



ARCHITECT OF THE CAPITOL

# SEMIANNUAL REPORT TO CONGRESS

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Office of Inspector General

October 1, 2022 – March 31, 2023





## INSPECTOR GENERAL MESSAGE



I am pleased to submit the Architect of the Capitol's (AOC) Office of Inspector General (OIG) Semiannual Report (SAR) to Congress for the first half of Fiscal Year (FY) 2023. 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-month period from October 1, 2022-March 31, 2023. 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.

This report is the AOC's 30th SAR, and it is the 12th report in my six-year tenure. In my role as the Inspector General, it is my responsibility to oversee and report on the efficiency, effectiveness and economy of the AOC programs and operations and do so with independence and integrity. As the U.S. Capitol is a world-renowned symbol for democracy, we take pride in our work for Congress, the AOC, the Capitol Hill community and the people of the United States.

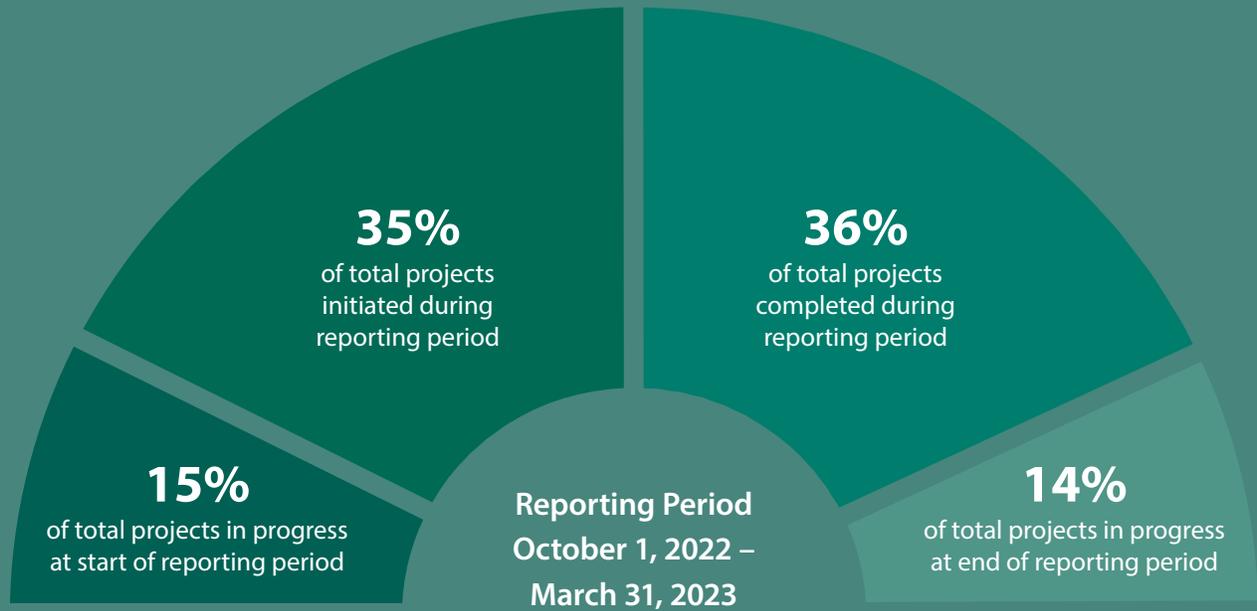
During this reporting period, our office conducted numerous audits, evaluations and investigations across the AOC's programs and operations. Our work focused on identifying areas of risk and areas in need of improvement as well as assessing the agency's compliance with laws, regulations and policies. As such, this report contains findings and

recommendations intended to assist the agency in improving its operations, reducing costs and enhancing program outcomes. The following pages detail oversight efforts that identified \$1.2 million in questioned, unallowable or insufficiently supported funds as well as funds put to better use. This effort could not have been accomplished without the dedicated, diverse and talented OIG staff who go above and beyond and take their oversight role as seriously as I do.

We look forward to continuing our efforts to provide independent and effective oversight of the AOC and to work with the Council of the Inspectors General on Integrity and Efficiency on important issues that impact our government. The OIG remains committed to providing independent and objective oversight to ensure the agency is fulfilling its mission and responsibilities effectively, efficiently and ethically. We will continue working diligently and without fear of reprisal to identify and address issues and vulnerabilities that may impact the agency's operations and performance and investigate those that violate policies and laws and waste taxpayer funds at all levels of the organization.

The OIG staff would like to welcome the Acting Architect of the Capitol (Acting Architect) to her new role. I want to express my gratitude for her enthusiasm about working with the OIG to improve AOC programs and operations as well as to combat fraud, waste and abuse in the AOC's many jurisdictions. The OIG would also like to express its thanks to all AOC personnel for their assistance in providing documentation and their time and expertise in support of OIG work. Last, we want to thank the Members of Congress and their staff for their continued support so that the OIG may provide the Acting Architect with valuable oversight of the symbols of democracy and the jurisdictions that maintain it.

# OIG PRODUCTIVITY

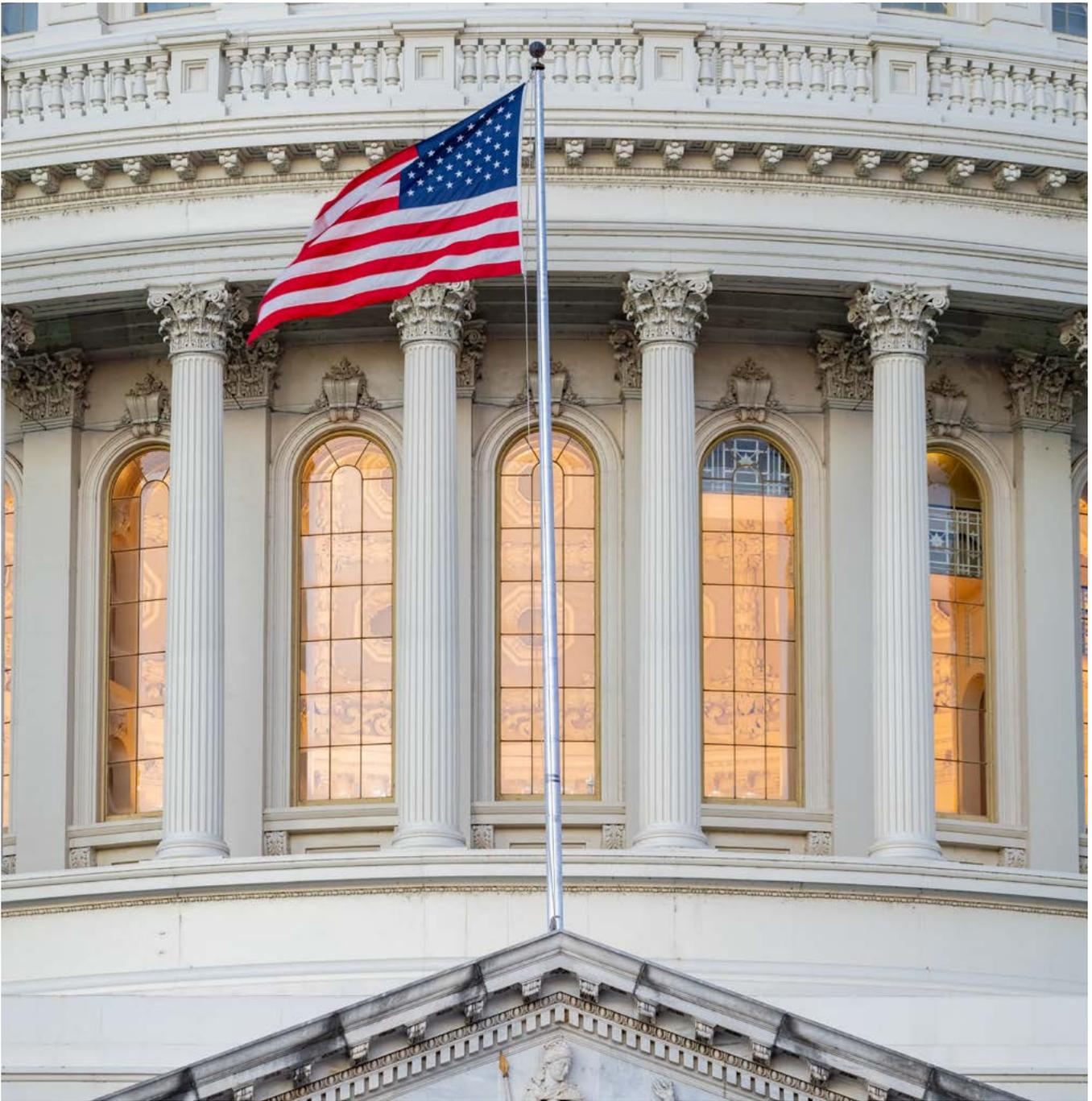


**22** Projects in Progress at Start of Reporting Period

**51** Projects Initiated during Reporting Period

**52** Projects Completed during Reporting Period

**21** Projects in Progress at End of Reporting Period



## 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.



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### Inspector General Act

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



## PROFILES

### ARCHITECT OF THE CAPITOL

Permanent authority for the care and maintenance of the U.S. Capitol by the Architect of the Capitol (AOC) derives from § 1811 of Title 2 of the United States Code (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. These grounds include the U.S. Capitol, House and Senate office buildings, the U.S. Capitol Visitor Center (CVC), 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 regarding the preservation of architectural and artistic elements entrusted to its care and provides recommendations concerning the 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.

The AOC performs its duties in connection with various House and Senate committees. The Committee on House Administration, as well as several other House committees, oversee AOC activities in the U.S. House of Representatives. The Senate Committee on Rules and Administration provides oversight for the AOC'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 Office of Inspector General (OIG) as an independent, objective office within the AOC and applies certain sections of the Inspector General Act of 1978, as amended, that detail the Inspector General's (IG) duties and authorities and 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, in the Semiannual Reports (SAR), note their impact on the economy and efficiency or the prevention and detection of fraud and abuse
- (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, which is an effort that is generally done by issuing an SAR to the Architect of the Capitol and Congress

## AUDITS

## COMPLETED ACTIVITY THIS REPORTING PERIOD

**Audit of FY 2022 Financial Statements** ([OIG-AUD-2023-01](#))

The OIG contracted with an independent public accounting firm (IPA) to audit the financial statements of the AOC as of and for the fiscal year (FY) that ended September 30, 2022, to provide reports on internal control over financial reporting and on compliance and other matters. The contract required the audit be performed in accordance with auditing standards generally accepted in the United States; the standards applicable to financial audits contained in Government Auditing Standards,<sup>1</sup> issued by the Comptroller General of the United States under the U.S. Government Accountability Office (GAO); the Office of Management and Budget (OMB) Bulletin No. 22-01, Audit Requirements for Federal Financial Statements;<sup>2</sup> the GAO's Federal Information System Controls Audit Manual;<sup>3</sup> and the GAO/Council of the Inspectors General on Integrity and Efficiency (CIGIE) Financial Audit Manual.<sup>4</sup> Specifically, the IPA was responsible for forming and expressing an opinion on whether the financial statements 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 IPA issued an unmodified opinion for FY 2022 financial statements and one material weakness in the internal controls 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 three recommendations to correct the material weakness; however, management did not concur with the recommendations.

**FY 2022 Financial Statements Audit Management Letter** ([OIG-AUDIT-2023-02](#))

As a supplement to the IPA's report on the AOC's financial statements for FY 2022, the IPA issued a management

letter that identified two deficiencies in the AOC's internal control over financial reporting. These two deficiencies did not rise to the level of material weaknesses or significant deficiencies but should be corrected.

The OIG served as the Contracting Officer's Representative (COR), providing oversight of contract requirements and transmitting the IPA's final report on December 8, 2022. The IPA made two recommendations to correct these deficiencies and management concurred.

**Review of the AOC's Multimillion-Dollar Construction Project Change Orders** ([OIG-AUD-2023-04](#))

The OIG contracted with an IPA to perform semi-annual reviews of AOC change orders for various multimillion-dollar construction projects. The objective of the review was to determine whether the change orders for multimillion-dollar construction projects are reasonable, authorized, supported and comply with contract requirements.

The semiannual review determined that the change orders sampled generally met our objective; however, we noted instances of (1) proposals containing duplicative costs, (2) potentially improper use of government funds, (3) incorrectly applied markups, (4) proposals lacking contractually required detail and (5) documentation that did not support proper adherence to AOC policies and procedures. We identified \$741,758 in questioned costs, of which the AOC confirmed \$19,675 as unallowable.

The OIG served as the COR, providing oversight of contract requirements and transmitting the IPA's final report memorandum on March 30, 2023.

The IPA made eight recommendations to correct these deficiencies. Management's official response was not received before issuance.

<sup>1</sup>GAO. 2018. Government Accountability Standards (Yellow Book). [www.gao.gov/yellowbook](http://www.gao.gov/yellowbook).

<sup>2</sup>OMB. 2022. Bulletin No. 22-01, Audit Requirements for Federal Financial Statements. [www.whitehouse.gov/wp-content/uploads/2022/08/Aug-25-Audit-Bulletin-FY22\\_signed.pdf](http://www.whitehouse.gov/wp-content/uploads/2022/08/Aug-25-Audit-Bulletin-FY22_signed.pdf).

