weird, I find it queer...”

While the AOC employee denied making any threatening statements or using the words “hang or hanging,” “walking on eggshells,” or “making the contractor’s jobs very difficult” the OIG interviewed three separate witnesses (in addition to the complainant) who all stated the opposite, corroborating the complaint and who had witnessed, or immediately been told, following the incidents.

The OIG substantiated that the AOC employee violated multiple AOC policies when they used AOC parking facilities as a permanent personal parking spot and drove vehicles belonging to a private contractor company. The OIG referred all instances of potential workplace violence and conflict back to the HCMD for action they deem appropriate. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed, management action is pending.

## **CLOSED INVESTIGATIONS INVOLVING SENIOR GOVERNMENT EMPLOYEES**

### **2022-0008-INVI-P – Accusations of Reprisal and Abuse of Authority Against Two AOC Senior Leaders**

**Suspected Violations of the AOC “Standards of Conduct” and “Authorities and Responsibilities of the OIG and Cooperation of AOC Employees” Policies.**

**Not Substantiated.**

On April 25, 2022, the AOC OIG received a complaint from an AOC employee who wished to remain confidential. The employee alleged that two Senior Rated (SR) members of AOC executive leadership were retaliating against them by changing the reporting structure for employee relations

issues within their jurisdiction and allowing jurisdiction managers to circumvent policy and procedure.

The employee expressed concern that this was retaliation and abuse of authority stemming from their previous involvements with the OIG, specifically for providing information related to Management Advisory 2020-0002-INVM-P.

In accordance with AOC Order 40-1, Authority and Responsibilities of the OIG and Cooperation of AOC Employees, March 12, 2019, and 2 U.S.C. § 1808, which applies certain sections of the Inspector General Act of 1978 (5 U.S.C. App.), the OIG initiated an investigation into the allegations of abuse of authority and potential reprisal.

The OIG’s investigation did not find evidence to substantiate the allegations against either individual. Neither party was even aware the complainant had provided information to the OIG in the past, therefore, could not retaliate against them. SR 1 was unaware of the current issues the complainant was encountering at work and SR 2 was aware of the employee’s concerns. However, they provided valid explanations for the decisions they had made pertaining to these allegations.

The OIG’s investigation found there to be a lengthy history of animosity and lack of trust between the divisions within the specific jurisdiction, which is better suited for review by the DI/DR. While the OIG did not substantiate the complainant’s allegations, the OIG did find a reoccurring theme of distrust and unhappiness within this unit of the AOC workforce the OIG hopes AOC leadership will take action to review and correct. The OIG did not substantiate the allegations. The case is closed.

### **2022-0004-INVI-P – Alleged Favoritism Toward AOC Construction Contractors**

**Suspected Violations of the AOC “Government Ethics,” “Standards of Conduct” and the “Contracting Manual.”**  
**Not Substantiated.**

On October 15, 2021, the AOC OIG received an anonymous OIG Hotline complaint asserting that AOC Office of the Chief Engineer supervisors, including Mr. Peter Mueller, retired, SR-00, Chief Engineer, Office of the Chief Engineer, were showing favoritism toward Clark Construction and The Christman Company, a joint venture, the construction group working on the CHOBr Project, as the construction manager as constructor (CMc).

The complainant reported that the AOC executives assigned to the project were listening to the contractors instead of AOC government employees regarding the construction,



engineering and architecture of the project. The complainant also alleged wasteful spending, information not being properly shared, a high turnover rate of employees and improper analysis of the project. Finally, the complainant mentioned their employment was in jeopardy as they were asked to do things that were not contractually acceptable.

The complainant did not provide contact information and stated these issues began on the first day of the CHOBr Project. The complainant identified two CORs from the Office of the Chief Engineer, the AOC jurisdiction primarily responsible for the CHOBr Project, as witnesses to these allegations.

The OIG's investigation focused solely on violations of law and AOC policies pertaining to standards of conduct, government ethics and violations of the Contracting Manual, and not interoffice relationships and management styles. The OIG's investigation did not substantiate the allegations.

During the investigation, the OIG conducted interviews and document analysis. Some individuals OIG interviewed wished to keep their identity confidential. These confidential sources stated they were in fear of retaliation and reprisal as many of their positions were funded exclusively through CHOBr Project appropriations. Many interviewees noted interoffice relationship and management issues not with the CMC, but with the construction manager as agent, which is contracted through a joint venture between McDonough Bolyard Peck, Inc. and Architecture, Engineering, Consulting, Operations and Maintenance. Although the OIG did not identify criminality or policy violations, it did observe a culture of mistrust and fear that could be detrimental to productivity and the morale of the workforce. The investigation is closed.

## **ACTION RESULTING FROM INVESTIGATIONS REPORTED IN PREVIOUS SEMIANNUAL REPORTS**

### **2020-0013-INVI-P – 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, Title 31 U.S.C. § 1341 and 2 Code of Federal Regulations § 200.320. *Not Substantiated.***

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 Ms. Elizabeth Buday, GS-15, former Director DI/DR, would seek retribution if she found out a complaint was filed with the OIG. The CS reported that on more than one occasion, Buday had negotiated with vendors and obligated government funds without the training or credentials to be a COR. The CS indicated that Buday had directed staff to complete transactions that were not in accordance with Federal Acquisition Regulations, the AOC Contracting Manual and Federal Appropriations Law. The CS was concerned that Buday had abused her 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, Buday described that a portion of her job was to obtain and schedule training for the entire AOC workforce. To accomplish this, she often had to reach out to vendors and gather preliminary information. In addition to obtaining the specific training course information, Buday also needed to ensure she did not exceed her allotted budget. It was not uncommon to request ballpark figures or estimates while conducting market research. Buday told agents she 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 the OIG between Buday and the specific vendor confirmed communication in reference to training proposals (including price) and authoring a sole source justification. Buday 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 her interview, Buday explained that she attempted to obtain specific vendors via sole source justification if they had a skill set or quality she felt would translate well to the employees at the AOC. Buday 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 her attempt to sole source the training, Buday told agents that she 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 Buday that



the contract was ineligible for a sole source award and would have to be offered to multiple vendors before selection. At that point, Buday passed all information to the management and program analyst responsible for overseeing contracts within her division to handle the contract moving forward. Buday also explained that because she often initiated conversations and training outreach, the vendors would occasionally communicate with her directly throughout the process. Both Buday's testimony and email documentation confirmed she 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, Order 34-2 Section 1.11. 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 Buday had never received the appropriate COR training required or letter of appointment from the SSMMD Chief authorizing approved equivalencies or substitutions to the training requirements to negotiate contracts on behalf of the AOC. She was in violation of the AOC's Contracting Manual when she 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 Buday.

The OIG substantiated that Buday violated AOC policy when she communicated directly with the vendor throughout the acquisition process without the proper authority or training required of a COR. Buday retired from the AOC on July 31, 2022. Both the AOC and OGC took no further action. The case is closed.

### **2021-0016-INVI-P – Two AOC Employees Found To Violate Time and Attendance Policy and Procedures by Swapping Identification Cards**

**Employee 1: Suspected Violations of the AOC “Standards of Conduct” Policy; “Time and Attendance” Policy and Procedures; “Time Clock” SOP; 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” SOP; AOC Order 40-1 “Cooperation of AOC Employees;” and Title 18 U.S.C. § 1001 “False Statements.” Substantiated.**

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 own 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 clocking them out. The OIG 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 Time and Attendance (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 received written disciplinary action on several occasions dating from February 2019 to November 2021, including a notification of being placed on Leave Restriction as of October 19, 2021.

The OIG reviewed the AOC Time Clock SOP and conducted interviews with Employee 1's and Employee 2's supervisors to determine how overtime was approved. The OIG consulted with the AOC General Counsel pertaining to ethics violations and the 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 these investigative efforts determined that Employee 1 and Employee 2 did not commit theft regarding T&A fraud by knowingly stealing overtime on the weekends. The Time Clock SOP does not prohibit clocking in and out between overtime shifts.

By their own admissions, Employee 1 and Employee 2 knowingly and willfully violated AOC Time Clock SOP as well as AOC Order 550-3, Time and Attendance Policy and Procedures.

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. On August 24, 2022, the employees each received a three-day suspension for these violations. The OIG referred the substantiated false statements charge under

Title 18, U.S.C. § 1001 to the USAO for prosecutorial consideration, however, it was declined due to limited resources. The case is closed.

### **2021-0017-INVI-P – 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.****

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 Ms. Monica Terrell, former employee, WG-04, custodial worker, Senate Office Buildings.

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

The investigation revealed that she 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. Terrell provided the forged documentation upon her return to work following both approved and unapproved absences, whether it was sick, annual or administrative leave.

Although Terrell used her own earned leave (or was not compensated) during the time frames under review to pay her salary, she 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 her civilian personnel benefits during these time frames. The total cost of civilian personnel benefits that could have been

put to better use for the pay periods in question was identified as \$2,011.40.

