

SEMIANNUAL REPORT TO THE CONGRESS

October 1, 2020 – March 31, 2021

Architect of the Capitol
Office of Inspector General



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) 2021. Every six months, we provide Congress with a report detailing our independence and oversight of the AOC during the reporting

period. This report highlights our activities for the six months ending March 31, 2021. This report is our 26th SAR and the eighth report in my four-year tenure.

The work detailed here contains results from the efforts of an OIG staff dedicated to promoting economy and efficiency, and preventing and detecting fraud, waste and abuse in the AOC's programs and operations. In the years to come, we look forward to continuing our efforts to provide independent and effective oversight of the AOC and to working with the Council of the Inspectors General on Integrity and Efficiency (CIGIE) on important issues that span our government.

During this SAR period, the 16 full-time employees of the OIG worked diligently to complete statutory requirements, audits, evaluations, investigations and congressional requests in the highly challenging environment posed by the 2019 novel coronavirus (COVID-19) pandemic. In March 2020, I placed my staff on full-time telework for the safety of and out of concern for the employees and their families as well as to prevent the spread of the virus throughout the Capitol campus and to the public, Congress and other AOC employees. This move has worked out extremely well given the ability to accomplish our work remotely while balancing the challenges of working at home, children out of school, the reliance on technology to conduct valuable and meaningful conference calls, as well as the loss of daily face-to-face interactions with supervisors and coworkers. Over this last year while full-time teleworking, the AOC OIG did not miss a single statutory requirement, conducted additional CIGIE peer reviews and increased production output by 22 percent since the last reporting period. Based upon what I have seen from the increased productivity and

quality of reporting, full-time telework will be the future of this office in most divisions. Telework will allow the OIG to explore different work options as well as to expand staff and stand up the AOC OIG Follow-Up Division this coming August without an increased need for office space. The Follow-Up Division will track and report on the implementation of recommendations proposed to and agreed upon by the AOC. In addition to our statutory requirements, planned audits, evaluations and investigations, the OIG provided validation of the AOC's daily COVID-19 staff status, which was provided by the AOC's Safety and Code Compliance to Congress. The OIG also presented the AOC with a Management Advisory letter addressing the AOC's cost and pricing certification noncompliance and continued to provide weekly and monthly progress reports on the Cannon House Office Building Renewal (CHOB) Project to the Committee on House Administration.

On January 6 our staff watched with horror as the symbol of democracy and our workplace was attacked by a mob of angry protestors who sought to disrupt and prevent the counting of Electoral College votes. On January 16 we joined other OIGs and initiated our own Joint Oversight Project examining the events that occurred at the U.S. Capitol on January 6, 2021. This project involves coordinating joint resources from our Investigations, Audits, and Inspections and Evaluations (I&E) divisions. The objective of this project is to determine the effectiveness and integrity of the AOC's security and internal policies, procedures and practices and provide an independent evaluation of the same. In addition, the team is investigating allegations, complaints or information concerning possible violations of law, regulation or policy and working with other law enforcement agencies to ensure prosecution of those who violated the law. This oversight project will not result in a singular audit, evaluation or investigation but rather a series of agile reports such as white papers, assessments and management advisories. The goal of these agile reports is to deliver outcomes that close gaps and offer recommendations for improvement, funding allocations, maintenance priorities, identify lessons learned and policy changes necessary to ensure the U.S. Capitol remains a safe, secure and protected symbol of democracy. To that end, on March 11 the Audit Division announced an independent assessment of the **AOC's Role in Securing the Capitol Campus During Large Public Gatherings (2021-AUD-005-O)**. The objective of the independent assessment is to

gain an understanding of the AOC's role and responsibilities in the preparation and execution of operations to secure the Capitol campus, its structures, assets and artifacts during large public gatherings (e.g., A Capitol Fourth concerts, presidential inaugurations and First Amendment demonstrations).

