



OFFICE OF INSPECTOR GENERAL

2023-0008-INVI-P – Allegations of Unauthorized Expenditures and Improper Requests by Supervisors

Supervisor 1: Suspected Violations of the Architect of the Capitol (AOC) “Standards of Conduct” and “Training and Employee Development” Policies; and the AOC Contracting Manual. **Not Substantiated**

Supervisor 2: Suspected Violations of the AOC “Standards of Conduct” Policy. **Not Substantiated**

The AOC Office of Inspector General (OIG) hotline received an anonymous complaint that a Jurisdiction was not in compliance with AOC policy regarding purchasing training. The complaint alleged that the training occurred between May and June 2022 without an approved purchase order or ratification to correct the improper action. Further, the AOC OIG received additional complaints from two employees who wished to remain confidential alleging that Supervisor 1 had improperly obtained and scheduled the training courses for the Jurisdiction. The complainants stated that Supervisor 1 had not provided sufficient time, notification or documentation to justify the training and that it had been acquired without following appropriate contract protocol. The complainants further alleged that Supervisor 2 had directed AOC staff to falsify dates on AOC forms to rectify the unauthorized training courses.

The OIG’s investigation into the matter revealed that the training courses in question were conducted by a nonprofit organization focused on teaching AOC employees’ skills in reading, math and digital and financial literacy, and were procured at the request of the Jurisdiction’s Executive Leadership.

Internal paperwork obtained by the OIG confirmed that three of the four courses that took place were approved by AOC University. The fourth request was submitted by Supervisor 1 and approved and signed by the Jurisdiction’s Delegation of Authority to obligate funds; however, it was not signed and approved by AOC University. All training with a cost of \$2,500.00 or greater is required to process through AOC University for final approval to ensure the AOC’s best interest is taken into consideration. Evidence obtained through interviews and records revealed that during the COVID-19 pandemic, the Jurisdiction had fallen out of compliance with AOC policy as it pertained to the scheduling and tracking of training courses. Additionally, it was apparent to both the OIG and staff from AOC University that employees responsible for training acquisition within the Jurisdiction had not been communicating, and Supervisor 1 had never been notified of concerns with the fourth course.

The AOC Office of General Counsel has interpreted Title 5 U.S. Code § 4105 to mean that employee training is not required to be solicited and awarded as a procurement using procurement vehicles like a purchase order, task order or contract. The AOC issued a memorandum which states in part, “that training should be obtained using the Standard Form (SF)-182, Authorization, Agreement and Certification of Training, rather than using a procurement vehicle such as a government contract...”



Investigative Summary

Supervisor 1 was not found to be in violation of the AOC's Contract Manual because they obtained the training using a SF-182. Additionally, AOC policy does not require a specific amount of advance time for the payment requisitions to be processed. Although it may appear inconvenient, Supervisor 1 was not in violation of AOC policy by requesting the SF-182s be expedited in the referenced instances.

Regarding the allegation against Supervisor 2, the OIG was unable to obtain sufficient evidence supporting the claim the supervisor demanded staff falsify paperwork to push training courses through the approval process. The signature on the documents obtained by the OIG was digitally signed and authenticated, time stamped and certified by the Delegation of Authority prior to the course start date.

As of January 16, 2024, the AOC owes the vendor an outstanding debt of \$15,000 for the fourth course. According to the request, the Jurisdiction Delegation of Authority approved the training and obligated funds prior to the start of the course. The OIG did not identify the incident as an Unauthorized Commitment; however, in the event the AOC determines this instance to be an Unauthorized Commitment, in violation of the AOC's Contracting Manual, the policy outlines the appropriate procedures to follow prior to completing payment to the vendor. The process includes the submission of a Ratification Memorandum to the Office of the Architect to authorize funds. As of the completion of this investigation, a Ratification Memorandum has not been submitted to the Review and Approval Board.

Throughout this investigation, the Jurisdiction remained cooperative and transparent regarding the gaps in procedures surrounding the scheduling and tracking of training courses. It was made clear by employees that the processes and procedures in place during the COVID-19 pandemic and immediately following were not sufficient, effective or in accordance with AOC policy. The OIG determined these gaps to be related to a breakdown in overall communication and did not find sufficient evidence to hold one specific employee accountable. Since notification of this investigation, the Jurisdiction has assigned a specific Training Coordinator, completed a historical review, now maintains an active training tracker within AOC SharePoint and revamped their processes to realign with AOC policy.

Final Management Action: The OIG did not substantiate violations of AOC policy; however, the investigation identified that the Jurisdiction owes the vendor an outstanding debt of \$15,000.00 for training that took place. The case is closed.