<sup>3</sup>GAO. 2009. Federal Information System Controls Audit Manual. [www.gao.gov/assets/gao-09-232g.pdf](http://www.gao.gov/assets/gao-09-232g.pdf).

<sup>4</sup>GAO. 2022. Financial Audit Manual. [www.gao.gov/financial\\_audit\\_manual](http://www.gao.gov/financial_audit_manual).



**The AOC's Internal Control Plan Lacked Procedures to Assess and Monitor Payment Accuracy (OIG-AUD-2023-05)**

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

After assessing the AOC's internal control plan, we determined the AOC had internal controls to mitigate risks

related to the processing of improper payments during origination (initial contractual setup and payment). However, we found the plan did not align with the Payment Integrity Information Act of 2019 (PIIA)<sup>5</sup> and OMB Circular A-123, Appendix C,<sup>6</sup> for assessing risks of significant improper payments and evaluating payment accuracy after payment processing. Specifically, the AOC did not have procedures to assess risks and monitor payment accuracy in its programs and activities.

The OIG served as the COR, providing oversight of contract requirements and transmitting the IPA's official draft on March 10, 2023. Final report issued on April 14, 2023. The IPA made three recommendations to correct these deficiencies and management concurred.

## AUDIT DIVISION PROJECTS IN PROGRESS

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

The OIG contracted with an IPA to perform an audit of the Cannon House Office Building Renewal (CHOBr) Project's Caucus Room. The objective of the audit is to determine if the CHOBr Project's Caucus Room was constructed and commissioned in accordance with the design, contract documents and contract terms and conditions of the approved budget.

The OIG announced the audit on September 27, 2022. The OIG is serving as the COR on the contract, which includes overseeing 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 is contracting with an IPA to perform an audit of the AOC CHOBr 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 CHOBr Project's punch list and warranty work for Phase 2.

The OIG announced the audit on September 27, 2022. The OIG is serving as the COR on the contract, which includes overseeing contract requirements. The OIG plans to transmit the IPA's final report in July 2023.

**AOC Construction Change Order Review (2023-AUD-002-O)**

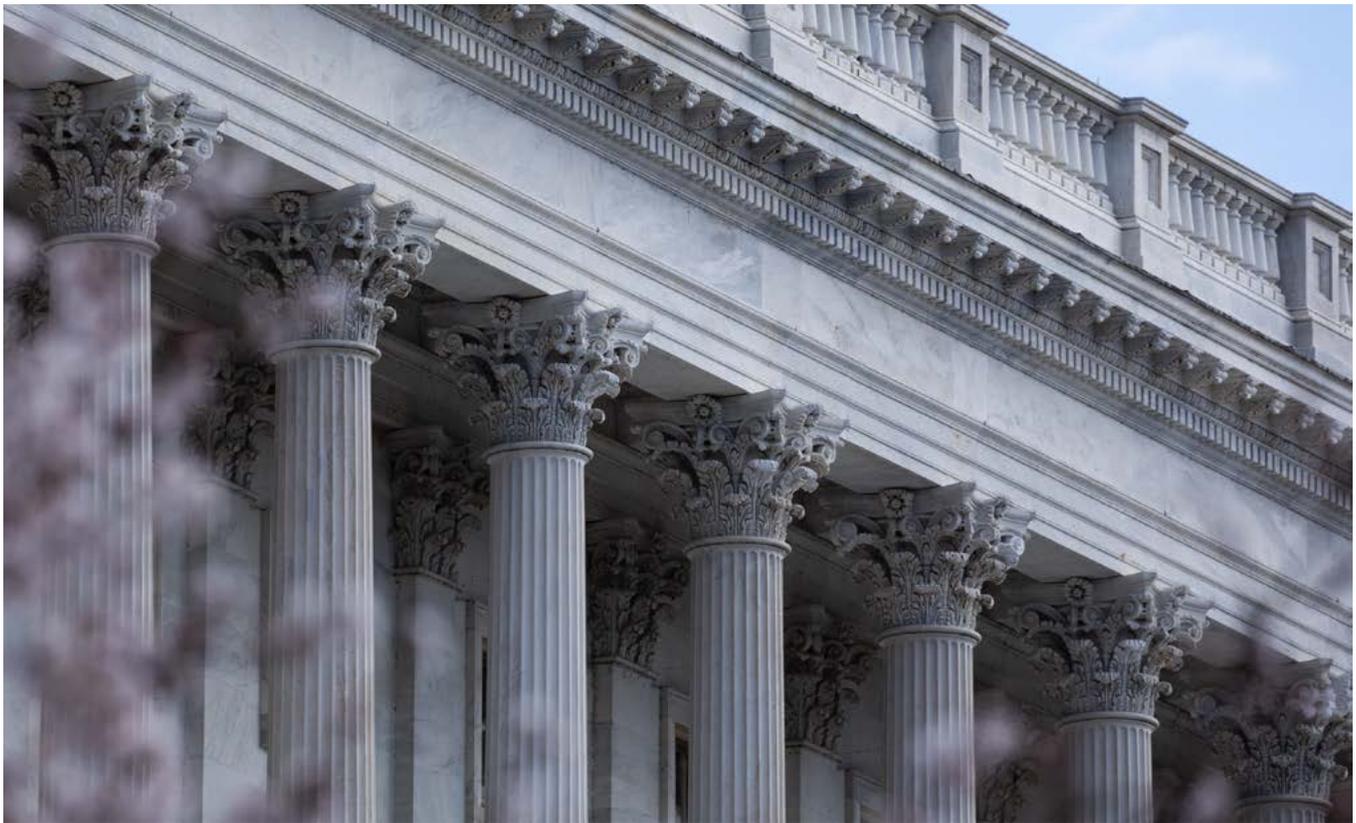
The OIG contracted with an IPA to perform our second semiannual review of AOC change orders for various multimillion-dollar construction projects. The objective of the review is to determine whether the change orders for multimillion-dollar construction projects are reasonable, authorized, supported and comply with contract requirements.

The OIG announced the review on March 29, 2023. The OIG serves as the COR on the contract, which includes overseeing contract requirements. The OIG plans to transmit the IPA's final report in August 2023.

<sup>5</sup>Payment Integrity Information Act of 2019 (PIIA) <https://www.congress.gov/116/plaws/publ117/PLAW-116publ117.pdf>.

<sup>6</sup>OMB. 2021. Circular A-123, Requirements for Payment Integrity Improvement, Appendix C. [www.whitehouse.gov/wp-content/uploads/2021/03/M-21-19.pdf](http://www.whitehouse.gov/wp-content/uploads/2021/03/M-21-19.pdf).





## INSPECTIONS AND EVALUATIONS

### 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 objective of 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 implementation of the Federal Information Security Modernization Act on August 30, 2022. The objective of 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 of 2014 (FISMA).<sup>7</sup> The AOC is not required to follow FISMA, but it is a best practice and will be used as criteria for the evaluation. The OIG anticipates releasing the final report in May 2023.

#### **Special Review (Flash Report) of the AOC's Records and Archives Management (2023-0001-IE-P)**

The OIG announced the special review of the AOC's Records and Archives Management on February 16, 2023. The objective of this evaluation is to assess the efficiency, effectiveness and internal controls of the AOC Records and Archives Management Program in accordance with AOC policies, procedures and applicable federal laws and regulations. We will also determine if document handling procedures are compliant with AOC security requirements. This review will include physical inspections of records and archives offices or storage spaces. The OIG anticipates releasing the final report in May 2023.

<sup>7</sup>Public Law No. 113-283. Federal Information Security Modernization Act of 2014. [www.congress.gov/bill/113th-congress/senate-bill/2521](http://www.congress.gov/bill/113th-congress/senate-bill/2521).

## FOLLOW-UP

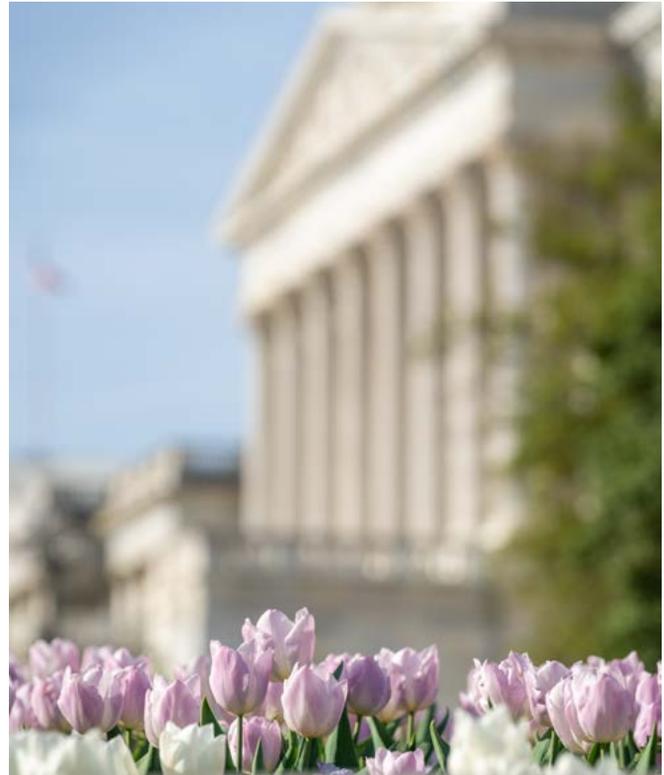
### COMPLETED ACTIVITY THIS REPORTING PERIOD

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

The OIG announced a follow-up evaluation of the Congressional Request for the AOC's Response to Sexual Harassment on May 24, 2022. The objective of this follow-up evaluation was to determine whether the AOC implemented corrective actions to address issues identified in the OIG's 2019 report, Congressional Request for Office of Inspector General Review of the Architect of the Capitol's Response to Sexual Harassment.<sup>8</sup>

The OIG issued the official draft report to the AOC on March 31, 2023. The OIG's follow-up evaluation found that the AOC expanded its antiharassment policy and the Diversity, Inclusion and Dispute Resolution (DI/DR) Office developed new training for AOC employees and supervisors, increased training for its own staff, outsourced their 24/7 hotline, realigned its office for greater independence and implemented a new case management system. However, issues remain with the quality of the AOC's sexual harassment data, and the DI/DR lacks office-specific policies and procedures for training requirements, documenting and tracking complaints, and responding to complaints. Our confidential, agencywide sexual harassment survey data yielded mostly positive results about the AOC's culture relevant to sexual harassment, but there remains a perception that the AOC does not always take concerns seriously, should do more to prevent harassment committed by non-employees and provide more transparency about outcomes.

The OIG made 12 recommendations to correct these deficiencies.



### FOLLOW-UP DIVISION PROJECTS IN PROGRESS

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

The OIG announced a follow-up evaluation of the Evaluation of the AOC's Inventory Accountability and Controls<sup>9</sup> on January 12, 2023. The objective of this follow-up evaluation is to determine whether the AOC implemented corrective actions to address recommendations in the OIG's 2019 report. The OIG anticipates releasing the final report during the second quarter of FY 2023.

<sup>8</sup>AOC OIG. 2019. Congressional Request for Office of Inspector General Review of the Architect of the Capitol's Response to Sexual Harassment, Report No. 2019-0001-INVQ-P. <https://aocoig.oversight.gov/reports/other/congressional-request-office-inspector-general-review-architect-capitol-response>.

<sup>9</sup>AOC OIG. 2019. Evaluation of the AOC's Inventory Accountability and Controls, Report No. 2018-0002-IE-P. [www.oversight.gov/sites/default/files/oig-reports/Evaluation%20of%20AOC%27s%20Inventory%20Accountability%20and%20Controls\\_2018-0002-IE-P.pdf](http://www.oversight.gov/sites/default/files/oig-reports/Evaluation%20of%20AOC%27s%20Inventory%20Accountability%20and%20Controls_2018-0002-IE-P.pdf)

## INVESTIGATIONS

The 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 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. OIG special agents continue to train and work with local and federal agencies to build relationships that, together, further enhance our capabilities to identify and mitigate fraud within the AOC.

During this reporting period, the OIG received or initiated a total of 17 complaints. From those complaints, investigators opened seven investigations. We referred a total of five complaints to other government agencies, AOC program offices and/or AOC Avenues of Assistance. One case was referred for prosecutorial consideration.



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

Investigative Activity	Count
<b>Complaints</b>	
Hotline complaints received (phone and/or email)	11
Complaints received (walk-ins)	1
Direct phone or email to the OIG	5
U.S. mail or facsimile machine	0
OIG-observed or -developed	0
<b>Total Complaints</b>	<b>17</b>
<b>Investigations</b>	
Investigations Opened	7
Investigations Closed <sup>1</sup>	12
<u>Issuance of Subpoenas</u>	
OIG Subpoenas Served	5
Grand Jury Subpoenas Served	0
<u>Disciplinary Actions Resulting from Administrative Investigations</u>	
Actions Pending	6
Allegations Not Substantiated or Disproven by the OIG	25
Allegations Substantiated	34
Employee Removals/Resignations/Retirements (in lieu of)	3
Employee Reprimands/Warnings/Counseling	5
Employee Suspensions	1
<b>Total Disciplinary Actions</b>	<b>8</b>
<b>Referrals</b>	
<u>Criminal Investigation Referrals<sup>2</sup></u>	
Accepted for Prosecution	0
Declined for Prosecution	1
<u>Administrative Investigation Referrals</u>	
Informal Referrals (to AOC Program Offices, no follow-up or report required)	5
Formal Referrals (follow-up required within 60-90 days)	0
Law Enforcement Referrals	3
Employee Assistance Referral (to AOC Avenue of Assistance)	0
<b>Total Referrals</b>	<b>9</b>

<sup>1</sup> Reflects 10 investigations opened during previous periods

<sup>2</sup> Referred to USAO, States Attorney's Office, state 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.