From January 1, 2021, through August 20, 2021, the employee was AWOL for a total of 184 hours. AOC Order 630-1, Absence and Leave, March 28, 2014, Section 8.2, AWOL, states that an employee is subject to disciplinary action for AWOL. AOC Order 752-1, Discipline, March 31, 2014, Appendix A, Table 1 states that the published penalties for the aforementioned violation of attendance policies are as follows: first offense is reprimand, second offense is suspension, subsequent offenses are removal. During that time, no formal disciplinary proceedings to address their AWOL status were initiated.

The OIG substantiated that Terrell violated multiple AOC policies when she submitted forged medical appointment and excuse notes. The administrative violations were submitted to the jurisdiction for action deemed appropriate. The OIG referred the criminal violations and the substantiated false statement charge under 18 U.S.C. § 1001 to the USAO for prosecutorial consideration, which was subsequently declined. As of June 2, 2022, Terrell resigned in lieu of termination. The case is closed.

### **2021-0019-INVI-P – AOC Supervisor Suspected of Wasteful Spending for a Third Time**

**Suspected Violations of the AOC Standards of Conduct Policy; Government Ethics Policy. **Substantiated.****

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 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 records that need to be preserved indefinitely or a heritage asset 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 and the AOC supervisor was found to have cost the AOC a total of \$3,779.95.

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. AOC management disagreed with the substantiated charge and no further action was taken. The case is closed.

**2022-0003-INVI-P – AOC Supervisor Threatened a Subordinate Employee and Misused AOC-Issued Information Technology Division Resources To Portray Nudity**

**Suspected Violations of the AOC “Standards of Conduct,” “Violence in the Workplace,” “AOC IT Resources and De Minimis Use,” “Government Ethics” and “Absence and Leave Policies;” and the “AOC IT System Rules of Behavior.” Substantiated.**

On January 21, 2022, the AOC OIG received a referral from the DI/DR. The DI/DR reported that during a bullying

and sexual harassment investigation, it was alleged that former employee Mr. John Quade, WS-11, mason supervisor, Masonry Branch, Senate Office Buildings, misused AOC-issued ITD resources and equipment and made threats to his subordinate employees.

Interviews conducted by the DI/DR alleged that Quade 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 Quade kept pornographic/explicit photos and videos on his AOC-issued iPhone and others believed that he created them using his AOC office desktop computer. The 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 Quade 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 Quade's personal email address to his AOC email address. Documentary evidence also revealed that Quade 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 Quade 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 Quade'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 Quade used AOC-owned ITD equipment to alter the images of AOC employees. Quade used his personal mobile phone to obtain images from the internet, emailed them to his AOC.gov email address, altered the images on an AOC desktop computer and then printed them using AOC printers. Quade admitted to creating the two previously noted images of his 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. Quade 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. Quade stated he was unaware that the images could be found offensive and created the images to bring humor to the office.

Quade denied ever using AOC-owned equipment to search for sexually explicit images or to back up his personal mobile device; however, he admitted to “possibly” charging his personal mobile device using the AOC desktop a few years ago. He could provide no explanation as to how the explicit photos could have transferred from his personal mobile phone to his AOC user account.

Quade denied frequently shouting at employees, using profanity toward them or threatening them. He 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 had an investigation into the alleged violations of Order 24-2, AOC Workplace Anti-Harassment Policy, October 15, 2020, which was adjudicated separately. The OIG substantiated that Quade violated multiple AOC policies when he 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 his AOC email account, misused sick leave and threatened violence to a subordinate employee during a verbal disagreement. Quade resigned from the AOC on May 27, 2022, in lieu of termination. The case is closed.

### **2022-0001-INVI-P – 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; and “D.C. Code § 22-4504 – Carrying Concealed Weapons,” “D.C. Code § 22-4504.02 – Lawful Transportation of Firearms” and “Title 40 U. S. C. § 5104 – Unlawful Activities.” Substantiated.**

On September 4, 2021, the AOC OIG received a complaint from the U.S. Capitol Police (USCP), alleging an AOC employee, Mr. Martin Jones, former employee, WL-10, wood crafter leader, 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 (Jones) displayed a firearm that had been kept in his 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, Jones did not display a firearm at the time of the argument. Both employees stated that Jones 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 USAO 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 second employee approached Jones to talk on August 20, 2021, which led to a verbal argument. Their different job positions within the section had left the second 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 Jones likely still had the firearm in his vehicle. The argument ended and the two parted ways. No firearms were involved in the argument that took place on August 20, 2021.

Jones then later informed his supervisor of the 2016 incident. In an interview with the OIG, Jones admitted he brought a MAC-10, with a 20-round magazine, to U.S. Capitol Grounds in 2016 because of a planned demonstration called “Day of Rage.” Jones showed the firearm to his coworker in his vehicle that was parked outside the Ford House Office Building because he believed they were both gun enthusiasts. Jones stated the firearm was kept under the seat of the vehicle, he did not attempt to bring it in the congressional office buildings, and it was a one-time occurrence. In the interview, Jones also stated he was aware it was illegal to possess a firearm on U.S. Capitol Grounds or in Washington, D.C. without a license. Jones resides in Virginia, did not have a Concealed Handgun Permit for Virginia or Washington, D.C. at the time of the incident and had not obtained one by the date of the Report of Investigation.

By his own admission, Jones knowingly and willfully violated both AOC policy and D.C. law in 2016. The USAO declined to prosecute Jones due to the length of time that had passed and the availability of administrative remedies in this case. Jones was terminated effective March 7, 2022, for his conduct. The investigation is closed.



**2021-0007-INVI-P – 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.**

On February 3, 2021, the AOC OIG initiated a spin-off investigation from information obtained while conducting a previous investigation (AOC OIG 2020-0009-INVI-P). Interviews conducted during AOC OIG 2020-0009-INVI-P revealed that employees of the Senate Office Buildings had been consistently taking 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 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 biweekly 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.

The OIG used 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 to Congress. 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. Three employees and one supervisor received letters of counseling. Sidberry, former WS-04, resigned from the agency effective July 6, 2021. The investigation is closed.

**2019-0006-INVI-P – Misuse of Government Networks To View Sexually Explicit or Obscene Material by an AOC Employee**

**Suspected Violations of the AOC “Standards of Conduct” and AOC “IT Resources and De Minimis Use” Policies. Substantiated.**

On December 6, 2019, Mr. Gary Lee Peksa, sheet metal mechanic who worked for the AOC at the Library of Congress, was terminated from the AOC after a joint investigation conducted by the Federal Bureau of Investigation’s



Washington Field Office's Child Exploitation and Human Trafficking Task Force, the USCP, the Library of Congress OIG and the AOC OIG.

On July 20, 2022, Peksa was sentenced to eight years in prison for repeatedly connecting his cell phone to a wireless network at the Library of Congress and searching for, downloading and viewing images and videos depicting the sexual abuse of young children. Peksa, 56, of Mechanicsville, Maryland, pleaded guilty in December 2021, in the U.S. District Court for the District of Columbia, to one count of receipt of child pornography. He was sentenced by the Honorable Richard J. Leon. Following his prison term, Peksa will be placed on 20 years of supervised release. He also will be required to pay \$47,000 in restitution to victims

depicted in the child pornography he received and possessed. He also must register as a sex offender for at least 15 years.

Peksa's conduct came to light after the Library of Congress network security operations center notified investigators of web traffic on the Library of Congress public wireless network of browsing associated with child pornography and the sexual exploitation of children. On various dates, between Oct. 11, 2018, and July 29, 2019, he used his cell phone and the public wireless network at the Library of Congress to access websites that contained images and videos of child pornography. He did so in areas including a bathroom, his office and a breakroom. Additionally, Peksa used his personal laptop, cell phone and Wi-Fi service to access similar materials at home.

## OTHER WORK

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### **Cannon House Office Building Renewal Project Semiannual Status Update for July 1 through December 31, 2021 ([OIG-AUD-2022-03](#))**

The Explanatory Statement accompanying the 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 the 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 the 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 the OIG's request to transmit these status updates semiannually. The OIG contracted with an IPA firm to conduct these semiannual reviews.

At the end of each semiannual period, the OIG requests the AOC's CHOBr Project SAR to initiate its review. The report provides project information relative to the semiannual period for seven areas: 1) safety, 2) security, 3) schedule, 4) budget, 5) client satisfaction, 6) contract management and 7) risk management. The OIG received the CHOBr Project SAR on March 4, 2022, for the period of July 1 through December 31, 2021.

On April 12, 2022, the OIG issued a letter to the HCA on the results of its limited review of the project's progress presented in the CHOBr Project SAR.

The OIG served as the COR, providing oversight of contract requirements.

The OIG report contained no recommendations.

### **White Paper on the AOC COVID-19 Emergency Supplemental Spending ([OIG-AUD-2022-06](#))**

In response to the Senate Committee on Rules and Administration's inquiry on the AOC's use of appropriated funds from March 2020 to the present for COVID-19-related expenses, the OIG initiated a research project to determine whether the AOC expended emergency supplemental funds in accordance with applicable federal regulations from March 2020 to June 2022.

