



# OFFICE OF INSPECTOR GENERAL

## *2022-0011-INVI-P – Architect of the Capitol (AOC) Employee Attended Personal Medical Appointments on Government Time with a Government Vehicle*

**Suspected Violations of the AOC “Standards of Conduct,” “Government Ethics,” “Time and Attendance,” and “Fleet Management” policies; and Title 18 United States Code § 641 - Theft of Public Money, Title 18 United States Code § 287 - False, fictitious or fraudulent claims and Title 18 United States Code § 1001 - Statements or entries generally.**

**Substantiated.**

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

The employee testified that they had permission from their supervisors and did not attend appointments, merely picked up prescriptions and returned to the Capitol campus. They admitted to utilizing AOC vehicles by parking them in Congressional parking lots that were walking distance from the medical facility.

Testimonial evidence provided by the employee’s current and past supervisors stated the opposite and revealed that the employee had never asked, nor been granted permission to attend medical appointments during scheduled AOC shifts.

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

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<sup>1</sup>**Net Questioned Costs:** As defined in the Section 5 (f)(1) of the IG Act, the term “questioned cost” means a cost that is questioned by the Office because of— (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.



# Investigative Summary

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

**Final Management Action:** The OIG substantiated that the AOC employee violated multiple AOC policies when they utilized AOC vehicles for unofficial business and attended personal medical appointments while on the clock for the AOC. All criminal violations and the substantiated false statements charge under Title 18, United States Code §1001 were presented to the Department of Justice who declined to prosecute based on the availability of administrative remedies to the AOC. On November 16, 2022, the AOC provided a Management Response advising that on November 4, 2022, a final decision was issued resulting in termination of the AOC employee. The case is closed.