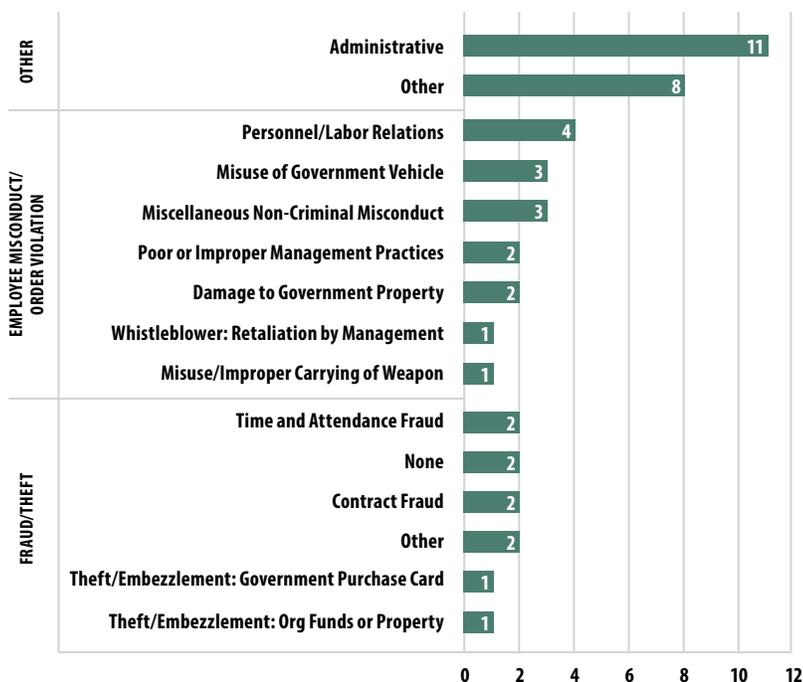
Figure 1 highlights the number of charges, both substantiated and not substantiated, by type for the 12 investigations<sup>10</sup> closed during the reporting period. There were 56 administrative charges. Of those, the OIG substantiated 34. Of six civil/criminal charges, the OIG substantiated three. Management action is pending for seven cases with substantiated charges.

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



Figure 2 represents investigation activities that include complaints and referrals for the reporting period broken out by violation type. Fraud/theft, employee misconduct/order violation and other (violations that did not meet certain case criteria 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.

**FIGURE 3: Top Violations by Subcategory**



<sup>10</sup>While there were 12 closed cases, only eight contained charges.

## OPEN INVESTIGATIONS

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OIG currently has five open investigations:

- 2023-0002-INVI-P
- 2023-0003-INVI-P
- 2023-0004-INVI-P
- 2023-0006-INVI-P
- 2023-0007-INVI-P

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

## CLOSED INVESTIGATIONS: Involving Senior Government Employees

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### **J. Brett Blanton, Architect of the Capitol, Abused His Authority, Misused Government Property and Wasted Taxpayer Money, Among Other Substantiated Violations (2021-0011-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy, Fleet Management Policy, Authority and Responsibilities of the OIG and Cooperation of AOC Employees Policy and Title 18 U.S.C. § 1001 Statements or Entries Generally.  
**Substantiated.**

On March 7, 2021, the OIG received a complaint concerning an AOC vehicle being operated recklessly in the Tyson's Corner, Virginia, area. The OIG determined the vehicle was assigned to the Office of the Chief Security Officer (OCSO) and used by then-Architect of the Capitol James Brett Blanton. It was also discovered that a previous complaint had been made with the General Services Administration referencing the same vehicle in December 2020. Subsequent investigation by the OIG revealed that AOC vehicles intended for home-to-work transportation and official government business by Blanton were consistently used as personal vehicles by Blanton and his family for weekend trips to a craft brewery and West Virginia, travel to Florida and South Carolina and general family use. The AOC vehicles were driven by Blanton's spouse and adult daughter on a regular basis without him in the vehicle. Blanton's daughter advised the OIG that her father had given her permission to drive the vehicles and that she had transported her friends and boyfriend in the vehicle. She referred to using the AOC's fuel as "free gas." On one occasion, an AOC vehicle under Blanton's control was involved in an accident at a brewery in Leesburg, Virginia. Blanton told the other party involved that it was a government vehicle, he was an "agent," and he did not have insurance information because the government would handle the insurance claim. A police

report was not obtained, witness statements were not taken and other AOC accident procedures were not followed.

The investigation also revealed that Blanton used an AOC vehicle with emergency equipment to pursue a suspect involved in a hit-and-run that took place near his residence. The vehicle struck belonged to Blanton's daughter's boyfriend. The police report obtained from that incident identified Blanton as an "off-duty D.C. police officer." The suspect's legal counsel stated that, because of his belief that Blanton was law enforcement, he did not object to Blanton's presence at pretrial meetings. He also described Blanton as making an affirmative action when asked if he was law enforcement during the meetings. Witnesses reported that Blanton had "activated the emergency equipment" when pursuing the suspect.

The accident at the brewery caused \$1,409.80 in vehicle repairs, which were paid for by the AOC and U.S. taxpayers. In addition, the investigation determined that Blanton's personal use of AOC vehicles totaled more than 23,000 miles between 2020 and 2022. Using an IRS formula, the additional mileage, wear and tear and extra maintenance added to the AOC vehicles represented a fringe benefit to Blanton of approximately \$13,900, not including any fuel that may have been used by the family.

On February 13, 2023, the President of the United States terminated Blanton's appointment as Architect of the Capitol. The Department of Justice and the Office of the Fairfax County Commonwealth's Attorney declined to pursue criminal prosecution. The results of this investigation were referred to the congressional committees with AOC oversight, the GAO and current AOC management for review and any action deemed appropriate, including recovery of misused tax dollars.



### **AOC Employee/Annuitant Abused Their Authority and Provided Preferential Treatment to AOC Contractors (2021-0018-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy and Contracting Manual Policy. **Substantiated.**

Suspected Violations of the AOC Re-Employed Retired Annuitants Policy. **Not Substantiated.**

The OIG received a referral reporting that McDonough Bolyard Peck, a construction manager as agent (CMa), was performing an integrated cost schedule risk analysis for the Cannon House Office Building Renewal (CHOB) Project and that employees of the CMa contractor were friends of Mr. Bernard Ungar (retired, GS-15, Capital Project Executive, Office of the Chief Engineer) and had received preferential treatment. The complainant reported that the work being done was unnecessary, expensive and placed the AOC at risk of being defrauded. The OIG investigation found that Ungar negotiated the hourly fee for a subcontractor to the CMa and informed the subcontractor of the AOC's maximum acceptable hourly fee. Ungar violated AOC policy when he was not forthcoming about his relationship with AOC contractors. Ungar retired from government service April 9, 2022.

### **Inappropriate Romantic Relationship Involving a Senior Rated (SR) Employee and a Subordinate Supervisor (2023-0005-INVI-P)**

SR Employee: Suspected Violations of the AOC Standards of Conduct Policy and Relationships Between Supervisors and Subordinates Policy Memorandum. **Substantiated.**

Subordinate Supervisor: Suspected Violations of the AOC Standards of Conduct Policy, AOC IT Resources and De Minimis Use Policy and Relationships Between Supervisors and Subordinates Policy Memorandum. **Substantiated.**

The OIG received a complaint that Ms. Angela "Beth" Compton Plemmons (SR-00, Chief Executive Officer, CVC) had an inappropriate romantic relationship with a subordinate supervisor in her chain of command. Following a review of digital forensic evidence and interviews of both parties, the OIG substantiated that both employees violated multiple AOC policies. The administrative violations were submitted to the Acting Architect of the Capitol for action deemed appropriate.

## **CLOSED INVESTIGATIONS: Awaiting Management Action**

### **AOC Employee Requested Supervisors to Falsify Time and Attendance Records While Submitting False Medical Records (2022-0006-INVI-P)**

Employee: Suspected Violations of the AOC Standards of Conduct Policy, Time and Attendance Policy and Procedures, Absence and Leave Policy, Time Clocks Standard Operating Procedures, Authority and Responsibilities of the OIG and Cooperation of AOC Employees and Title 18 U.S.C. § 1001 Statements or Entries Generally. **Substantiated.**

Supervisor 1: Suspected Violations of the AOC Standards of Conduct Policy, Time and Attendance Policy and Procedures and Time Clocks Standard Operating Procedures. **Substantiated.**

Supervisor 2: Suspected Violations of the AOC Standards of Conduct Policy, Time and Attendance Policy and Procedures and Time Clocks Standard Operating Procedures. **Substantiated.**

Supervisor 3: Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy, Time and Attendance Policy and Procedures and Time Clocks Standard Operating Procedures. **Not Substantiated.**

The OIG received a referral alleging that an employee requested their immediate supervisor clock them in and out of work without being physically present. The investigation substantiated the allegations against the employee and two supervisors and revealed that the employee provided supervisors with false medical documentation to support unscheduled leave requests. The administrative violations were submitted to the jurisdiction for action deemed appropriate and is pending management action.



### **Allegation of AOC Employee Conducting Outside Employment Without Prior Approval and Submitting a False Leave Request (2022-0007-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy, IT Resources and De Minimis Use Policy, IT System Rules of Behavior Policy, Authority and Responsibilities of the OIG and Cooperation of AOC Employees and Title 18 U.S.C. § 1001 Statements or Entries Generally. **Substantiated.**

Suspected Violations of the AOC Absence and Leave Policy. **Not Substantiated.**

The OIG received a referral alleging that an AOC employee had engaged in outside employment without following proper protocol, falsified a leave request to engage in this business and misused AOC resources. The OIG investigation determined that the employee operated an art business where they sold their artwork for monetary profit. The OIG referred the investigation to the Department of Justice for criminal prosecution under Title 18, U.S.C. § 1001; however, it was declined due to limited resources.

The OIG substantiated that the employee violated AOC policies and referred the matter to the jurisdiction for action deemed appropriate and is pending management action.

### **AOC Employee Allegedly Used Forged Medical Doctors Notes To Justify Sick Leave (2022-0017-INVI-P)**

Suspected Violations of the AOC Family and Medical Leave Act Policy. **Substantiated.**

Suspected Violations of the AOC Government Ethics Policy, Absence and Leave Policy, Standards of Conduct Policy and D.C. Code § 22-3241 Forgery. **Not Substantiated.**

The OIG received a complaint that an AOC employee provided fraudulent medical documentation to gain leave under the Family and Medical Leave Act (FMLA).<sup>11</sup> The investigation determined that the employee was authorized to use FMLA leave that provided temporary self-removal from the work environment if job stresses triggered their medical condition. The investigation determined that the document was authentic. The investigation revealed violations of the AOC's FMLA policy but did not substantiate allegations related to fraudulent documents. The matter was referred to the jurisdiction and is pending management action.

### **Alleged Theft of Government Property by AOC Employee (2022-0018-INVI-P)**

Suspected Violations of D.C. Code § 22-3211 Theft and Title 18 U.S.C. § 641 Public Money, Property or Records. **Not Substantiated.**

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

The OIG received a complaint alleging that an employee was ordering and taking home materials from the upholstery shop. The employee was also believed to be taking scraps of material and other supplies from their workspace in violation of AOC policy. The investigation determined that the employee operated an upholstery business from their home for several years without agency approval for outside employment. The employee also lied to investigators about receiving supervisory approval to take the scraps of material home for personal use. The OIG could not substantiate criminal allegations against the employee for theft. The matter was referred to the jurisdiction and is pending management action.

## **CLOSED INVESTIGATIONS: NO RESPONSE PENDING**

### **AOC Employee Alleged Unauthorized Use of AOC Motor Vehicle (2022-0010-INVI-P)**

Suspected Violations of the AOC Fleet Management Policy, Standards of Conduct Policy and Government Ethics Policy. **Substantiated.**

The OIG received a complaint alleging improper use of an AOC vehicle assigned to the Capitol Power Plant. The OIG interviewed the employee who admitted to taking the vehicle without prior authorization from their supervisor. The employee did not complete an Operational Log and Vehicle Mileage report in violation of the Fleet Management policy. The matter was referred to the jurisdiction and the employee received an official reprimand for the violations identified.

<sup>11</sup> Title 29 U.S.C. Ch. 28, Family and Medical Leave Act. [www.dol.gov/agencies/whd/fmla/laws-and-regulations](http://www.dol.gov/agencies/whd/fmla/laws-and-regulations).



### **AOC Employees Submitted Fraudulent Requests for Official Union Time (2022-00013-INVI-P)**

Employee 1: Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy, Authority and Responsibilities of the OIG and Cooperation of AOC Employees and Time and Attendance Policy.

**Not Substantiated.**

Employee 2: Suspected Violations of the AOC Standards of Conduct Policy, Government Ethics Policy and Authority and Responsibilities of the OIG and Cooperation of AOC Employees. **Not Substantiated.**

The OIG received a referral alleging that two AOC employees submitted conflicting and potentially fraudulent requests for official union time. After conducting an investigation, including interviewing each employee, the OIG did not substantiate the allegations.