The AOC received total appropriations of \$46.9 million in emergency supplemental funding to prevent, prepare for and respond to COVID-19, including the purchase and distribution of cleaning and sanitation products throughout all facilities and grounds under the care of the AOC, wherever located; and any related services and operational costs. We determined that the supplemental funding of \$46.9 million received by the AOC was insufficient for the agency to properly respond to the COVID-19 pandemic and therefore required the use of jurisdiction-appropriated funds to cover total COVID-19 obligations of \$58.8 million.

The OIG report contained no recommendations.

**Cannon House Office Building Renewal Project  
Semiannual Status Update for January 1 through June 30,  
2022 (OIG-AUD-2022-08)**

The Explanatory Statement accompanying the FY 2016 Legislative Branch Appropriations Act, Public Law 114-113, Consolidated Appropriations Act, 2016 directed the OIG to transmit quarterly status updates to the 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 the OIG's request to transmit these status updates semiannually. The OIG contracted with an IPA firm to conduct these semiannual reviews.

At the end of each semiannual period, the OIG requests the AOC's CHOBr Project SAR to initiate the OIG's review. The report provides project information relative to the semiannual period for seven areas: 1) safety, 2) security, 3) schedule, 4) budget, 5) client satisfaction, 6) contract management and 7) risk management. The OIG received the CHOBr Project SAR on August 9, 2022, for the period of January 1 through June 30, 2022.

On September 13, 2022, the OIG issued a letter to the HCA on the results of its limited review of the project's progress presented in the CHOBr Project SAR.

The OIG served as the COR, providing oversight of contract requirements.

The OIG's report contained no recommendations.



## MANAGEMENT ADVISORIES

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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.

The OIG did not issue any management advisories to the AOC during the reporting period.

## NOTICES OF CONCERN

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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

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The OIG provides resources in reviewing and providing comments on AOC draft guidance documents as part of its 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. The OIG's review is an integral part of its effort to identify and prevent fraud, waste and abuse. During this reporting period, the OIG reviewed seven orders or other policy or guidance documents.





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

Document	Title	Description
<b>Order 4-8</b>	Distribution Statements	This is a new order that sets forth requirements within the AOC to mark documents with a distribution statement detailing the authorized release of information.
<b>Order 10-1</b>	Safety Manual: Scaffold Safety Policy	This policy outlines the requirements for the erection, use and dismantling of scaffold. It lists the most common types of scaffold used by the AOC but does not discuss all possible types of scaffold. Revisions to this policy include the content requirements for scaffold training and the duties and responsibilities for AOC personnel at all levels.
<b>Order 10-2</b>	Building Official Program Policy	This is a new order that outlines the framework for obtaining Building Official approval for design, repairs, alterations, modernizations, renewals and construction work executed at the AOC.
<b>Order 28-4</b>	Design Build Policy	This is a new order that provides guidelines and procedures for implementation of the delivery of a Design/Build (D/B) project. Guidelines and processes include roles and responsibilities, selection criteria, procurement processes, acquisition strategy, and technical requirements and standards to plan and award a D/B project.
<b>Order 430-1</b>	Performance Communication and Evaluation System	This is a revised order that includes the following changes: <ul style="list-style-type: none"> <li>• Changes the performance review cycle to October 1 – September 30 for all offices and jurisdictions</li> <li>• Changes the rating system from three tiers (Outstanding, Fully Successful and Unsuccessful) to five tiers (Exceptional, Exceeds Standards, Achieves Standards, Needs Improvement and Unsuccessful)</li> <li>• Introduces performance competencies based upon AOC core values for which employees will be rated</li> <li>• Incorporates a numeric, point-based rating system to calculate an employee's overall summary rating</li> <li>• Allows for employees to receive performance awards at the Exceeds Standards and Exceptional rating levels</li> <li>• Requires all performance documents to be completed within 45 days of the end of the review period</li> </ul>
<b>Order 591-2</b>	Uniform Committee Charter	This is a new order implementing a charter that establishes the authority, scope, composition and responsibilities of the AOC Uniform Committee. AOC Uniform Committee duties include authorizing uniform items, developing uniform guidance in accordance with AOC Order 591-1 Uniform Policy, serving as a forum to review and discuss all uniform-related topics, considering requests for changes to the uniform policy and addressing all other uniform issues as needed.
<b>SOP 4-7</b>	Managing Agency Responses to Office of Inspector General Work Products	This is a new SOP that applies to all operations, programs and individuals in all AOC offices and jurisdictions that may be involved in the development of various OIG products. To ensure consistency and compliance with processes and deadlines, this SOP provides guidance on responsibilities, actions and proper formatting for creating OIG work products.



## INSTANCES OF THE AOC REFUSING TO PROVIDE INFORMATION OR ASSISTANCE OR INTERFERING WITH THE OIG'S INDEPENDENCE

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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

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**(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 the OIG 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

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

## SIGNIFICANT MANAGEMENT DECISIONS WITH WHICH THE OIG DISAGREES

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### [AOC OIG 2021-0016-INVI-P](#)

The OIG does not provide recommendations for punishment; however, the OIG disagrees with AOC management's decision regarding AOC OIG 2021-0016-INVI-P. The OIG substantiated multiple policy violations against two employees as well as violations of Title 18 U.S.C. § 1001 for one of the employees who provided false statements to OIG Special Agents. Both employees received a three-day suspension for these violations. In accordance with AOC Order 752-1, Discipline, March 31, 2014, Appendix A, Violation of Standards of T&A Policy and Procedures: the first offense is reprimand, second offense is suspension, subsequent offenses are removal. Based on the subjects' previous infractions and the nature and severity of these most recent violations, the OIG disagrees with AOC management's punishment.

### [AOC OIG 2021-0019-INVI-P](#)

The OIG does not provide recommendations for punishment; however, the OIG disagrees with AOC management's decision regarding AOC OIG 2021-0019-INVI-P. The OIG substantiated that the AOC supervisor violated multiple AOC policies when they knowingly shipped duplicate documents to the off-site facility and were wasteful with AOC funds that could have been put to better use. On September 7, 2022, AOC management determined that they disagreed with the OIG's substantiation of violations of AOC Order 38-1, Government Ethics and AOC Order 752-2, Standards of Conduct, and no administrative action would be taken against the employee.

In accordance with AOC Order 752-1, Discipline, March 31, 2014, Appendix A, Violation of Standards of Conduct and Government Ethics policies: the first offense is reprimand, second offense is suspension, subsequent offenses are removal. The OIG does not provide recommendations for punishment but includes AOC Order 752-1, Discipline, in its final report as guidance for the jurisdiction.

AOC Order 752-1, Discipline, does not include in the table of penalties a definition or mention of waste (a major tenant of an IG's credo). The OIG has identified waste and accountability as a persistent challenge facing the AOC within the Management Opportunities and Performance Challenges over the last five years. The OIG has regularly highlighted inconsistencies in the way the AOC holds employees accountable for actions that have the potential to create an agency culture where recurrent instances of waste of government resources could become commonplace. The agency has remained silent in its policy and communications with AOC personnel to address waste. This is yet another example of its allowance, since current AOC policies do not directly address this issue.

Based on the employee's previous infractions and the nature and severity of these most recent violations (\$3,779.95 identified as waste in previous investigations and \$4,367.25 identified as waste in the most recent investigation, totaling at least \$8,147.20), the OIG disagrees with AOC management's decision to unsubstantiate the Government Ethics and Standards of Conduct violations related to wasteful spending. Wasteful spending positions the AOC for increased risk and financial loss if not properly addressed through policy, internal controls and measures of accountability via senior leadership tone and action.

## INSTANCES IN WHICH AN INSPECTION, EVALUATION OR AUDIT WAS COMPLETED AND NOT DISCLOSED TO THE PUBLIC

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There were no instances during the reporting period in which the OIG completed an inspection, evaluation or audit

without disclosing it to the public. All such products are listed at [www.oversight.gov](http://www.oversight.gov) and [aocoig.oversight.gov](http://aocoig.oversight.gov).

## PEER REVIEW REPORTING

### AUDIT

There was no peer review activity for the Audit Division this reporting period. The Federal Maritime Commission OIG conducted an external peer review for the AOC OIG audit function and issued a final report on September 1, 2021. 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 inspection 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 Federal Housing Finance Administration OIG conducted an external peer review for the AOC OIG investigation function and issued a final report on September 12, 2017. The AOC OIG received a rating of Pass and there are no outstanding recommendations.

## RECOMMENDATIONS



Tables C through F below reflect 66 recommendations associated with 15 reports. Of those, 22 recommendations were implemented and closed; 44 remain open/unresolved.

