



OFFICE OF INSPECTOR GENERAL

Office of Inspector General (OIG) Management Advisory Report - 2023-0002-INVM-P – Authority and Responsibilities of the OIG

Executive Summary

This management advisory serves to notify Architect of the Capitol (AOC) management of the Authority and Responsibilities of the OIG and bring to your 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, March 12, 2019, (AOC Order 40-1). The OIG is utilizing discretion in notifying you via Management Advisory in lieu of an official Report of Investigation substantiating a violation of AOC policy by all involved employees. This management advisory includes one recommendation to improve agency wide compliance with AOC Order 40-1.

Background

On March 7, 2021, the AOC OIG received a hotline complaint concerning the misuse of an AOC vehicle. The hotline complaint resulted in OIG investigation 2021-0011-INVI-P, which substantiated that, in addition to multiple other violations, Mr. James Brett Blanton, former Architect of the Capitol, and members of his household had misused AOC vehicles in excess of official or authorized access. The investigation also revealed that a similar complaint had been received by the General Services Administration (GSA) and forwarded to the AOC on December 21, 2020. The complaint was provided via e-mail to 17 AOC employees including the Fleet Manager, Property Management Branch, Office of General Counsel, Office of the Chief Administrative Officer, Office of the Chief Security Officer, Legislative and Public Affairs and AOC Front Office staff.

Title 2 United States Code § 1808 - Inspector General of the Architect of the Capitol, created an Inspector General responsible for (1) conducting and supervising audits and investigations relating to the Architect of the Capitol, (2) providing leadership and coordination and recommending policies to promote economy, efficiency and effectiveness; and (3) providing a means of keeping the Architect of the Capitol and the Congress fully and currently informed about problems and deficiencies relating to the administration of programs and operations of the Architect of the Capitol. AOC Order 40-1, Section B - Architect of the Capitol Employee Responsibilities, specifically states that employees are responsible to, “Report information or allegations that indicate that an AOC employee, contractor, subcontractor or potential contractor may have committed fraud, waste, abuse or violation of law, rules or regulations.”

Seventeen AOC employees were notified of the GSA complaint titled, “Agency Owned – Misuse Report,” which described use of a vehicle displaying an AOC license plate in the area of Burke,



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VA, at approximately 6:30 pm on December 17, 2020. All 17 employees failed to notify the OIG of the complaint received. For the OIG to be successful in our mission of oversight and the prevention and detection of fraud, waste and abuse, it is imperative that AOC employees make the proper notifications in accordance with AOC policy. Further investigation by the OIG revealed a multitude of explanations ranging from not having read the complaint, having notified their supervisor, assuming another employee had handled it, and not finding the complaint to be abuse or even concerning. The lack of proper reporting ultimately led to a second complaint involving the same AOC vehicle that was received by the OIG hotline on March 7, 2021. Properly notifying the OIG of the initial incident could have resulted in the avoidance of the reported March 2021 incident, as well as potentially avoiding an additional 24 months of vehicle misuse by Blanton and his family.

Conclusion

While the OIG must be free to pursue our work independently, we rely on agency personnel to provide information when wrongdoing is observed or suspected. Every employee is personally responsible to report suspicious actions or behavior that could or does violate a law, regulation or agency policy. An OIG exists to be the independent arbiter of complaints for an agency, no matter who is the subject of the complaint. The agency receiving the complaint cannot be the determiner of wrongdoing. Our ultimate goal is the same as yours, to continually improve AOC processes and operations and preserve the integrity of the agency. We do this through prevention and detection of fraud and abuse, but this only works when the agency and the OIG work together in an environment of trust. Our data shows that we unsubstantiate more charges than we substantiate; and statements of untrust towards the OIG should be addressed with this in mind. Our office looks forward to building stronger relationships with AOC employees and Jurisdictions through additional outreach and training and working collaboratively in the future.

OIG Recommendation

To better facilitate compliance with AOC Order 40-1 by agency employees, including Executive Leadership, the OIG recommends the following:

1. The Architect of the Capitol establish a program to ensure Executive Leadership is not only aware of AOC Order 40-1, but also committed to ensuring their Jurisdictions are aware of and abiding by the employee responsibilities as outlined in the policy.

AOC's Response

The following have been initiated to improve executive leadership's awareness of AOC Order 40-1 and ensure their organizations are aware of and abiding by employee responsibilities:



Management Advisory

On April 14, 2023, you provided an overview of the OIG and a review of AOC Order 40-1 with an emphasis on employee responsibilities to the Senior Rated cadre of AOC executives. The AOC Office of General Counsel provided a refresher on the AOC Ethics policy.

On April 24, 2023, a Compass¹ article was published to emphasize employee responsibilities as outlined in Order 40-1. In addition, a link to the order has been created on Compass on the OIG page.

A new Standard Operating Procedure, "Managing Agency Responses to OIG Work Products" is nearly complete and includes information on both the OIG's role and agency employee responsibilities.

Your office [the OIG] also offered to provide additional training on Order 40-1 one-on-one to offices and jurisdictions, as needed, to emphasize the importance of this communication to our executive leadership.

In July 2021, all employees were assigned, as a mandatory requirement, to complete the AOC Fraud Awareness training. Supervisors Fraud Awareness training is an online module included in the mandatory AOC Supervisory Academy curriculum.

Lastly, we understand you are in the process of updating Order 40-1. We recommend you add a reference to the mandatory fraud awareness training to align current practice in policy.

OIG Response

We reviewed the AOC's management comments and determined they address the recommendation; we consider this recommendation closed.

¹ Compass is the local, restricted communication network utilized by the AOC to communicate and disseminate information to its' employees.




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United States Government

MEMORANDUM

DATE: May 2, 2023

TO: Christopher P. Failla
 Inspector General

FROM: Chere Rexroat, RA
 Acting Architect of the Capitol 

SUBJECT: Architect of the Capitol Office of Inspector General Management Advisory Report – 2023-0002-INVM-P– Authority and Responsibilities of the Office of Inspector General

Thank you for providing the subject management advisory. The Architect of the Capitol (AOC) has taken the following actions in response to the advisory:

Recommendation 1

The Architect of the Capitol establish a program to ensure Executive Leadership is not only aware of AOC Order 40-1, but also committed to ensuring their Jurisdictions are aware of and abiding by the employee responsibilities as outlined in the policy.

AOC Response

The following have been initiated to improve executive leadership’s awareness of AOC Order 40-1 and ensure their organizations are aware of and abiding by employee responsibilities:

On April 14, 2023, you provided an overview of the Office of the Inspector General (OIG) and a review of AOC Order 40-1 with an emphasis on employee responsibilities to the Senior Rated cadre of AOC executives. The AOC Office of General Counsel provided a refresher on the AOC Ethics policy.

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In July 2021, all employees were assigned, as a mandatory requirement, to complete the AOC Fraud Awareness training. Supervisors Fraud Awareness training is an online module included in the mandatory AOC Supervisory Academy (ASA) curriculum.

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