### **Allegation of AOC Supervisor Working for Personal Company on AOC Time (2022-0015-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy and Government Ethics Policy.

**Not Substantiated.**

The OIG was notified of an allegation pertaining to a supervisor completing a large amount of work for their private company while working their scheduled shift for the AOC. The OIG investigation revealed the supervisor owns a private business and has the appropriate paperwork on file with the AOC. The OIG was unable to obtain any evidence showing that the supervisor conducted personal business on AOC time and did not substantiate the allegation.

### **AOC Management Conducted Unfair Hiring Process (2022-0016-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy and Career Staffing Plan Policy.

**Not Substantiated.**

The OIG received a complaint alleging that AOC Capitol Power Plant management engaged in unfair hiring practices when hiring a Power Plant Operator Assistant Supervisor. The complainant stated that the employee selected for this position did not meet the requirements for the position because they did not hold a First-Class Power Engineer license. The OIG determined that the candidate was working toward their First-Class Power Engineer license at the time of hire and the position description provided to the candidate upon hire stated that the employee had one year to obtain the appropriate licensing. The candidate's effective date of hire for this position was March 13, 2022; therefore, the candidate had until March 13, 2023, to obtain the required license. The OIG initially did not substantiate the allegations; however, it was later determined that the employee did not obtain the required license by March 13, 2023. The OIG is reviewing the matter and expects to issue a supplemental report early in the next reporting period.

### **Alleged Retaliation, Targeting and Policy Violations by an AOC Supervisor (2023-0001-INVI-P)**

Suspected Violations of the AOC Standards of Conduct Policy, Probation Period Policy and Workplace Violence Prevention Policy. **Not Substantiated.**

The OIG received an allegation that an AOC supervisor retaliated against a former AOC employee, causing them to be terminated without cause near the end of their probationary period after filing a formal complaint. The investigation revealed incident reports, supervisory notes, weekly second-line supervisor updates and multiple emails recorded well in advance of the complaint filed by the employee documenting performance and behavior issues. The investigation did not identify sufficient evidence to substantiate charges against the supervisor.



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

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

Suspected Violation of the AOC Government Ethics Policy. **Substantiated.**

The OIG received a complaint alleging that an AOC supervisor showed favoritism toward employees who were alleged to have engaged in outside employment with the supervisor. The OIG investigation determined that the supervisor had conducted outside employment for several years without the required approval from the AOC. Other alleged violations could not be substantiated.

On October 17, 2022, the AOC advised the OIG that the supervisor was considered a temporary employee and therefore exempt from the agency order on discipline. The agency recommended that the supervisor complete Outside Employment training in lieu of formal disciplinary action.

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

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

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

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

The OIG received a referral alleging that three AOC employees, including a supervisor, had engaged in gambling on the outcome of the 2020 presidential election during duty hours on the Capitol campus in violation of AOC policy. The OIG investigation substantiated the allegations against two of the employees. The investigation found insufficient evidence to substantiate charges against the supervisory employee.

On November 4, 2022, the AOC advised the OIG that one employee had been issued a written counseling and the second employee had been issued a written reprimand. No management action was taken against the supervisory employee.

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

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

The OIG received a complaint alleging that an AOC employee had used AOC vehicles and committed time and attendance fraud by attending personal medical appointments during their scheduled shifts. The OIG investigation determined that, during a nine-month period between January 2021 and May 2022, the employee attended at least nine medical appointments during duty hours. The investigation also substantiated the allegation that the employee had misused AOC vehicles on these occasions.

The investigation determined the employee was paid approximately \$575 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.s, the OIG labeled these funds as net questioned costs.

The Department of Justice declined to pursue prosecution of the employee based on the availability of administrative remedies to the AOC. On November 16, 2022, the AOC advised the OIG that the employee had been terminated.

### AOC Employee Misused AOC Identification (ID) Badge; Accessed Unauthorized Areas of U.S. Capitol Building (2022-0012-INVI-P)

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

Suspected Violations of the AOC Absence and Leave Policy. **Not Substantiated.**

The OIG received a complaint regarding allegations of an AOC employee's misuse of sick leave and misuse of their AOC ID badge. The complaint alleged that the AOC employee, while on approved sick leave, went to the Democratic Cloakroom door 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 investigation confirmed that the employee had been out of work on sick leave at the time of the incident.

The OIG substantiated that the AOC employee's actions violated multiple AOC policies. On January 11, 2023, the AOC advised the OIG that the employee was given a five-day suspension as a result of the incident.

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

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

The OIG received a referral alleging that an AOC employee assigned to the Capitol Power Plant threatened contract employees and others with violence over a parking spot. In addition, the AOC employee had also driven vehicles belonging to the contractor to relocate them from their preferred parking spot. The contractor's vehicles are to be driven only by their employees.

The OIG investigation substantiated that the employee violated multiple AOC policies. On February 21, 2023, the AOC advised the OIG that the employee received an official reprimand for the violations identified in the investigation.

## OTHER WORK

### **Cannon House Office Building Renewal Project Semiannual Status Update for July 1 through December 31, 2022 (OIG-AUD-2023-03)**

The Explanatory Statement accompanying the Legislative Branch Appropriations Act, 2016<sup>12</sup> 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. The statement required the OIG 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 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 February 15, 2023, covering the period of July 1 through December 31, 2022.

On March 28, 2023, 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 letter contained no recommendations.

<sup>12</sup>Public Law No. 114-113. Consolidated Appropriations Act, 2016. <https://www.congress.gov/114/plaws/publ113/PLAW-114publ113.pdf>

## MANAGEMENT ADVISORIES

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

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

### 1. Authority and Responsibilities of the OIG (2023-0002-INVM-P)

On March 3, 2023, the OIG issued a management advisory to notify AOC management of the authority and responsibilities of the OIG and bring to their attention an incident during which 17 employees failed to follow AOC Order 40-1 Authority and Responsibilities of the OIG and Cooperation of AOC Employees. The OIG issued the management advisory in lieu of an official report of investigation substantiating a violation of AOC policy by all involved employees. The advisory included one recommendation to improve agencywide compliance with AOC Order 40-1.

### 2. The AOC Lacks Policy to Govern Capitol Office Moves and AOC Funds at Risk (2023-0003-INVM-P)

On March 21, 2023, the OIG issued a management advisory to notify AOC management that the agency has no policy in place to guide House of Representatives office moves in the U.S. Capitol Building. The OIG has also identified the potential for duplicative office moves, which would be a waste of AOC resources and taxpayer funds. The advisory included one recommendation to establish written policies or procedures to govern the role of AOC personnel in House leadership office moves within the U.S. Capitol Building.

## NOTICES OF CONCERN

A Notice of Concern reports on specific AOC safety or security issues observed during the OIG's work and is provided to AOC management for any immediate action they deem appropriate. These reports do not provide recommendations. We did not issue any Notices of Concern during the reporting period.

## REVIEW OF LEGISLATION AND POLICIES

The OIG provides resources in reviewing and providing comments on AOC draft guidance documents as part of our requirement to comment on proposed legislation and policy. This requirement 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 orderly operation. Our review is an integral part of our effort to identify and prevent fraud, waste and abuse. During this reporting period, we reviewed 12 orders or other policy or guidance documents.

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

Document No.	Title	Description
<b>Order 4-3</b>	Snow and Ice Removal	This policy assigns roles and responsibilities to ensure public safety, worker safety and continuity of congressional and Supreme Court operations when snow/ice removal is required. It is a revised order that includes updates to organizational responsibilities.
<b>Order 4-8</b>	Distribution Statements	This new policy establishes a framework for marking and managing official agency documents for external and internal release. Document markings denote the extent to which official AOC documents and correspondence are available for secondary distribution, release and dissemination.
<b>Order 4-14</b>	AOC Parking Program	This new policy establishes the AOC Parking Program and describes the framework to implement, administer and manage staff parking. The order applies to all eligible AOC employees, except those assigned to the House Office Buildings jurisdiction.
<b>Order 6-1</b>	Photography and Video Recording Policy	This new policy establishes the requirements for photography and video recording in congressional offices or committee spaces. The order applies to all AOC employees.
<b>Order 10-1</b>	Hearing Conservation Safety Policy	<p>This revised policy establishes procedures to prevent occupational noise exposure for affected AOC employees. Work procedures, health and safety requirements, guidelines, implementation procedures and audit checklists are provided to reduce excessive noise exposure throughout AOC-managed facilities. Revisions include:</p> <ul style="list-style-type: none"> <li>• Inclusion of other consensus standards</li> <li>• Hierarchy of controls</li> <li>• Identification of high noise levels</li> <li>• Increased duties and responsibilities for supervisors</li> <li>• Increased duties and responsibilities for Jurisdiction Policy Coordinators</li> <li>• Occupational Safety and Health Administration (OSHA) Technical Manual Section III: Chapter 5</li> </ul>
<b>Order 10-1</b>	Polychlorinated Biphenyls (PCB) Safety Policy	This policy addresses requirements for the identification and management of all known, assumed or suspected PCB materials or devices that AOC employees may encounter because of their assigned duties.
<b>Order 10-1</b>	Respirable Crystalline Silica	<p>This revised policy addresses AOC requirements for activities involving exposure to respirable crystalline silica. The general requirements, implementation guidance and audit checklist outlined are intended to ensure the hazards of silica present in AOC-managed facilities are evaluated, that information concerning silica is communicated to employees, and that work with silica is performed in a manner that does not compromise the health and safety of AOC employees. Revisions include:</p> <ul style="list-style-type: none"> <li>• Exposure control methods</li> <li>• Communication of hazards</li> <li>• Hierarchy of controls</li> <li>• Identification of RCS and its hazards</li> <li>• OSHA's Occupational Exposure to Respirable Crystalline Silica; Final Rule (2016)</li> <li>• New permissible exposure limit, action level and training requirements</li> <li>• Regulated areas</li> <li>• Silica competent persons and written exposure control plans</li> </ul>



**TABLE B: Review of AOC Legislation and Policies** *(continued)*

Document No.	Title	Description
<b>Order 32-12</b>	Recycling Program Revolving Fund	This revised policy establishes the governance of the AOC Recycling Program Revolving Fund established by Congress. Revisions include: <ul style="list-style-type: none"> <li>• Clarification of fund-use process and timeline, scoring criteria that determine how to use available funds and who is responsible for submitting and reviewing projects</li> <li>• Updates to reflect AOC leadership structure and the C-suite</li> <li>• An added requirement for obligating funds once available and reporting back of project lessons learned</li> </ul>
<b>Order 213-1</b>	Senior Rated Executive System	This order outlines the SR talent acquisition, talent management and performance management systems governing SR exempt AOC personnel. Specifically, this order delineates the procedures for establishing and staffing exempt positions and appointments; setting and adjusting pay; evaluating, recognizing and awarding performance through AOC's Performance Review Process for exempt personnel; developing exempt personnel; succession planning; and leave entitlement and administration.
<b>Order 900-7</b>	Wellness Program Policy	This new policy establishes the worksite wellness policy for the AOC and prescribes procedural requirements for requesting leave to engage in wellness activities during work hours. The program was established to support and encourage the well-being of AOC employees through the five elements of a comprehensive work site wellness program: health education, social and environmental supports, integration, linkages with related programs and screenings.
<b>Policy Memorandum 410-1</b>	Career Broadening Training Opportunities	This policy memorandum alerts AOC employees to an expansion of training opportunities under Title 5 U.S.C. § 4119. <sup>13</sup> AOC employees are permitted to explore professional development beyond current job-relevant trainings that strengthen their skills and capabilities. This effort supports the growth and retention components of the AOC's Human Capital Strategy. Furthermore, this policy memorandum establishes AOC University as a standalone organization led by a Chief Learning Officer, who reports to the Chief Administrative Officer.
<b>Policy Memorandum 451-2</b>	Award Coins	This policy memorandum establishes the authority, policy and procedures for the purchase and presentation of award coins within the AOC. AOC award coins are commercially minted or custom-minted coins or medallions purchased with appropriated funds that reflect the name "Architect of the Capitol," its insignia and the title of the Architect of the Capitol. The AOC is authorized under the Government Employee's Incentive Awards Act <sup>14</sup> to establish using award coins as an informal supplemental recognition device.

<sup>13</sup>Title 5 U.S.C. § 4119. Training for Employees Under the Office of the Architect of the Capitol and the Botanic Garden. <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title5-section4119&num=0&edition=prelim>.

<sup>14</sup>Title 5 U.S.C. § 4501–4506. Government Employees Incentive Awards Act. <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title5-chapter45&edition=prelim>.