**TABLE C: Audits Unimplemented Recommendations**

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Actions
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF FINANCIAL OFFICER</b>			
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>	OIG-AUD-2020-02 December 17, 2019	1	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2019 Financial Statements.</p> <p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		2	<p><b>Recommendation:</b> Require, document and maintain approvals for Momentum® access modifications in addition to original account provisioning actions.</p> <p><b>AOC Management Decision:</b> Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Action
FY 2020 Financial Statements Audit Management Letter	OIG-AUD-2021-02 December 14, 2020	1	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2020 Financial Statements.</p> <p><b>Recommendation:</b> Ensure that AOC staff responsible for evaluating System and Organization Controls (SOC 1<sup>®</sup>) 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<sup>®</sup> testing of these controls requires implementation of additional Complementary User Entity Controls (CUEC).</p> <p><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter		2	<p><b>Recommendation:</b> Determine whether the National Finance Center (NFC), Invoice Processing Platform (IPP), and subservice provider SOC 1<sup>®</sup> reports will be delivered in a timely manner and contain the following information required for an effective review and analysis:</p> <ol style="list-style-type: none"> <li>a. Complete system description</li> <li>b. Description of controls tested and the results of those tests</li> <li>c. Applicable management responses</li> <li>d. Incorporate any applicable changes to IPP and Treasury Web Application Infrastructure (TWA) subservice providers to the AOC IPP risk assessment that impact the accounts payable financial statement assertion for transactions through IPP</li> </ol> <p><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter		3	<p><b>Recommendation:</b> 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<sup>®</sup> reports and/or internal AOC CUECs). If the AOC becomes aware that the content of IPP/TWAI-related SOC 1<sup>®</sup> 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><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter		4	<p><b>Recommendation:</b> 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<sup>®</sup> reports and/or internal AOC CUECs). If the AOC becomes aware that the content of NFC-related SOC 1<sup>®</sup> 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><b>AOC Management Decision:</b> Concur.</p>

**TABLE C: Audits Unimplemented Recommendations Continued**

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Action
<b>Audit of the AOC's Unliquidated Obligations (ULO)</b>	OIG-AUD-2021-06 September 29, 2021	1	<p><b>Report Summary:</b> The OIG performed an audit of the AOC's ULOs.</p> <p><b>Recommendation:</b> The AOC review and properly close out the following dormant ULOs:</p> <ul style="list-style-type: none"> <li>• 68 invalid ULOs valued at \$479,907.61</li> <li>• Nine unsupported, questioned ULOs valued at \$90,109.58</li> <li>• Nine valid ULOs valued at \$8,230 that have not received a final invoice</li> <li>• 231 ULOs with balances less than \$50.00</li> </ul> <p>Funds put to better use: \$479,907.61 and questioned costs: \$90,109.58</p> <p><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of the AOC's ULOs</b>		2	<p><b>Recommendation:</b> The AOC ensure supporting documentation for ULOs is maintained and readily available.</p> <p><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of the AOC's ULOs</b>		3	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2021 Financial Statements</b>	OIG-AUD-2022-04 June 16, 2022	1	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2021 Financial Statements.</p> <p><b>Recommendation:</b> Develop and implement a control to complete a retrospective review of the environmental liability annually. That review should be used to validate the cost factors used and make appropriate adjustments when needed.</p> <p><b>AOC Management Decision:</b> Nonconcur.</p>
<b>Audit of FY 2021 Financial Statements</b>		2	<p><b>Recommendation:</b> Develop and implement a more precise accounts payable accrual by reconsidering the results of the quarterly accounts payable validations and the impact on the existing accrual methodology and considering an adjustment to its accrual percentage to capture periods not covered by the current accrual model.</p> <p><b>AOC Management Decision:</b> Nonconcur.</p>
<b>FY 2021 Financial Statements Audit Management Letter</b>	OIG-AUD-2022-05 June 16, 2022	1	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2021 Financial Statements.</p> <p><b>Recommendation:</b> The AOC create and/or update existing policies and/or procedures for periodically evaluating the effectiveness of the controls detailed in the Legislative Branch Financial Management Systems SOC 1<sup>®</sup> report or performed by Library of Congress as well as document the relevant local IT controls that address CUECs included in the LBFMS SOC 1<sup>®</sup> report and evaluate their effectiveness annually.</p> <p><b>AOC Management Decision:</b> Concur.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Action
FY 2021 Financial Statements Audit Management Letter		2	<p><b>Recommendation:</b> AOC management implement the existing, documented procedures over the review of SOC reports, establish procedures to transfer responsibilities for control operations to other team members upon an employee's separation, and monitor internal controls to assess their effectiveness.</p> <p><b>AOC Management Decision:</b> Concur.</p>
FY 2021 Financial Statements Audit Management Letter		3	<p><b>Recommendation:</b> AOC management should design an appropriate control to identify, analyze and respond to risks related to non-Generally Accepted Accounting Principles practices and policies.</p> <p><b>AOC Management Decision:</b> Nonconcur.</p>
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF SECURITY OFFICER</b>			
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><b>Report Summary:</b> The OIG performed an independent assessment of the AOC's role in securing the Capitol campus during large public gatherings.</p> <p><b>Recommendation:</b> The AOC coordinate with legislative stakeholders to draft legislation that would incorporate the following:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Require communication, coordination and collaboration between the AOC, the Capitol Police Board and the USCP</li> </ul> <p><b>AOC Management Decision:</b> Concur.</p>
Flash Report Series – Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings		2	<p><b>Recommendation:</b> The AOC Office of the Chief Security Officer coordinate with the 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><b>AOC Management Decision:</b> Concur.</p>
Flash Report Series – Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings		3	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
Flash Report Series – Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings		4	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>

**TABLE C: Audits Unimplemented Recommendations Continued**

Subject	Report No. and 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 Gatherings		5	<p><b>Recommendation:</b> The AOC Office of the Chief Security Officer hold a security briefing with AOC senior leadership for each event that 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><b>AOC Management Decision:</b> Concur.</p>
Flash Report Series – Independent Assessment of the AOC’s Role in Securing the Capitol Campus for Large Public Gatherings		6	<p><b>Recommendation:</b> The AOC inform the USCP of the deferred security maintenance work elements before large public gatherings and events on the Capitol campus.</p> <p><b>AOC Management Decision:</b> Concur.</p>
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF ENGINEER</b>			
Audit of the CHOBBr Project’s Reimbursable Costs	OIG-AUD-2021-04 June 8, 2021	6	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the CHOBBr Project’s contract reimbursable costs.</p> <p><b>Recommendation:</b> The OIG recommends 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><b>AOC Management Decision:</b> 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.</p> <p><b>OIG Response:</b> The AOC actions appear to be responsive to the recommendation.</p>
The AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the CHOBBr Project	OIG-AUD-2022-01 March 24, 2022	2	<p><b>Recommendation:</b> The OIG is questioning \$55,235 in unsupported costs. The OIG recommends that, to the extent legally and administratively possible, the CHOBBr Project team review these costs and, 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><b>AOC Management Decision:</b> Concur. The AOC will review the allowability of the questioned costs, recognizing that many of these costs are associated with closed contracts.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>

TABLE C: Audits Unimplemented Recommendations Continued

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Action
<p><b>Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b></p>	<p>OIG-AUD-2022-07 July 29, 2022</p>	1	<p><b>Report Summary:</b> The OIG performed an audit of AOC's multi-million-dollar construction project's contract provisions.</p> <p><b>Recommendation:</b> The AOC consider structuring future guaranteed maximum price contracts as 1) fixed-price amounts for general conditions and general requirements and 2) cost reimbursement for subcontracts that are fixed-price amounts between the general contractor and subcontractors, to assist in alleviating the AOC's administrative burden in properly administering the contract.</p> <p><b>AOC Management Decision:</b> Concur. Before using the guaranteed maximum price contract type on future procurements, the AOC will evaluate best practices and lessons learned and update Contracting Officer guidance for the proper use of this contract type.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<p><b>Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b></p>		2	<p><b>Recommendation:</b> The AOC issue contract modifications for the sampled contracts to include any applicable clauses that the AOC did not include in the contract at the time of award or in any modifications already issued, if the AOC determines that it is feasible to do so.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will perform an analysis if it is feasible and or appropriate to perform contract modifications for the clauses in question.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<p><b>Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b></p>		3	<p><b>Recommendation:</b> The AOC will update the format of the Matrix Checklist to allow Contracting Officers to easily filter, sort and select applicable construction contract clauses.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will publish an enhanced Matrix Checklist to allow Contracting Officers to easily filter, sort and select applicable construction clauses.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<p><b>Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b></p>		4	<p><b>Recommendation:</b> The AOC revises its contract formulation requirements, formalize its process for updating existing contracts, including documenting its rationale for cases in which it determines that new contractual requirements are not applicable to existing contracts.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will issue a Policy, Guidance and Interpretation in conjunction with newly drafted or modified contract clauses, which will provide instructions to Contracting Officers on the applicability to existing or future contracts.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>

**TABLE C: Audits Unimplemented Recommendations Continued**

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendations and Action
Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added		5	<p><b>Recommendation:</b> The AOC issue contract modifications to remove the inapplicable clauses included in the contract, if the AOC determines that it is beneficial and feasible to do so.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will perform an analysis to determine if it is feasible and beneficial to perform contract modifications to remove inapplicable clauses.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added		6	<p><b>Recommendation:</b> As a part of the AOC annual review of active contracts to determine whether any contract modifications are necessary, the OIG recommends that the AOC incorporate a review to identify (1) applicable clauses erroneously omitted during the formulation of the contract, (2) applicable contract clauses issued after contract award and (3) inapplicable contract clauses.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will assess our resources and consider including this recommendation as part of our existing Contract Management Annual Review.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
Multi-Million-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added		7	<p><b>Recommendation:</b> The AOC consider requiring its contractors to carry builder's risk policies on a project-by-project basis, based on an evaluation of the risks that each project poses to the AOC.</p> <p><b>AOC Management Decision:</b> Concur. The AOC will consider requiring contractors to carry builder's risk policies on a project-by-project basis.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>

**TABLE D: I&E Unimplemented Recommendations**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>ARCHITECT OF THE CAPITOL/ OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER</b>			
Evaluation of the AOC's Compliance with Its Discipline Order	2019-0001-IE-P June 5, 2020	C	<p><b>Report Summary:</b> 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. The OIG also reviewed disciplinary actions to determine if punitive actions were applied consistently based on appropriate criteria and evidence.</p> <p><b>Recommendation:</b> The AOC develop and publish a discipline policy for exempt personnel, for transparency and consistency with other employee groups.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation to develop and publish a discipline policy for SR personnel, for transparency and consistency with other employee groups. The AOC's policy governing SR employees (AOC Order 213-1, Exempt Personnel) has been revised to include a section on discipline and is currently awaiting publication by the AOC.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>

TABLE D: I&amp;E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Fleet Management Program	2021-0001-IE-P November 29, 2021	1	<p><b>Report Summary:</b> 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><b>Recommendation:</b> The Chief Administrative Officer develop and implement additional policies and procedures that:</p> <ol style="list-style-type: none"> <li>a. Ensure adherence to vehicle utilization reporting</li> <li>b. Include a more formal scheduled vehicle maintenance program</li> <li>c. Collect, track, monitor and analyze fleet costs throughout the vehicle life cycle at the vehicle level</li> </ol> <p><b>AOC Management Decision:</b> 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"> <li>a. The SSMMMD has begun a review of the Fleet Management policy (Order 34-2) and will make appropriate edits to ensure reporting matrices accurately reflect standard vehicle reporting.</li> <li>b. SSMMMD will continue to evaluate the current state of fleet maintenance and develop/implement a more formal maintenance program if practical.</li> <li>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.</li> </ol> <p><b>OIG Response:</b> This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		2	<p><b>Recommendation:</b> The Chief Administrative Officer review jurisdiction-level fleet policies and standardize jurisdictional best practices across the AOC where appropriate.</p> <p><b>AOC Management Decision:</b> 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 SOPs 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><b>OIG Response:</b> This remains open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		3	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> 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><b>OIG Response:</b> 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
<b>Evaluation of the AOC's Fleet Management Program</b>		4	<p><b>Recommendation:</b> The Chief Administrative Officer conduct a feasibility study to develop and implement centralized vehicle maintenance contract(s) for routine (and nonroutine) maintenance to standardize the AOC's maintenance processes and realize efficiencies resulting from centralized contract(s).</p> <p><b>AOC Management Decision:</b> 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 sourcing options to best centralize vehicle maintenance contract(s) for routine (and nonroutine) maintenance to standardize the AOC's maintenance processes.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<b>Evaluation of the AOC's Fleet Management Program</b>		5	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> 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><b>OIG Response:</b> This remains open until confirmed.</p>
<b>Evaluation of the AOC's Fleet Management Program</b>		6	<p><b>Recommendation:</b> The Chief Administrative Officer procure a fleet management information system with fleet management capabilities, to include vehicle utilization information for each vehicle.</p> <p><b>AOC Management Decision:</b> 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><b>OIG Response:</b> This remains open until confirmed.</p>
<b>Evaluation of the AOC's ITD Inventory Accountability and Controls</b>	2022-0002-IE-P July 28, 2022	1	<p><b>Report Summary:</b> The OIG performed an evaluation to determine if adequate mechanisms and controls are in place to account for issued IT equipment such as laptops and cell phones, and to what extent procedures were in place to report, track and replace missing property.</p> <p><b>Recommendation:</b> The Chief Information Officer update ITD's current policy for accountable IT property, to include the incorporation of defined program personnel roles, requirements aligned with the property management life cycle and all current program procedures.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation. ITD will update AOC Order 8-4, Accountable IT Property to incorporate defined program personnel roles and align requirements with the property management life cycle and all current program procedures.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>

TABLE D: I&amp;E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's ITD Inventory Accountability and Controls		2	<p><b>Recommendation:</b> The Chief Information Officer continue pursuit of transitioning to a single asset management system that addresses its program needs to track accountable and consumable IT property and establish a detailed implementation plan with target dates to transition to a single asset management system for accountable and consumable IT property as currently captured in Cireson and JumpStock.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation. Leveraging a robust IT service management (ITSM) platform with incorporated IT asset management, when properly implemented, provides significant accountability and life cycle of IT assets in alignment with industry and Information Technology Infrastructure Library best practices. ITD is currently assessing more robust ITSM tools for future implementation.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
Evaluation of the AOC's ITD Inventory Accountability and Controls		3	<p><b>Recommendation:</b> The AOC revise the Board of Survey Process with codified punitive actions to act as a deterrent against future instances of egregious employee negligence and misconduct regarding the loss of AOC property, including both IT mobile devices and personal property.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation. ITD will incorporate a process to address the OIG's recommendation within the Order 8-4 update.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
Evaluation of the AOC's ITD Inventory Accountability and Controls		4	<p><b>Recommendation:</b> The Chief Information Officer, establish internal controls in addition to the current Annual Telecom Memorandum requirement, to identify indications of a mobile device being lost, damaged or stolen and have processes in place to act accordingly.</p> <p><b>AOC Management Decision:</b> Nonconcur. The AOC nonconcur with the OIG recommendation. The AOC notes that the Annual Telecom Memorandum has proven to be an effective point-in-time inventory process, just as any other method used within the AOC. Additional inventory activities, be they visual or self-reporting, will create an unnecessary administrative burden on the AOC staff yielding little value in return. The AOC also noted the implementation of mitigation controls to significantly reduce the risk presented by lost, damaged or stolen devices.</p> <p><b>OIG Response:</b> The OIG considers the recommendation unresolved. The OIG recognizes that the AOC does not concur with this recommendation. The OIG continues to recommend that the CIO establish internal controls in addition to the current Annual Telecom Memorandum requirement, to identify indications of a mobile device being lost, damaged or stolen, and have processes in place to act accordingly. The OIG will monitor the program progress and follow-up on the development of any action items and implementation of program improvements.</p>

**TABLE D: I&E Unimplemented Recommendations Continued**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>ARCHITECT OF THE CAPITOL/ OFFICE OF THE CHIEF SECURITY OFFICER</b>			
<b>Evaluation of the AOC's Security Badging Program</b>	2022-0001-IE-P July 25, 2022	1	<p><b>Report Summary:</b> The OIG performed an evaluation to assess the badging process for AOC employees and contractors and determine if vulnerabilities exist within the program.</p> <p><b>Recommendation:</b> The Chief Security Officer develop and implement a suitability policy for AOC employees and consolidate and implement revisions, as appropriate, to the current contractor suitability policy. Additionally, develop and implement a standardized timeline for policy revision and update within the current fiscal year.</p> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation. The Office of the Chief Security Officer staff have completed coordination of the draft AOC Order 42-6, Staff Personnel Suitability Program Policy, with the HCMD and are finalizing the associated forms. The Office of the Chief Security Officer has also drafted AOC Order 42-7, Contractor Suitability Policy, which will replace Order 731-1, Contractor Suitability Policy. The Office of the Chief Security Officer will conduct annual reviews of both orders no later than March 31 of each year.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<b>Evaluation of the AOC's Security Badging Program</b>		2	<p><b>Recommendation:</b> The Chief Security Officer, in coordination with the USCP and the House Sergeant at Arms (HSAA), perform a joint feasibility study to consider:</p> <ol style="list-style-type: none"> <li>a. Reassigning signature authority for the CP-491 for the HSAA-issued contractor badges from the Office of the Chief Security Officer to CORs, eliminating the hand carry of the CP-491 to USCP/Fairchild Building for fingerprinting, and implementing the use of approval buttons or pdf secure signatures in place of manual signatures.</li> <li>b. Identification, development or acquisition of a badge management software solution that uses notification-based processes that ensures secure, efficient execution, monitoring and tracking of badging actions.</li> </ol> <p><b>AOC Management Decision:</b> Concur and Nonconcur. The AOC concurs with elements of the OIG recommendation. While the AOC agrees it is important to improve the overall process and timelines related to completing CP-491 forms for HSAA-issued contractor badges, the AOC notes that the ability to fully implement this recommendation is outside of the AOC's authority. The responses to specific components of the recommendation are:</p> <ul style="list-style-type: none"> <li>• Joint Feasibility Study: The AOC will re-engage the HSAA and the USCP regarding potential changes to existing badging systems. However, the AOC notes that they do not have the authority to compel legislative branch partners to modify existing processes or systems.</li> </ul>