## INSTANCES OF THE ARCHITECT OF THE CAPITOL REFUSING TO PROVIDE INFORMATION OR ASSISTANCE, OR INTERFERING WITH THE OFFICE OF INSPECTOR GENERAL'S INDEPENDENCE

In the OIG's first request for information regarding follow-up evaluation 2022-0001-FLD-P, we asked the DI/DR to provide the following for each sexual harassment case: names of parties involved, the relationship of the accuser and accused, date of alleged incident, how the DI/DR was made aware of the allegation, the nature or type of sexual harassment, outcomes and follow-up actions. In the table the OIG received, the DI/DR did not identify the complainants nor those accused of sexual harassment by name. Although the IG Act of 1978 grants the OIG the authority to receive full access to all records and materials available to the agency, the AOC refused to provide information based on the following:

- The Congressional Accountability Act,<sup>15</sup> which requires all information in the counseling and mediation stages at the Office of Compliance<sup>16</sup> remain "strictly confidential"
- AOC Order 24-1 Conciliation Program Guide, which directs that the DI/DR "will not reveal the source of the information unless unavoidable or required by law"
- AOC Order 4-16 Privacy Policy, which requires the AOC to protect the personal privacy of and prevent unwarranted invasions of personal privacy for all AOC employees

In October 2019, the DI/DR submitted a climate assessment on the House Office Buildings Night Labor and Custodial Branch. The OIG requested a copy of the assessment but received a heavily redacted report that did not provide enough information to determine the full scope of the assessment, results or actions taken. This is yet another instance related to this follow-on evaluation in which the AOC did not provide the OIG access to information necessary to conduct its work.

The AOC's failure to disclose agency data and records is against its own policy, as outlined in AOC Order 40-1 Authority and Responsibilities of the OIG and Cooperation of AOC Employees, which requires timely access to all records, reports, audits, reviews, documents, papers, recommendations or other materials available to the AOC. Further, it ignores the Inspector General Empowerment Act of 2016,<sup>17</sup> which confirms that federal IGs are entitled to full and prompt access to agency records, thereby eliminating any doubt about whether agencies are legally authorized to disclose potentially sensitive information to IGs.

The OIG later determined that names were not pertinent to this evaluation's results. However, the AOC's reluctance to disclose information may hinder the results of future OIG audits and evaluations that strive to improve AOC operations.

## STATUS OF REPORTS OR RECOMMENDATIONS

### (1) For which no management decision was made

### (2) For which no management comment was made within 60 days

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

## SIGNIFICANTLY REVISED MANAGEMENT DECISIONS

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

<sup>15</sup>Title 2 U.S.C. Ch. 24. Congressional Accountability. <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title2-chapter24&saved=%7CKHRpdGxlOjIgc2VjdGlvbjoxMzgxIGVkaXRpb246cHJlbGltKSBPUiAoZ3JhbnVsZWlkOIVTQyIwcmVsaW0tdGl0bGUyLXNIY3Rpb24xMzgxKQ%3D%3D%7CdHJlZXRnvcnQ%3D%7C%7C0%7Cfalse%7Cprelim&edition=prelim>.

<sup>16</sup>The Office of Compliance is now OCWR.

<sup>17</sup>Public Law No. 114-317. Inspector General Empowerment Act of 2016. [www.congress.gov/bill/114th-congress/house-bill/6450](http://www.congress.gov/bill/114th-congress/house-bill/6450).



## SIGNIFICANT MANAGEMENT DECISIONS WITH WHICH THE OFFICE OF INSPECTOR GENERAL DISAGREES

### **Architect of the Capitol Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to the Contractor on the Cannon House Office Building Renewal Project (OIG-AUD-2022-01)**

The OIG does not govern AOC management's decision on how to close recommendations; however, the OIG disagrees with AOC management's decision for the closure of Recommendation 2:

**Recommendation 2:** To the extent legally and administratively possible, the CHOBr Project team review questioned costs of \$55,235 and recover any amounts for which the Construction Manager as Constructor cannot provide support. If applicable, the CHOBr Project team should also recover any additional amounts resulting from the application of items such as overhead and fees to the unsupported costs.

**AOC Response:** The AOC will review the allowability of the questioned costs, recognizing that a great deal of these costs are associated with closed contracts.

The AOC determined that the questioned costs amounting to \$30,085 were unrecoverable; therefore, no further action was taken, and the remaining \$25,150 was allowable. The OIG reviewed the AOC's responses and support documentation and determined that a significant portion of the questioned costs were either unsupported or insufficiently supported.

For the \$30,085 questioned costs, the AOC determined that a review for allowability was not warranted due to the agency's inability to recover the costs from closed contracts (CHOBr Project Phase 0 and Phase 1). The AOC's refusal to review such costs for allowability impedes management's ability to fully calculate and assess the amount of the unallowable costs paid, which we deem necessary to identify effective process improvements. The next step should then be to determine if those costs are recoverable.

The remaining questioned costs of \$25,150 were for safety incentives (\$18,015) and punch list items (\$7,135). The OIG found the supporting documentation to be either insufficient or the support was not provided.

#### **Safety Incentives of \$18,015**

The OIG questioned the cost for safety incentives due to the lack of documentation to support allowability and allocability. The project implemented a Site Safety and Health Plan,

which included a Safety Recognition Program. The prizes and awards included hats, jackets, shirts, catered on-site lunches, movies and entertainment tickets, gift certificates up to \$250 and tools. Federal Acquisition Regulation (FAR) 31.205-13(b)<sup>18</sup> prescribes that the costs of awards for performance or recognition of employee achievements pursuant to a contractor's plan or policy are allowable; however, FAR 31.205-14, Entertainment Costs, states that "Costs of amusement..., any directly associated costs such as ticket to shows or...meals... and gratuities are unallowable."<sup>19</sup>

Most of the documentation provided consisted only of receipts from retailers (e.g., Target, Home Depot, Papa Johns, Best Buy), which were insufficient to determine the allowability and/or allocability of the costs. Costs related to safety incentive meals, beverages and ice amounted to \$13,707, including a safety lunch catered by Dixie Bones for approximately \$6,663 and \$4,308 for costs related to safety incentive gift cards and prizes, including a purchase of two LED televisions. The CHOBr Project team did not provide adequate documentation to support the recipients of the award, the reason for recognition or any documentation that supports the award/recognition requirements prescribed by the Safety Recognition Program. In addition, we conclude that the costs for large catered lunches, small group purchases for breakfast and lunch and televisions do not comply with FAR 31.205-14. The AOC determined these costs were allowable.

#### **Punch List Items of \$7,135**

The OIG questioned the cost for punch list items due to the lack of documentation to support allocability. The AOC primarily provided receipts from retailers for items that could be used for any construction or improvement projects. The documentation did not provide any information that would support that the items were requested, approved and/or used for the CHOBr Project.

The OIG raised these concerns to the AOC, and the final response was that there is no additional support for the costs questioned. However, the AOC now requests that Clark/Christman, A Joint Venture (CCJV) provide detailed support (i.e., name of recipient, justification for award, date of meal, attendees, reason for meal, etc.) for all safety incentives and meals charged to the AOC as direct reimbursable costs. The OIG concludes that the questioned costs of \$55,235 were unsupported and/or insufficiently supported and should be disallowed.

<sup>18</sup>31.205-13 Employee morale, health, welfare, food service, and dormitory costs and credits. [https://www.acquisition.gov/far/part-31#FAR\\_31\\_205\\_13](https://www.acquisition.gov/far/part-31#FAR_31_205_13)

<sup>19</sup>31.205-14 Entertainment costs. | [https://www.acquisition.gov/far/part-31#FAR\\_31\\_205\\_14](https://www.acquisition.gov/far/part-31#FAR_31_205_14)



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

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

## PEER REVIEW REPORTING

### AUDIT

There was no peer review activity for the Audit Division during the 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 were no outstanding recommendations.

### INSPECTIONS AND EVALUATIONS

There was no peer review activity for the Inspections and Evaluations Division during this reporting period. The Equal Employment Opportunity (EEO) 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<sup>20</sup> standards. There were no outstanding recommendations in the final report.

### FOLLOW-UP

There was no peer review activity for the Follow-Up Division during this reporting period.

### INVESTIGATIONS

There was no peer review activity for the Investigations Division during 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 were no outstanding recommendations.

<sup>20</sup>CIGIE. 2020. Quality Standards for Inspection and Evaluation (Blue Book). [www.ignet.gov/sites/default/files/files/QualityStandardsforInspectionandEvaluation-2020.pdf](http://www.ignet.gov/sites/default/files/files/QualityStandardsforInspectionandEvaluation-2020.pdf).



## RECOMMENDATIONS

**67****RECOMMENDATIONS****\$741,758****QUESTIONED & DISALLOWED****\$71,670****RECOVERED**

Tables C through Table F reflect 67 recommendations associated with 17 reports. Of those, eight recommendations were implemented and closed and 59 remain open/unresolved.



TABLE C: Audits Unimplemented Recommendations

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF FINANCIAL OFFICER</b>			
<b>FY 2020 Financial Statements Audit Management Letter</b>	OIG-AUD-2021-02 December 14, 2020	2	<p><b>Report Summary:</b> The OIG oversaw an IPA audit of the AOC FY 2019 Financial Statements.</p> <p><b>Recommendation:</b> We recommend determining whether the National Finance Center (NFC), Invoice Processing Platform (IPP) and subservice provider System and Organization Controls (SOC 1<sup>®</sup>) reports will be delivered in a timely manner and will contain the following information required for an effective review and analysis:</p> <ul style="list-style-type: none"> <li>• Complete system description</li> <li>• Description of controls tested and the results of those tests</li> <li>• Applicable management responses</li> <li>• Any applicable changes are incorporated 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> </ul> <p><b>AOC Management Decision: Concur</b></p>
<b>FY 2020 Financial Statements Audit Management Letter</b>		3	<p><b>Recommendation:</b> We recommend completing 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 Complementary User Entity Control [CUEC]). 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 risks within the AOC control environment.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>FY 2020 Financial Statements Audit Management Letter</b>		4	<p><b>Recommendation:</b> We recommend completing 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 risks within the AOC control environment.</p> <p><b>AOC Management Decision: Concur</b></p>

TABLE C: Audits Unimplemented Recommendations (*continued*)

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<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> We recommend 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>• 9 unsupported, questioned ULOs valued at \$90,109.58</li> <li>• 9 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><b>Funds put to better use:</b> \$479,907.61; questioned costs: \$90,109.58.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>Audit of the AOC's Unliquidated Obligations (ULO)</b>		2	<p><b>Recommendation:</b> We recommend the AOC ensure supporting documentation for ULOs is maintained and readily available.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>Audit of the AOC's Unliquidated Obligations (ULO)</b>		3	<p><b>Recommendation:</b> We recommend the AOC finalize the new Quarterly Financial Review SharePoint application and ensure it addresses the current and prior year audit findings as well as revise the AOC's policies and procedures to align with the new application.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>FY 2021 Financial Statements Audit Management Letter</b>	OIG-AUD-2022-05 June 16, 2022	2	<p><b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2021 financial statements.</p> <p><b>Recommendation:</b> We recommend 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: Concur</b></p>
<b>Audit of FY 2022 Financial Statements</b>	OIG-AUD-2023-01 November 16, 2022	1	<p><b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2022 financial statements.</p> <p><b>Recommendation:</b> We recommend developing and implementing a control to validate the use of RSMeans and specifically consider if a more representative contingency rate may apply to its environmental liability.</p> <p><b>AOC Management Decision: Nonconcur</b></p>
<b>Audit of FY 2022 Financial Statements</b>		2	<p><b>Recommendation:</b> We recommend establishing policies and procedures to complete a review of the rate used annually to validate the cost factors used and make appropriate adjustments when needed.</p> <p><b>AOC Management Decision: Nonconcur.</b></p>
<b>Audit of FY 2022 Financial Statements</b>		3	<p><b>Recommendation:</b> We recommend the AOC complete its multiyear corrective action plan to validate its estimated environmental liability.</p> <p><b>AOC Management Decision: Nonconcur.</b></p>

**TABLE C: Audits Unimplemented Recommendations** (*continued*)

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>FY 2022 Financial Statements Audit Management Letter</b>	OIG-AUD-2023-02 December 8, 2022	1	<p><b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2021 financial statements.</p> <p><b>Recommendation:</b> We recommend AOC management design control activities, including policies and procedures, that require the use of quality information in the preparation of the footnote.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>FY 2022 Financial Statements Audit Management Letter</b>		2	<p><b>Recommendation:</b> We recommend AOC management (1) enforce adherence to existing documented procedures to require appropriate review of SOC reports and (2) monitor the status of internal controls performed by third parties to assess their effectiveness.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>Architect of the Capitol's Internal Control Plan Lacked Procedures to Assess and Monitor Payment Accuracy</b>	OIG-AUD-2023-05 OFFICIAL DRAFT: March 09, 2023 FINAL: April 14, 2023	1	<p><b>Report Summary:</b> The OIG performed an audit of AOC's internal control plan used to monitor payment accuracy.</p> <p><b>Recommendation:</b> We recommend AOC management develop a process that will assess and monitor payment accuracy in its program and activities:</p> <ul style="list-style-type: none"> <li>• The process should include procedures to identify and assess all programs and activities that are susceptible to significant improper payments annually (max triennially).</li> <li>• For programs and activities identified as susceptible to significant improper payments, the AOC should consider the following procedures using OMB guidance: <ul style="list-style-type: none"> <li>• Perform testing to estimate the cost of improper payments in the program</li> <li>• Implement a plan to reduce erroneous payments</li> <li>• Report estimates of the annual amount of improper payments in programs and activities and progress toward reducing them within the Performance and Accountability Report</li> </ul> </li> </ul> <p><b>AOC Management Decision: Concur.</b> The Office of the Chief Financial Officer will update its enterprise risk assessment process performed in accordance with our Enterprise Risk Management program to assess and monitor payment accuracy in its program and activities. We expect to implement the updates to our enterprise risk assessment process by the end of the second quarter of FY 2024.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<b>Architect of the Capitol's Internal Control Plan Lacked Procedures to Assess and Monitor Payment Accuracy</b>		2	<p><b>Recommendation:</b> We recommend AOC management execute the process that assesses and monitors payment accuracy in its program and activities every one to three years.</p> <p><b>AOC Management Decision: Concur.</b> The Office of the Chief Financial Officer will execute their updated enterprise risk assessment process to assess and monitor payment accuracy in its program and activities every one to three years.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>