*(Continued on page 55)*

TABLE D: I&amp;E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>Evaluation of the AOC's Security Badging Program</b> <i>(Continued from page 54)</i>		2	<ul style="list-style-type: none"> <li data-bbox="886 289 1450 751">• Reassigning signature authority for the CP-491 for HSAA-issued contractor badges from the Office of the Chief Security Officer to CORs: The AOC nonconcurs with this recommendation due to the increased administrative burden to the existing process. Within the AOC, the assignment of CORs changes more frequently than the assignment of Office of the Chief Security Officer security specialists. Each change in COR would require approval by the Architect and an updated memo from the Architect to the HSAA and the Chief of the USCP listing the authorized requestors. In addition, the required training and administrative burden to keep the appropriate CORs aware of procedures and the near constant updating of authorizations on file with the USCP and the HSAA would significantly increase the processing time for authorizations and cause further delays. The Office of the Chief Security Officer will continue to explore alternatives to the current process and will remain engaged in discussions with the HSAA and USCP points of contact on options to enhance the existing process.</li> <li data-bbox="886 764 1450 961">• Eliminating the hand carry of the CP-491 to USCP/Fairchild Building for fingerprinting: Although there were discussions regarding automation of key components of the process at the beginning of the COVID-19 pandemic in 2020, the requirement to hand carry the CP-491 was not eliminated. The AOC will re-engage the USCP and HSAA regarding elimination of the hand carry requirement but cannot compel the change.</li> <li data-bbox="886 974 1450 1171">• Implementing the use of approval buttons or pdf secure signatures in place of manual signatures: The AOC notes that the Office of the Chief Security Officer has no authority to compel the USCP or the HSAA to review or make changes to any internal processes to add approval buttons or secure signature methods on their forms. The Office of the Chief Security Officer will remain engaged in discussions with the HSAA and USCP points of contact on options to enhance the existing process.</li> <li data-bbox="886 1184 1450 1415">• Identification, development or acquisition of a badge management software solution that uses notification-based processes that ensures secure, efficient execution, monitoring and tracking of badging actions: The AOC notes that they have no authority to compel the USCP or the HSAA to develop or acquire a badge management software system that is compatible for all three agencies. The OCSO will coordinate with the AOC's ITD on potential solutions to improve the security and efficiency of the agency's internal processing of badging paperwork.</li> </ul> <p data-bbox="862 1428 1450 1566"><b>OIG Response:</b> The OIG considers the recommendation unresolved. Although the AOC notes that it does not have authority over legislative branch partners, this response inadequately addresses current process gaps and inefficiencies in the Security Badging Program that leave the AOC vulnerable to future security issues and incidents.</p> <p data-bbox="862 1579 1450 1837">The OIG also recognizes that the AOC does not concur with reassigning signature authority for the CP-491 for HSAA-issued contractor badges from the Office of the Chief Security Officer to CORs due to the increased administrative burden to the existing process. However, the OIG continues to recommend that the AOC work with other Capitol campus badging entities to develop an efficient and secure badging program, and its engagement in the proposed joint feasibility study. The OIG will monitor the program progress and follow up on the development of any action items and implementation of program improvements.</p>

**TABLE D: I&E Unimplemented Recommendations Continued**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>Evaluation of the AOC's Security Badging Program</b>		3	<p><b>Recommendation:</b> The Office of the Chief Security Officer develop and implement suitability policy language to include clear lines of responsibility and processes. Improvements should include:</p> <ul style="list-style-type: none"> <li>• In the contractor suitability policy, assign the responsibility for the centralized recordkeeping of intra-agency badging agreement memoranda of understanding or agreements to the Office of the Chief Security Officer; and</li> <li>• In both policies, guidance and requirements for secure badge return and protection and oversight of Personally Identifiable Information.</li> </ul> <p><b>AOC Management Decision:</b> Concur. The AOC concurs with the OIG recommendation. The AOC will include responsibilities in the draft AOC Order 42-7, Contractor Personnel Suitability Program Policy. This order applies to all persons who have access to AOC controlled grounds, facilities and information systems and includes AOC contractors, subcontractors and the employees of such contractors and subcontractors. The order will assign the responsibility for the centralized recordkeeping of intra-agency badging agreement memoranda of understanding or agreements to the OCSO and requirements for secure badge return and protection and oversight of Personally Identifiable Information.</p> <p><b>OIG Response:</b> This remains open until confirmed.</p>
<b>Evaluation of the AOC's Security Badging Program</b>		4	<p><b>Recommendation:</b> The Chief Security Officer in coordination with the USCP and the HSAA, perform a joint feasibility study to develop and implement a centralized security badge management process using shared software that allows for secure and efficient issuance, monitoring and tracking of badging actions, to include tracking and reporting of lost/stolen badges and follow-up actions.</p> <p><b>AOC Management Decision:</b> Partially Concur. The AOC partially concurs with the OIG recommendation. The AOC will continue discussions with legislative branch partners but cannot commit to implementing this recommendation. The AOC notes that it has no authority to compel the USCP or the HSAA to develop or acquire a badge management software system that is compatible for all three agencies. Although a centralized system has been previously discussed, the identification, development or acquisition of a centralized security badge management software solution would require significant investments in personnel and information technology resources.</p> <p><b>OIG Response:</b> The OIG considers the recommendation unresolved. Although the AOC notes it does not have authority over legislative branch partners, the OIG recommends the AOC work with other Capitol campus badging entities to develop an efficient and secure badging program, and that it engage in the proposed joint feasibility study. The OIG will monitor the program progress and follow up on the development of any action items and implementation of program improvements.</p>

TABLE E: Audits Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF FINANCIAL OFFICER</b>			
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>	OIG-AUD-2020-02 December 17, 2019	5	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2019 Financial Statements.</p> <p><b>Recommendation:</b> Enforce AOC Order 30-1 requiring a review of ULOs. Consider drafting an SOP 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		6	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		7	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		8	<p><b>Recommendation:</b> The HCMD should review the policies and procedures related to overtime and leave and make updates if considered appropriate.</p> <p><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		9	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		10	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>

TABLE E: Audits Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of FY 2019 Financial Statements Audit Management Letter		11	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter	OIG-AUD-2021-02 December 14, 2020	5	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC FY 2020 Financial Statements.</p> <p><b>Recommendation:</b> Update AOC patching guidance by setting specific timelines for implementation related to high-risk patches.</p> <p><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter		6	<p><b>Recommendation:</b> Prioritize application of specific patches based on the security impacts, versus the functional impacts of the patch application.</p> <p><b>AOC Management Decision:</b> Concur.</p>
FY 2020 Financial Statements Audit Management Letter		7	<p><b>Recommendation:</b> 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><b>AOC Management Decision:</b> Concur.</p>
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF FINANCIAL ENGINEER</b>			
Audit of the CHOBr Project's Reimbursable Costs	OIG-AUD-2021-04 June 8, 2021	1	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the CHOBr Project's contract reimbursable costs.</p> <p><b>Recommendation:</b> The CHOBr Project team strengthen the review process for small-dollar reimbursable cost transactions to help ensure that the CMC does not include, and the CHOBr Project team does not approve, unallowable costs in the pay applications.</p> <p><b>AOC Management Decision:</b> Concur. The CHOBr 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>
Audit of the CHOBr Project's Reimbursable Costs		2	<p><b>Recommendation:</b> To the extent legally and administratively possible, the CHOBr 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><b>AOC Management Decision:</b> 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>

TABLE E: Audits Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of the CHOB Project's Reimbursable Costs		3	<p><b>Recommendation:</b> The CHOB Project team work with the CMc to identify any additional transactions for unallowable cost types identified in the OIG's report for which the AOC reimbursed the CMc. The OIG also recommend that, to the extent legally and administratively possible, the CHOB 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><b>AOC Management Decision:</b> 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>
Audit of the CHOB Project's Reimbursable Costs		4	<p><b>Recommendation:</b> As it pertains to the full \$234,383 in outside legal costs, the OIG recommends that the CHOB Project team review all 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"> <li>• If the CHOB Project team determines that any of the costs that the CMc incurred for the hearing are allowable, the CHOB 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).</li> <li>• If any of the costs that the CMc incurred for the hearing are unallowable, the CHOB Project team should recover the costs to the extent legally and administratively possible. 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 unallowable costs.</li> </ul> <p><b>AOC Management Decision:</b> 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>
Audit of the CHOB Project's Reimbursable Costs		5	<p><b>Recommendation:</b> The CHOB 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><b>AOC Management Decision:</b> 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>
Audit of the CHOB Project's Reimbursable Costs		7	<p><b>Recommendation:</b> The AOC's CHOB 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><b>AOC Management Decision:</b> 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>