TABLE C: Audits Unimplemented Recommendations (*continued*)

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>Architect of the Capitol's Internal Control Plan Lacked Procedures to Assess and Monitor Payment Accuracy</b>		3	<p><b>Recommendation:</b> We recommend AOC management design a recovery plan that is consistent with federal guidance for implementation when improper payments are identified.</p> <p><b>AOC Management Decision: Concur.</b> The Office of the Chief Financial Officer will design a recovery plan that is consistent with federal guidance and that aligns with the AOC's priorities when improper payments are identified. We expect to implement the design of our recovery plan by the end of the second quarter of FY 2024.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF SECURITY OFFICER</b>			
<b>Flash Report Series: Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings</b>	OIG-AUD-2021-03 May 5, 2021	2	<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> We recommend the AOC OCSO coordinate with the U.S. Capitol Police (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: Concur</b></p>
<b>Flash Report Series: Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings</b>		3	<p><b>Recommendation:</b> We recommend the AOC OCSO 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: Concur</b></p>
<b>Flash Report Series: Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings</b>		4	<p><b>Recommendation:</b> We recommend 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 as well as determine who should execute those responsibilities.</p> <p><b>AOC Management Decision: Concur</b></p>
<b>Flash Report Series: Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings</b>		5	<p><b>Recommendation:</b> We recommend the AOC OCSO hold a security briefing with AOC senior leadership for each event and highlight 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: Concur</b></p>
<b>Flash Report Series: Independent Assessment of the AOC's Role in Securing the Capitol Campus for Large Public Gatherings</b>		6	<p><b>Recommendation:</b> We recommend 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: Concur</b></p>

TABLE C: Audits Unimplemented Recommendations (*continued*)

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF ENGINEER</b>			
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>	OIG-AUD-2022-07 July 29, 2022	1	<p><b>Report Summary:</b> The OIG performed an audit of AOC's multimillion-dollar construction projects' contract provisions.</p> <p><b>Recommendation:</b> We recommend 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: Concur.</b> 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 recommendation will remain open until confirmed.</p>
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>		2	<p><b>Recommendation:</b> We recommend 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: Concur.</b> 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 recommendation will remain open until confirmed.</p>
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>		5	<p><b>Recommendation:</b> We recommend 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: Concur.</b> 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 recommendation will remain open until confirmed.</p>
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>		6	<p><b>Recommendation:</b> As a part of the AOC annual review of active contracts to determine whether any contract modifications are necessary, we recommend 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: Concur.</b> The AOC will assess its resources and consider including this recommendation as part of its existing Contract Management Annual Review.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>

TABLE C: Audits Unimplemented Recommendations (*continued*)

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added		7	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC will consider requiring 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>OIG Response:</b> This recommendation will remain open until confirmed.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders	OIG-AUD-2023-04 March 30, 2023	1	<p><b>Report Summary:</b> The OIG performed a review of the AOC's change orders for multimillion-dollar construction projects.</p> <p><b>Recommendation:</b> We recommend the AOC perform the following:</p> <ul style="list-style-type: none"> <li>• Recover the questioned costs of \$6,464 identified within the R-Tunnel Project to the extent legally and administratively possible</li> <li>• Review the questioned costs of \$68,940 (\$75,404 - \$6,464) identified within the CHOB (r) (\$53,663) and R-Tunnel (\$15,277) projects to determine if the costs are allowable in accordance with contract requirements and, as applicable, recover any additional amounts resulting from the application of items like overhead and profits to the unallowable costs</li> <li>• Ensure future change orders adhere to the contractual language regarding overhead costs not being allowed as direct costs and, when the AOC determines that overhead costs are allowable as direct costs, document how and why that determination was made</li> </ul> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		2	<p><b>Recommendation:</b> We recommend the AOC perform the following:</p> <ul style="list-style-type: none"> <li>• Review the questioned costs of \$167,628 once the AOC determines whether Clark/Christman, A Joint Venture, (CCJV) met the incentive fee requirements; if CCJV does not meet the incentive fee requirements and the 100-percent unspent project contingency funds are not awarded, recover to the extent legally and administratively possible the AOC's proportional share of the of the questioned costs</li> <li>• Ensure project funds are not used to pay for damages caused by the contractor, even if those funds may be earned by the contractor at a later date</li> </ul> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		3	<p><b>Recommendation:</b> We recommend the AOC perform the following:</p> <ul style="list-style-type: none"> <li>• Review the questioned costs of \$6,958 identified within the CHOB (r) Project for potential improper overhead and profit markups by the first-tier subcontractor for a second-tier subcontractor's work</li> <li>• Review and modify the contract language to specify the allowable markups on change orders aligns with the memorandum dated June 26, 2017</li> </ul> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>

**TABLE C: Audits Unimplemented Recommendations (continued)**

Subject	Report No. and Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		4	<p><b>Recommendation:</b> We recommend the AOC perform the following:</p> <ul style="list-style-type: none"> <li>• Recover the questioned costs of \$2,716 identified within the R-Tunnel Project to the extent legally and administratively possible</li> <li>• Review the insufficient supported questioned costs of \$478,557 (\$481,273 - \$2,716) identified within the CH0Br (\$367,315) and R-Tunnel (\$111,242) projects to determine if the costs are supported and allowable; for any of the costs deemed unsupported and/or unallowable, recover the costs to the extent legally and administratively possible; as applicable, recover any additional amounts resulting from the application of items such as overhead and profits to the unallowable costs</li> </ul> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		5	<p><b>Recommendation:</b> We recommend the AOC recover the unsupported questioned costs of \$6,944 identified within the CH0Br (\$226) and R-Tunnel (\$6,718) projects to the extent legally and administratively possible.</p> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		6	<p><b>Recommendation:</b> We recommend the AOC work with the contractor to ensure proposals submitted for change orders are factually sound, contain the required cost detail and exclude unallowable costs.</p> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		7	<p><b>Recommendation:</b> We recommend the AOC comply with the sequence of review and approval for its change orders as prescribed by its policies and procedures and ensure sufficient documentation is maintained. If the AOC deviates from its policies and procedures, the AOC should fully document the reason for the deviation.</p> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>
Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders		8	<p><b>Recommendation:</b> We recommend the AOC recover or not award the questioned costs of \$3,551 identified within the Exterior Stone &amp; Metal Preservation, Phase III project to the extent legally and administratively possible and ensure the contractor excludes subcontractor profit prior to applying contractual markups.</p> <p><b>AOC Management Decision:</b> To date, the OIG has not received an official response.</p>

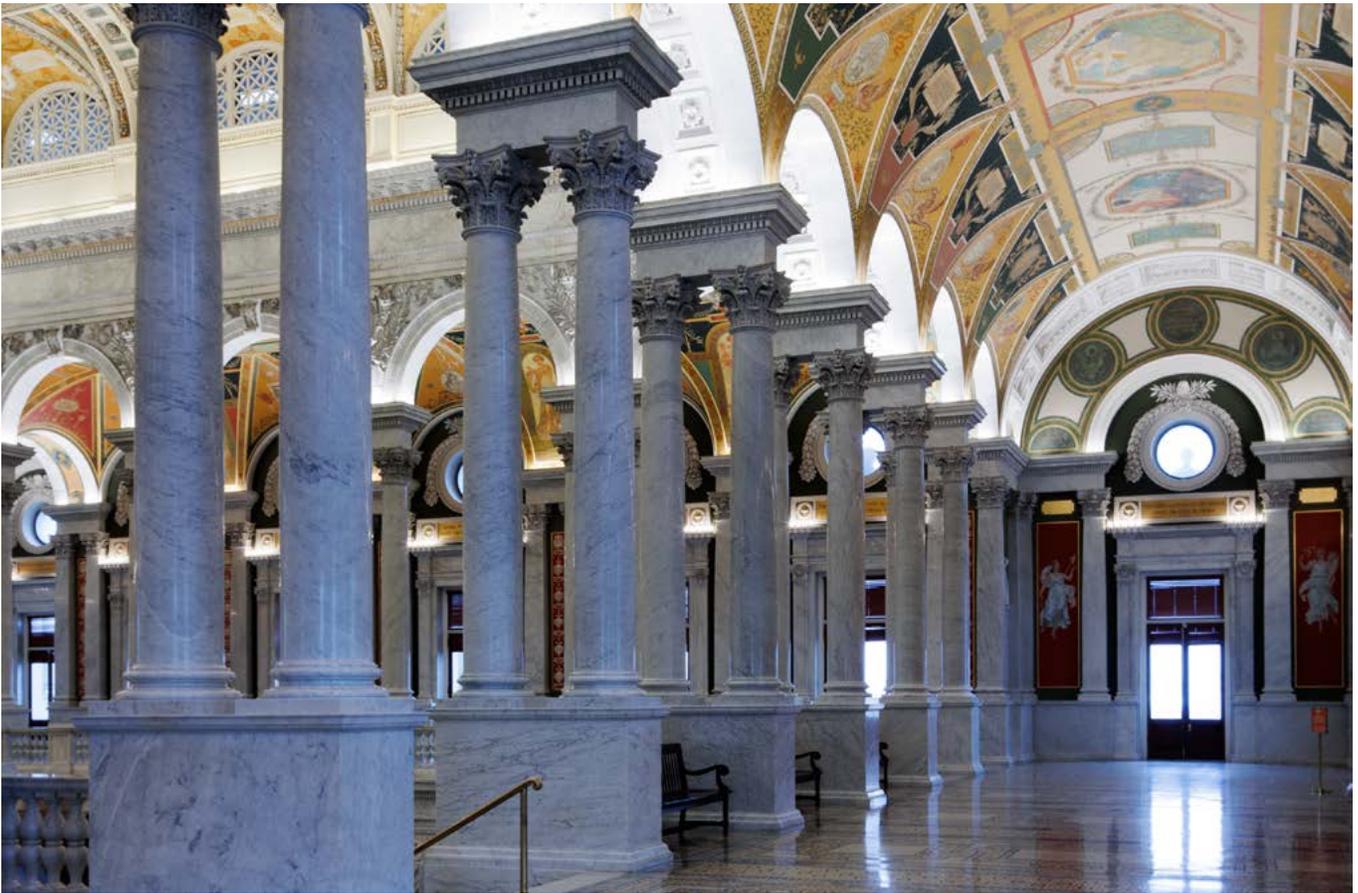


**TABLE D: Inspections & Evaluations Unimplemented Recommendations**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER</b>			
<b>Evaluation of the AOC's Compliance With Its Discipline Order</b>	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> We recommend 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: Concur.</b> The AOC concurs with the OIG's 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) is still under revision review with an expected summer 2023 completion date.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<b>Evaluation of the AOC's Fleet Management Program</b>	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> We recommend the Chief Administrative Officer develop and implement additional policies and procedures that:</p> <ul style="list-style-type: none"> <li>• Ensure adherence to vehicle utilization reporting</li> <li>• Include a more formal scheduled vehicle maintenance program</li> <li>• Collect, track, monitor and analyze fleet costs throughout the vehicle life cycle at the vehicle level</li> </ul> <p><b>AOC Management Decision: Concur.</b> The AOC concurs with the OIG's recommendation. Updates to the Fleet Management policy (AOC Order 34-2) are contingent upon completing a feasibility study of the entire fleet management program. The Supplies, Services and Material Management Division (SSMMD) awarded a contract with an external vendor to conduct a comprehensive review and feasibility study of the AOC's fleet management program. The study will commence in April 2023 and the results of the study will inform future policy updates pertinent to vehicle reporting, vehicle maintenance schedules and vehicle life-cycle costs.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>

TABLE D: Inspections & Evaluations Unimplemented Recommendations (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Evaluation of the AOC's Fleet Management Program		2	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC concurs with the OIG's recommendation. A cross-functional working group reviewed existing policies and made recommendations for standardized best practices in the third quarter of FY 2022. Recommendations from the working group included implementing an agencywide fleet management system with the ability to accurately track fleet vehicle use and standardizing AOC Order 34-2 Fleet Management. The AOC is currently purchasing an agencywide fleet management system and anticipates full implementation by the end of the fourth quarter of FY 2023. Accordingly, AOC Order 34-2 will be updated to standardize jurisdictional best practices across the AOC where appropriate.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		3	<p><b>Recommendation:</b> We recommend the Chief Administrative Officer procure an agencywide 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: Concur.</b> The AOC concurs with the OIG's recommendation. The AOC is currently purchasing an agencywide fleet management system and anticipates full implementation by the end of the fourth quarter of FY 2023.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
Evaluation of the AOC's Fleet Management Program		4	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC concurs with the OIG's recommendation. The AOC has awarded a contract with an external vendor to conduct a comprehensive review and feasibility study of the AOC's fleet management program. The study will commence in April 2023 and the results of the study will inform future policy updates pertinent to vehicle reporting, vehicle maintenance schedules and vehicle life-cycle costs.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>



**TABLE D: Inspections & Evaluations Unimplemented Recommendations** (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<p><b>Evaluation of the AOC's Fleet Management Program</b></p>		5	<p><b>Recommendation:</b> We recommend the Chief Administrative Officer in coordination with AOC organization leaders, review and revise agencywide 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: Concur.</b> The AOC concurs with the OIG's recommendation. The AOC has awarded a contract with an external vendor to conduct a comprehensive review and feasibility study of the AOC's fleet management program. The study will commence in April 2023 and the results of the study will inform future policy updates pertinent to standardization of vehicle use.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<p><b>Evaluation of the AOC's Fleet Management Program</b></p>		6	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC concurs with the OIG's recommendation. The AOC is currently purchasing an agencywide fleet management system and anticipates full implementation by the end of the fourth quarter of FY 2023.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>

TABLE D: Inspections & Evaluations Unimplemented Recommendations (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Evaluation of the AOC's ITD Inventory Accountability and Controls	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 the Information Technology Division's (ITD) 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: Concur.</b> The AOC concurs with the OIG's recommendation. ITD is currently updating 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. In addition to making the necessary updates to AOC Order 8-4, ITD is in the final stages of developing a robust Capital Equipment Replacement Program (CERP) strategy. The purpose of the CERP strategy is to outline a systematic and strategic approach to ensure optimal management of AOC IT hardware assets to support AOC core missions and administrative operations on a recurring basis. The objectives of CERP include:</p> <ul style="list-style-type: none"> <li>• Instituting an iterative process ensuring AOC IT hardware assets are in line with current technology and support agency missions and critical needs</li> <li>• Defining standards that accurately and transparently manage IT hardware assets throughout their life cycles</li> <li>• Maintaining uniformity with replacement hardware to ease maintainability, simplify procurement strategy and maximize buying power to achieve cost effectiveness and fiscal stewardship</li> <li>• Ensuring uniform hardware replacement and simplifying procurement strategies, resulting in efficient spending of public funds</li> </ul> <p>AOC Order 8-4 updates and CERP strategy development are expected to be completed July 2023.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
Evaluation of the AOC's ITD Inventory Accountability and Controls		2	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC concurs with the OIG's recommendation. ITD conducted an assessment of IT service management tools with incorporated IT asset management capabilities for future replacement and consolidation of Cireson and Jumpstock. ITD identified a software application that will suit the needs of the agency, and funding was requested for FY 2024. At the time of this update, this requirement remains unfunded as we adhere to the AOC budget and procurement processes. Expected completion is to be determined.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>

**TABLE D: Inspections & Evaluations Unimplemented Recommendations** (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Evaluation of the AOC's ITD Inventory Accountability and Controls		3	<p><b>Recommendation:</b> We recommend 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: Concur.</b> The AOC concurs with the OIG's recommendation. A table of penalties does not exist in the Board of Survey (BoS) process. Further, mobile devices and other ITD personal property are not logged into or accounted for in the Maximo Inventory Control System; therefore, a BoS is not conducted by the process owner, SSMMMD. ITD will incorporate a process to address the auditor's recommendation within the AOC Order 8-4 update covered in Recommendation 1. Completion is expected July 2023.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<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> We recommend 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, we recommend developing and implementing a standardized timeline for policy revisions and updates within the current fiscal year.</p> <p><b>AOC Management Decision: Concur.</b> The AOC concurs with the OIG's recommendation. Two suitability policies (Staff Personnel and Contractor Personnel) are in the final review stage as part of AOC Order 4-1. The AOC OCSO suitability program has drafted multiple suitability policies to address emerging requirements for jurisdiction-specific procedures, AOC staff and contractors. The policies are in the final stages of review and editing. Annual policy reviews will be conducted.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
<b>Evaluation of the AOC's Security Badging Program</b>		2	<p><b>Recommendation:</b> We recommend the Chief Security Officer, in coordination with the USCP and the House Sergeant at Arms (HSAA), perform a joint feasibility study to consider:</p> <ul style="list-style-type: none"> <li>• Reassigning signature authority for CP-491 forms for the HSAA-issued contractor badges from the OCSO to CORs, eliminating the hand carry of the CP-491 forms to the USCP (Fairchild Building) for fingerprinting, and implementing the use of approval buttons or PDF secure signatures in place of manual signatures</li> <li>• Identification, development or acquisition of a badge management software solution that uses notification-based processes and ensures secure and efficient execution, monitoring and tracking of badging actions</li> </ul> <p><b>AOC Management Decision: Concur and Nonconcur.</b> The AOC concurs with elements of the OIG's 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 follow:</p> <p><i>(continued on page 53)</i></p>

TABLE D: Inspections & Evaluations Unimplemented Recommendations (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Evaluation of the AOC's Security Badging Program		2	<p data-bbox="862 291 1044 315"><i>(continued from page 52)</i></p> <ul data-bbox="886 325 1450 1577" style="list-style-type: none"> <li data-bbox="886 325 1450 436">• <b>Joint feasibility study:</b> The AOC will re-engage the HSAA and 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> <li data-bbox="886 447 1450 884">• <b>Reassigning signature authority for CP-491 forms for HSAA-issued contractor badges from the OCSO to CORs:</b> The AOC does not concur 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 OCSO security specialists. Each change in COR would require approval by the Architect and an updated memorandum 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 HSAA would significantly increase the processing time for authorizations and cause further delays. The OCSO will continue to explore alternatives to the current process and will remain engaged in discussions with the USCP and HSAA points of contact on options to enhance the existing process.</li> <li data-bbox="886 894 1450 1094">• <b>Eliminating the hand carry of CP-491 forms to the USCP (Fairchild Building) for fingerprinting:</b> Although there were discussions regarding automating key components of the process at the beginning of the COVID-19 pandemic in 2020, the requirement to hand carry CP-491 forms 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 1104 1450 1304">• <b>Implementing the use of approval buttons or PDF secure signatures in place of manual signatures:</b> The AOC notes that the OCSO has no authority to compel the USCP or HSAA to review or make changes to any internal processes to add approval buttons or secure signature methods on their forms. The OCSO will remain engaged in discussions with the USCP and HSAA points of contact on options to enhance the existing process.</li> <li data-bbox="886 1314 1450 1577">• <b>Identification, development or acquisition of a badge management software solution that uses notification-based processes that ensures secure and efficient execution, monitoring and tracking of badging actions:</b> The AOC notes that they have no authority to compel the USCP or 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 1587 1450 1745"><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 1755 1450 2001">The OIG also recognizes that the AOC does not concur with reassigning signature authority for CP-491 forms for HSAA-issued contractor badges from the OCSO 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's progress and follow up on the development of any action items and implementation of program improvements.</p>

**TABLE D: Inspections & Evaluations Unimplemented Recommendations** (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
Evaluation of the AOC's Security Badging Program		3	<p><b>Recommendation:</b> We recommend the OCSO 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 OCSO</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: Concur.</b> The AOC concurs with the OIG's recommendation. Two suitability policies (staff personnel and contractor personnel) are in the final review stage as part of AOC Order 4-1. The AOC OCSO suitability program has drafted multiple suitability policies to address emerging requirements for jurisdiction-specific procedures, AOC staff and contractors. The policies are in the final stages of review and edit. Annual policy reviews will be conducted.</p> <p><b>OIG Response:</b> This recommendation will remain open until confirmed.</p>
Evaluation of the AOC's Security Badging Program		4	<p><b>Recommendation:</b> We recommend the Chief Security Officer in coordination with the USCP and 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, including tracking and reporting lost/stolen badges and follow-up actions.</p> <p><b>AOC Management Decision: Partially Concur.</b> The AOC partially concurs with the OIG's 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 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 IT 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 the AOC engage in the proposed joint feasibility study. The OIG will monitor the program's progress and follow up on the development of any action items and implementation of program improvements.</p>

**TABLE E: Follow-Up Unimplemented Recommendations**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   DIVERSITY, INCLUSION AND DISPUTE RESOLUTION OFFICE</b>			
<b>Follow-Up Evaluation of the Congressional Request for the AOC's Response to Sexual Harassment</b>	2022-0001-FLD-P OFFICIAL DRAFT: March 31, 2023 FINAL: May 2023	1	We recommend the DI/DR develop and implement office-specific policies and procedures for documenting, monitoring and reporting cases in Entellitrak to ensure quality non-EEO and EEO data.
		2	We recommend the DI/DR perform a climate assessment for jurisdictions that frequently work with the public to identify and address concerns regarding nonemployee harassment and hostile work environments.
		5	We recommend the DI/DR establish and document minimum training requirements for its staff related to the staff's field and area of expertise.
		8	We recommend the DI/DR develop office specific internal policies and procedures that require regular communication and updates to individuals on the status of their complaints and cases.
		10	We recommend the DI/DR develop and implement a process to receive and document recommendations and actions taken by AOC jurisdiction deciding officials involving sexual harassment allegations.
		11	We recommend the DI/DR update its antiharassment training to include language options that employees commonly use; examples specific to the AOC workplace and workforce; consequences for supervisors if they fail to fulfill their responsibilities related to reporting and preventing harassment, retaliation and other prohibited conduct; consequences for misconduct; and explanations of the complaint process.
		12	We recommend the DI/DR update and make its antiharassment training a mandatory annual training requirement for the AOC's workforce.
<b>ARCHITECT OF THE CAPITOL</b>			
<b>Follow-Up Evaluation of the Congressional Request for the AOC's Response to Sexual Harassment</b>	2022-0001-FLD-P OFFICIAL DRAFT: March 31, 2023 FINAL: May 2023	3	We recommend that AOC jurisdictions that frequently work with the public review and update (as needed) all visitor guidelines and communications to include language that promotes an antiharassment workplace.
		4	We recommend the AOC develop or update policies and procedures to address how the agency will document and investigate nonemployee harassment.
		6	We recommend the AOC document and implement a process to conduct follow-up inquiries after resolution to identify employee concerns, verify safety, address fears of retaliation and ensure effective reintegration (as appropriate) to minimize negative impacts on its workforce.

**TABLE E: Follow-Up Unimplemented Recommendations (continued)**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
		7	We recommend the AOC update AOC Order 24-1 Conciliation Program Guide to ensure it is providing consistent and current information about the conciliation process and resources available.
		9	We recommend the AOC develop and implement a process to report EEO-related information (as appropriate) to increase transparency and employee trust.

**TABLE F: Audits Implemented and Closed Recommendations**

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF SECURITY OFFICER</b>			
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>	OIG-AUD-2020-02 December 17, 2019	1	<b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2019 financial statements. <b>Recommendation:</b> We recommend ensuring 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 <b>AOC Management Decision: Concur.</b>
<b>Audit of FY 2019 Financial Statements Audit Management Letter</b>		2	<b>Recommendation:</b> We recommend requiring, documenting and maintaining approvals for Momentum® access modifications in addition to original account provisioning actions. <b>AOC Management Decision: Concur.</b>
<b>FY 2020 Financial Statements Audit Management Letter</b>	OIG-AUD-2021-02 December 14, 2020	1	<b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2020 financial statements. <b>Recommendation:</b> We recommend ensuring that AOC staff responsible for evaluating SOC 1® reports adequately understand the impact of controls performed by subservice organizations on the AOC's financial systems and consider whether the absence of SOC 1® testing of these controls requires implementation of additional CUECs. <b>AOC Management Decision: Concur.</b>
<b>FY 2021 Financial Statements Audit Management Letter</b>	OIG-AUD-2022-05 June 16, 2022	1	<b>Report Summary:</b> The OIG oversaw an IPA audit of AOC FY 2021 financial statements. <b>Recommendation:</b> We recommend 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 (LBFMS) SOC 1® report or performed by the Library of Congress. This recommendation includes documenting the relevant local IT controls that address CUECs included in the LBFMS SOC 1® report and evaluate their effectiveness annually. <b>AOC Management Decision: Concur.</b>

TABLE F: Audits Implemented and Closed Recommendations (*continued*)

Subject	Report No. Issue Date	Rec No.	Summary of Recommendation(s) and Action(s)
<b>ARCHITECT OF THE CAPITOL   OFFICE OF THE CHIEF ENGINEER</b>			
<b>Audit of the CHOBBr Project's Reimbursable Costs</b>	OIG-AUD-2021-04 June 8, 2021	6	<p><b>Report Summary:</b> The OIG oversaw an IPA audit of the CHOBBr Project's contract reimbursable costs.</p> <p><b>Recommendation:</b> We recommend 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 construction manager as constructor (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: Concur.</b> 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>
<b>The AOC Repetitively Reimbursed Small-Dollar Amounts of Unallowable Costs to Contractors on the CHOBBr Project</b>	OIG-AUD-2022-01 March 24, 2022	2	<p><b>Report Summary:</b> The OIG performed an independent assessment of unallowable costs reimbursed to AOC's CMc on the CHOBBr Project.</p> <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: Concur.</b> The AOC will review the allowability of the questioned costs, recognizing that many of these costs are associated with closed contracts.</p>
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>	OIG-AUD-2022-07 July 29, 2022	3	<p><b>Report Summary:</b> The OIG performed an audit of AOC's multimillion-dollar construction project's contract provisions.</p> <p><b>Recommendation:</b> We recommend the AOC 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: Concur.</b> 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 recommendation will remain open until confirmed.</p>
<b>Multimillion-Dollar Construction Projects' Contract Provisions Comply with Federal Guidance, AOC Policies and Industry Standards Although Improvements Can Be Added</b>		4	<p><b>Recommendation:</b> We recommend the AOC revise its contract formulation requirements and 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: Concur.</b> 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 recommendation will remain open until confirmed.</p>

## FUNDS QUESTIONED OR PUT TO BETTER USE

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

	Statutory Language	Number of Reports	Questioned Costs <sup>3</sup>	Funds Put to/ For Better Use <sup>4</sup>
<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>	1	—	—
<b>C</b>	<b>Prior Year Adjustments</b>	0	—	—
	<b>Subtotals (A+B+C)</b>	1	—	—
<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	\$435,262.71	\$107,489.45	\$128,979.35	\$31,157.28	Closed	
<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	—	\$215,262.71	\$71,670.00	\$71,670.00	—	Closed	
<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 (CHOB) Project</b>	OIG-AUD-2022-01	3/24/22	\$55,235.00	\$38,529.00	\$25,150.00	—	\$42,792.00	—	Closed	
<b>Recommendation No.1</b>			—	\$38,529.00	—	—	\$42,792.00 <sup>3</sup>	—	Closed	
<b>Recommendation No.2</b>			\$55,235.00	—	\$25,150.00 <sup>4</sup>	—	—	—	Closed	
<b>Review of the Architect of the Capitol's Multimillion-Dollar Construction Project Change Orders</b>	OIG-AUD-2023-04	3/30/23	\$722,083.00	\$19,675.00	—	—	—	—	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.