**TABLE E: Audits Implemented and Closed Recommendations Continued**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>Audit of the CHOBr Project's Subcontractor Bids and Awards</b>	OIG-AUD-2021-05 August 30, 2021	3	<p><b>Report Summary:</b> The OIG performed oversight of an IPA audit of the AOC CHOBr Project's subcontractor's bids and awards.</p> <p><b>Recommendation:</b> The CHOBr 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"> <li>• 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</li> <li>• The Contracting Officer's approval of the CMC rationale in situations where the CMC recommended hiring a subcontractor that was not the lowest bidder</li> <li>• 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 CHOBr Project team regarding which subcontractor to select based on this analysis</li> </ul> <p><b>AOC Management Decision:</b> Concur. The CHOBr Project team will update the Project Management Plan to ensure it maintains documentation for the items covered in the recommendation.</p>
<b>Audit of the CHOBr Project's Subcontractor Bids and Awards</b>		4	<p><b>Recommendation:</b> To ensure consistency during the subcontractor bid and award process, we recommend that the CHOBr Project team develop a checklist or other template describing the steps the CHOBr 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><b>AOC Management Decision:</b> Concur. The CHOBr Project team will develop the recommended checklist.</p>
<b>The AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the CHOBr Project</b>	OIG-AUD-2022-01 March 24, 2022	1	<p><b>Report Summary:</b> The OIG performed an independent assessment of unallowable costs reimbursed to AOC's CMC on the CHOBr Project.</p> <p><b>Recommendation:</b> We recommend that, to the extent legally and administratively possible, the CHOBr 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><b>AOC Management Decision:</b> Concur. The CHOBr Project team has recovered these funds.</p>
<b>The AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the CHOBr Project</b>		3	<p><b>Recommendation:</b> 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 CHOBr Project team does not approve, unallowable costs in the pay applications.</p> <p><b>AOC Management Decision:</b> 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>

TABLE F: I&amp;E Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
<b>ARCHITECT OF THE CAPITOL/OFFICE OF THE CHIEF SECURITY OFFICER</b>			
<b>Flash Report Series – U.S. Capitol Building Window Installation, Preservation and Repair: Before and After January 6, 2021</b>	Flash Report Series 2022-0003-IE-P March 8, 2022	1	<p><b>Report Summary:</b> 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><b>Recommendation:</b> The AOC 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><b>AOC Management Decision:</b> Concur. The AOC has reported on behalf of the Capitol Police Board that actions have been or are being taken to implement elements of the recommendation.</p> <p><b>OIG Response:</b> Due to the security-sensitive nature of the recommendation, no further details will be made available. This recommendation is closed.</p>
<b>Flash Report Series – U.S. Capitol Building Window Installation, Preservation and Repair: Before and After January 6, 2021</b>		2	<p><b>Recommendation:</b> The AOC 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 continually updated and consistent with the Interagency Security Committee standard updates and the Department of Homeland Security National Terrorism Advisory System Bulletin.</p> <p><b>AOC Management Decision:</b> Concur. The AOC has reported on behalf of the Capitol Police Board that actions have been or are being taken to implement elements of the recommendation.</p> <p><b>OIG Response:</b> Due to the security-sensitive nature of the recommendation, no further details will be made available. 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**

	<b>Statutory Language</b>	<b>Number of Reports</b>	<b>Questioned Costs<sup>3</sup></b>	<b>Funds Put to/ For Better Use<sup>4</sup></b>
<b>A</b>	<b>Audit reports for which no management decision was issued by the start of the reporting period</b>	0	—	—
<b>B</b>	<b>Reports requiring a management decision during the reporting period</b>	0	—	—
<b>C</b>	<b>Prior Year Adjustments</b>	0	—	—
	<b>Subtotals (A+B+C)</b>	0	—	—
<b>D</b>	<b>Reports for which a management decision was issued during the reporting period:</b>	0	—	—
	<b>(i) Dollar value of disallowed costs<sup>1</sup></b>	0	—	—
	<b>(ii) Dollar value of costs not disallowed<sup>2</sup></b>	0	—	—
	<b>(iii) Dollar value of recommendations that were agreed to by management</b>	0	—	—
	<b>(iv) Dollar value of recommendations that were not agreed to by management</b>	0	—	—
<b>E</b>	<b>Reports for which no management decision was issued by the end of the reporting period</b>	0	—	—
<b>F</b>	<b>Reports for which no management decision was made within six months of issuance</b>	0	—	—

**Definitions**

<sup>1</sup>Costs determined to be unallowable by Federal guidance (Funds For Better Use)

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

<sup>3</sup>Costs 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.

<sup>4</sup>Recommendation 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		
<b>Audit of Cannon House Office Building Renewal Project's Reimbursable Costs</b>	OIG-AUD-2021-04	6/8/2021	\$521,316.00	\$54,246.00						
<b>Recommendation No.2</b>			—	\$54,246.00 <sup>1</sup>	—	—	\$21,489.90	\$31,157.28		Closed
<b>Recommendation No.4</b>			\$234,383.00 <sup>2</sup>	—	\$220,000.00	\$35,819.45	\$35,819.45	—		Closed
<b>Recommendation No.6</b>			\$286,933.00	—	—	—	—	—		Open
<b>Audit of the Architect of the Capitol's Unliquidated Obligations</b>	OIG-AUD-2021-06	9/29/21	\$90,110.00	—	—	—	—	—		Open
<b>AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the Cannon House Office Building Renewal (CHOBr) Project</b>	OIG-AUD-2022-01	3/24/22	\$55,235.00	\$38,529.00						
<b>Recommendation No.1</b>			—	\$38,529.00	—	—	\$42,792.00 <sup>3</sup>	—		Closed
<b>Recommendation No.2</b>			\$55,235.00	—	—	—	—	—		Open

<sup>1</sup>\$1,598.71 of the Reported Disallowed Costs was determined allowable<sup>2</sup>Reported Question Costs plus markup of \$21,436 increased total questioned costs to \$255,819.00<sup>3</sup>AOC identified an additional \$4,263.00 in unallowable costs. Total cost recovered \$42,792.00.



**TABLE I: Investigation Recommendations for Better Use of Funds**

**Cost Avoidance, Savings and Recoveries Resulting From OIG Investigations**

<b>Item</b>	<b>Quantity</b>
<b>*Cost Avoidance from Employee Removals/Resignations</b>	\$513,756.79
<b>*Savings From Employee Salaries During Suspensions</b>	\$1,843.68
<b>Administrative Repayment Determinations</b>	\$0.00
<b>Court Ordered Fines/Forfeitures/Restitution</b>	\$0.00
<b>OIG Recovery of Stolen Government Property/Funds</b>	\$0.00
<b>Funds put to better use:</b>	
<b>Salary and Benefits</b>	\$515,600.47
<b>Net Questioned Costs</b>	\$573.57
<b>Waste</b>	\$0.00
<b>Total</b>	<b>\$516,174.04</b>

*\*Salary and wage data obtained from the Office of the Chief Financial Officer is used to calculate positive impact and savings from investigations that result in the suspension, 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

<b>IG Act Reporting Requirements</b>	<b>Description</b>	<b>Page No.</b>
<b>Section 4(a)(2)</b>	Review of Legislation and Regulations	39–41
<b>Section 5(a)(1)</b>	Significant Problems, Abuses and Deficiencies	10–14
<b>Section 5(a)(2)</b>	Recommendations with Respect to Significant Problems, Abuses and Deficiencies	44–61
<b>Section 5(a)(3)</b>	Prior Significant Recommendations Not Yet Implemented	44–56
<b>Section 5(a)(4)</b>	Summary of Matters Referred for Prosecution and Resulting Convictions	16–17
<b>Section 5(a)(5)</b>	Summary of Instances Where Information Was Refused	42
<b>Section 5(a)(6)</b>	Listing of Audit, Inspection and Evaluation Reports, Including Total Value of Questioned Costs and Funds Put to Better Use	10–14
<b>Section 5(a)(7)</b>	Summary of Significant Reports	10–38
<b>Section 5(a)(8)</b>	Statistical Tables on Management Decisions on Questioned Costs (see statute for specifics)	62–64
<b>Section 5(a)(9)</b>	Statistical Tables on Management Decisions on Recommendations That Funds Be Put to Better Use (see statute for specifics)	62–64
<b>Section 5(a)(10)</b>	Summary of Each Audit Report Over Six Months Old for Which No Management Decision Has Been Made (see statute for specifics)	42
<b>Section 5(a)(11)</b>	Significantly Revised Management Decisions	42
<b>Section 5(a)(12)</b>	Significant Management Decisions with Which the Inspector General Disagrees	42
<b>Section 5(a)(17)</b>	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	43
<b>Section 3(d), Section 5(a)(14)</b>	Peer Review	44
<b>Section 5(a)(18)</b>	Description of the Metrics Used for Developing the Statistical Tables Under 5(a)(17)	16
<b>Section 5(a)(19)</b>	Report on Each Investigation Conducted by the OIG Involving Senior Government Employee (See statute for specific info required)	25–27
<b>Section 5(a)(21)</b>	Detailed Description of Any Attempt to Interfere with OIG Independence (See statute for specifics)	42
<b>P.L. 114-113</b>	Quarterly Status Updates on Cannon House Office Building and the Capitol Power Plant Projects	37–38

**APPENDIX B: Definitions of Terms Used in This Semiannual Report**

Term	Definition
<b>Disallowed Cost</b>	A questioned cost that management, in a management decision, has sustained or agreed should not be charged to the government.
<b>Funds Put to Better Use</b>	A recommendation that funds could be used more efficiently if management took actions to implement and complete the recommendation.
<b>Management Decision</b>	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.
<b>Questioned Cost</b>	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.