<sup>4</sup>AOC determined questioned costs were allowable and the remaining \$30,085 was deemed unrecoverable and allowability of cost was not determined. The OIG finds AOC's determination unsupported and all costs should be disallowed.



**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>	\$420,822.00
<b>*Savings From Employee Salaries During Suspensions</b>	\$862.00
<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 (subtotal)</b>	\$421,684.00
<b>Net Questioned Costs</b>	\$22,475.18
<b>Waste</b>	\$0.00
<b>Total</b>	<b>\$444,159.18</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.*

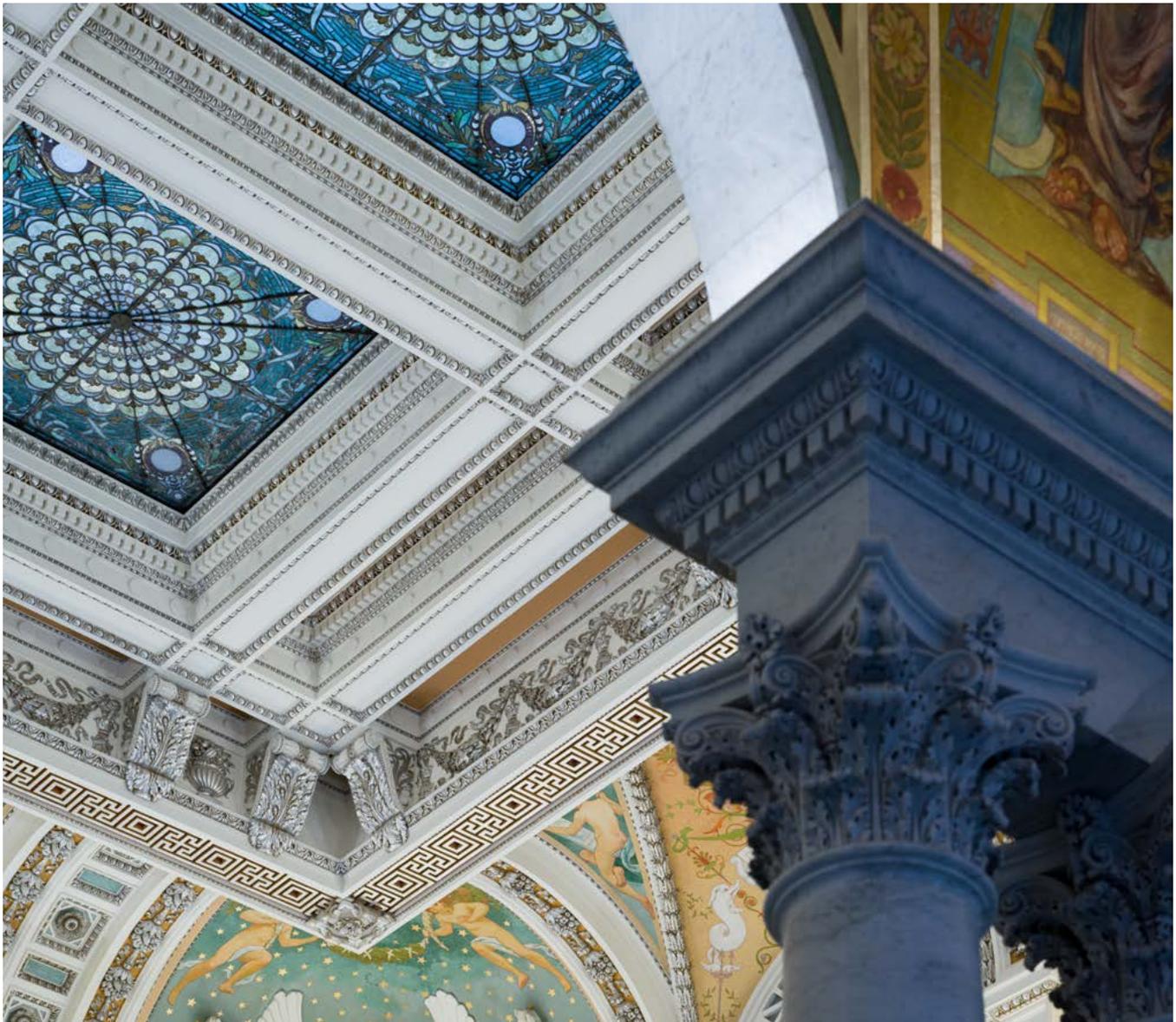
## APPENDICES

## APPENDIX A: Inspector General Reporting Requirements

IG Act Reporting Requirements	Description	Page No.
<b>Section 4(a)(2)</b>	Review of Legislation and Regulations	29–32
<b>Section 5(a)(1)</b>	Significant Problems, Abuses and Deficiencies	None
<b>Section 5(a)(2)</b>	Recommendations with Respect to Significant Problems, Abuses and Deficiencies	None
<b>Section 5(a)(3)</b>	Prior Significant Recommendations Not Yet Implemented	None
<b>Section 5(a)(4)</b>	Summary of Matters Referred for Prosecution and Resulting Convictions	None
<b>Section 5(a)(5)</b>	Summary of Instances Where Information Was Refused	34
<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	58–60
<b>Section 5(a)(7)</b>	Summary of Significant Reports	10–28
<b>Section 5(a)(8)</b>	Statistical Tables on Management Decisions on Questioned Costs (see statute for specifics)	60
<b>Section 5(a)(9)</b>	Statistical Tables on Management Decisions on Recommendations That Funds Be Put to Better Use (see statute for specifics)	58
<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)	None
<b>Section 5(a)(11)</b>	Significantly Revised Management Decisions	None
<b>Section 5(a)(12)</b>	Significant Management Decisions with Which the Inspector General Disagrees	36
<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	16
<b>Section 3(d), Section 5(a)(14)</b>	Peer Review	38
<b>Section 5(a)(18)</b>	Description of the Metrics Used for Developing the Statistical Tables Under 5(a)(17)	16–17
<b>Section 5(a)(19)</b>	Report on Each Investigation Conducted by the OIG Involving Senior Government Employee (See statute for specific info required)	18–20
<b>Section 5(a)(21)</b>	Detailed Description of Any Attempt to Interfere with OIG Independence (See statute for specifics)	34
<b>Public Law 114-113</b>	Quarterly Status Updates on Cannon House Office Building and the Capitol Power Plant Projects	28

## 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 action(s) 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 action(s) the AOC plans to take in response to the recommendations.
<b>Questioned Cost</b>	A cost that is questioned because (1) of an alleged violation of a provision of a law, regulation, contract or other agreement or document governing the expenditure of funds; (2) the cost is not supported by adequate documentation; or (3) the expenditure of funds for the intended purpose is unnecessary or unreasonable.

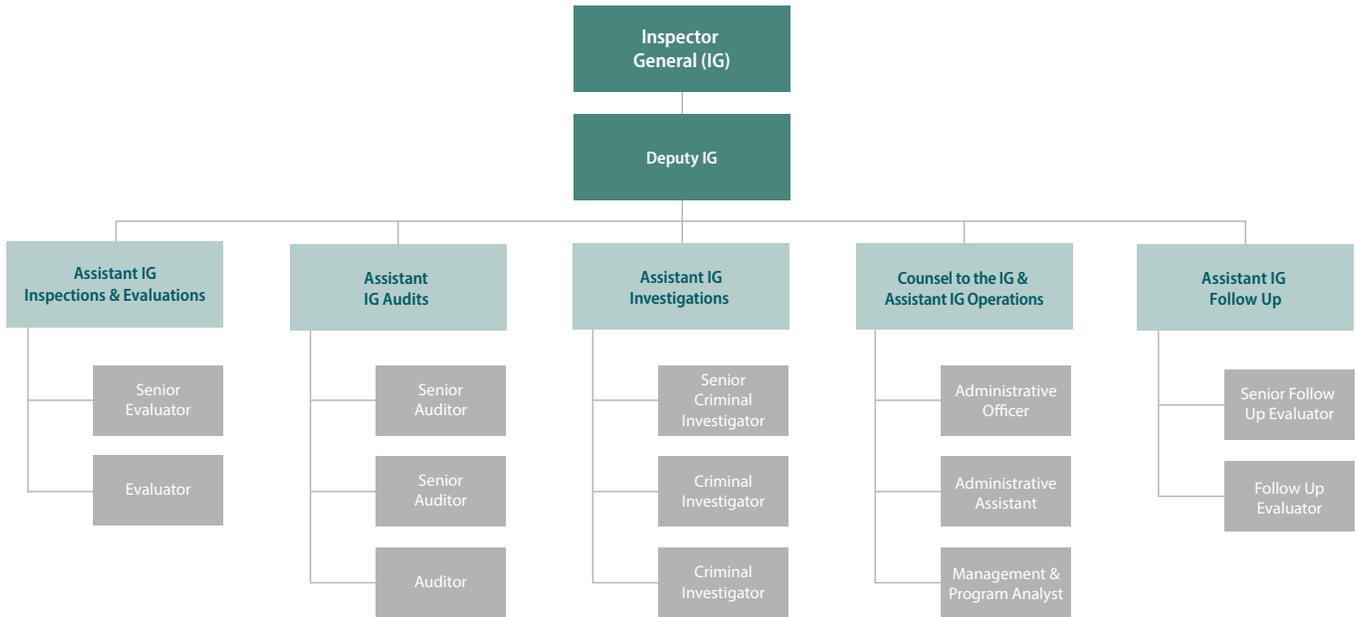


## LIST OF ACRONYMS USED IN THIS REPORT

<b>AOC</b>	Architect of the Capitol	<b>IPA</b>	Independent public accounting firm
<b>BoS</b>	Board of Survey	<b>IPP</b>	Invoice Processing Platform
<b>CCJV</b>	Clark/Christman, A Joint Venture	<b>IT</b>	Information technology
<b>CERP</b>	Capital Equipment Replacement Program	<b>ITD</b>	Information Technology Division
<b>CHOBr</b>	Cannon House Office Building Renewal	<b>LBFMS</b>	Legislative Branch Financial Management Systems
<b>CIGIE</b>	Council of the Inspectors General on Integrity and Efficiency	<b>NFC</b>	National Finance Center
<b>CMA</b>	Construction manager as agent	<b>OCSO</b>	Office of the Chief Security Officer
<b>COR</b>	Contracting Officer's Representative	<b>OIG</b>	Office of Inspector General
<b>COVID-19</b>	2019 novel coronavirus	<b>OMB</b>	Office of Management and Budget
<b>CUEC</b>	Complementary User Entity Control	<b>OSHA</b>	Occupational Safety and Health Administration
<b>CVC</b>	U.S. Capitol Visitor Center	<b>PCB</b>	Polychlorinated biphenyl
<b>DI/DR</b>	Diversity, Inclusion and Dispute Resolution Office	<b>PIIA</b>	Payment Integrity Information Act of 2019
<b>EEO</b>	Equal Employment Opportunity	<b>SAR</b>	Semiannual Report
<b>FAR</b>	Federal Acquisition Regulation	<b>SOC 1<sup>o</sup></b>	System and Organization Controls
<b>FISMA</b>	Federal Information Security Modernization Act of 2014	<b>SR</b>	Senior Rated
<b>FY</b>	Fiscal year	<b>SSMMD</b>	Supplies, Services and Material Management Division
<b>GAO</b>	Government Accountability Office	<b>TWAI</b>	Treasury Web Application Infrastructure
<b>HCA</b>	House Committee on Appropriations	<b>ULO</b>	Unliquidated obligation
<b>HSAA</b>	House Sergeant at Arms	<b>USAO</b>	U.S. Attorney's Office
<b>ID</b>	Identification	<b>U.S.C.</b>	United States Code
<b>IG</b>	Inspector General	<b>USCP</b>	U.S. Capitol Police



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

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SAR 23-1