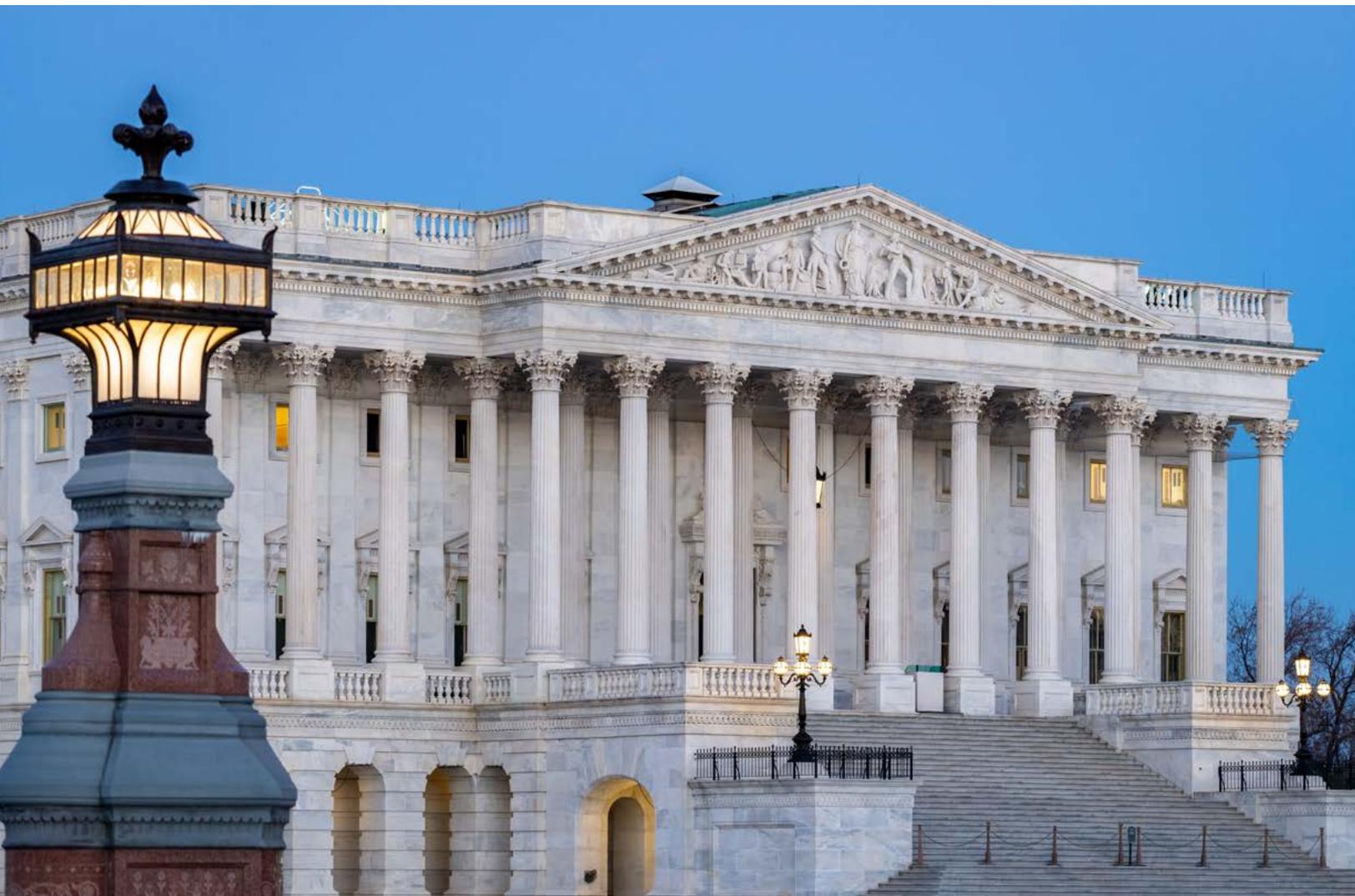
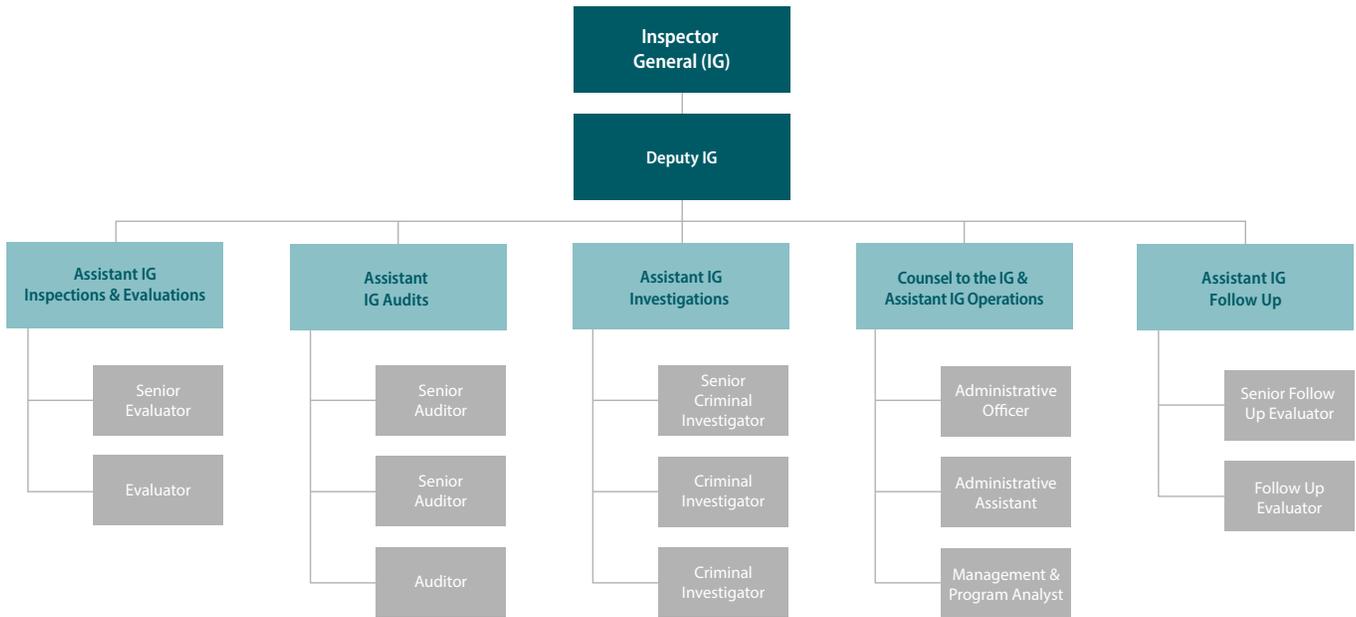
# LIST OF ACRONYMS USED IN THIS REPORT

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AOC	Architect of the Capitol	IPP	Invoice Processing Platform
AWOL	Absent Without Leave	IT	Information Technology
CHOBr	Cannon House Office Building Renewal	ITD	Information Technology Division
CIGIE	Council of the Inspectors General on Integrity and Efficiency	ITSM	Information Technology Service Management
CMc	Construction Manager as Constructor	LBFMS	Legislative Branch Financial Management Systems
COR	Contracting Officer's Representative	LWOP	Leave Without Pay
COVID-19	Coronavirus	MACC	Multiple Award Construction Contract
CS	Confidential Source	NFC	National Finance Center
CUEC	Complementary User Entity Controls	OGC	Office of General Counsel
CVC	U.S. Capitol Visitor Center	OIG	Office of Inspector General
D/B	Design/Build	PCO	Potential Change Order
DI/DR	Diversity, Inclusion and Dispute Resolution	P.L.	Public Law
DOJ	U.S. Department of Justice	SAR	Semiannual Report
FISMA	Federal Information Security Modernization Act	SOC	System and Organization Controls
FY	Fiscal Year	SOP	Standard Operating Procedure
GAO	Government Accountability Office	SR	Senior Rated
HCA	House Committee on Appropriations	SSMMD	Supplies, Services and Material Management Division
HCMD	Human Capital Management Division	T&A	Time and Attendance
HSAA	House Sergeant at Arms	TWAI	Treasury Web Application Infrastructure
IG	Inspector General	ULO	Unliquidated Obligations
I&E	Inspection & Evaluation	USAO	U.S. Attorney's Office
IPA	Independent Public Accounting Firm	U.S.C.	United States Code
		USCP	U.S. Capitol Police



# Office of Inspector General Organization Chart



# To Report Fraud, Waste and Abuse



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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](mailto:Christopher.failla@aoc.gov).





SAR 22-2