During our last SAR, we reported the completion of two CHOB Project audit reports conducted by the independent public accounting firm (IPA) Cotton & Company (Cotton). The CHOB Project has increased from \$752.7 million to \$890.1 million. We have continued our partnership with Cotton and announced they will conduct two more CHOB Project construction audits. Our efforts to outsource construction audit services have helped us identify cost savings and provided the AOC with meaningful findings and recommendations that will benefit the remaining two phases of the CHOB Project. Using Government Auditing Standards, Cotton is examining contract reimbursable costs in phases 1 and 2 in the **Audit of Cannon House Office Building Renewal Project's Contract Reimbursable Costs (2020-AUD-008-A)** and subcontractor bids and awards in the **Audit of Cannon House Office Building Renewal Project's Subcontractors Bid and Award (2020-AUD-009-A)**. We expect completion of these reports in the spring and summer 2021, respectively. Additionally, we announced the OIG-led audit of **AOC's Unliquidated Obligations (2021-AUD-004-A)** February 3, 2021 as well as delivered on our statutory requirement to provide the House Subcommittee on Appropriations the CHOB Semiannual Report.

I also want to express thanks for the work performed by our other IPA partner, Kearney & Company. Kearney once again performed the Financial Statements Audit for the fiscal year ending September 30, 2020. Kearney identified no material weaknesses, significant deficiencies or noncompliance, and they issued no recommendations for the audit. However, Kearney did issue a **FY 2020 Financial Statements Audit Management Letter (OIG-AUD-2021-02)** as a supplement to the Financial Statements for FY 2020, which identified four modified report deficiencies and one new deficiency in the AOC's internal control over financial reporting. These five deficiencies did not rise to the level of material weaknesses or significant deficiencies. Kearney made seven new recommendations to correct these deficiencies and management concurred with the recommendations.

The I&E Division completed two evaluations and continues to work on the **Evaluation of the Cannon House Office Building Renewal Project Construction Inspection Approval Process (2020-0001-IE-P)** scheduled for completion this summer. Completed evaluations include the **Evaluation of the AOC's Tree Maintenance Program (2020-0003-IE-P)**. The objective of this evaluation was to determine whether improvements directed by the Office of Congressional Workplace Rights (OCWR) in 2018 to the AOC processes for tree inspection and safety-related issues were appropriately implemented and maintained, and if they effectively addressed safety hazards from trees located on the U.S. Capitol campus. This evaluation also included a limited review of the AOC Capitol Grounds and Arboretum's response efforts during the COVID-19 pandemic. The evaluation found that the AOC had appropriately implemented and maintained improvements directed by the OCWR. Our report included one finding and one recommendation. The agency concurred with the recommendation and provided proposed corrective action that is currently in process. Additionally, and prior to the events of January 6, I&E completed the **Evaluation of the AOC's Emergency Preparedness Posture (2020-0002-IE-P)** and the OIG issued the final report to the AOC February 5, 2021. The objective was to determine the effectiveness of AOC emergency incident drills, exercises and training in accordance with the AOC Base Emergency Action Response Plan (EARP). This evaluation also included a limited review of the AOC's response efforts for the COVID-19 pandemic. Our evaluation found that the AOC emergency incident drills, exercises and training were generally effective with minor gaps in policy, training preparation and exercise evaluation activities. We also noted that the AOC's efforts to prepare for, respond to and recover from the COVID-19 pandemic allowed for efficient and sustained operations across the Capitol campus. However, we also found that AOC organizations' preparation and participation in multijurisdictional emergency management training was not always consistent; the AOC lacked a standardized emergency management training evaluation process; and the AOC organizational EARPs were not consistently updated and aligned with the AOC Base EARP in policy structure and guidance. Our report included four findings and eight recommendations. The agency concurred with all recommendations and provided proposed corrective action that is currently in process. Since

our field work ended prior to the events of January 6, our team is examining the AOC’s Emergency Preparedness Posture and their readiness and training to protect assets and personnel from the type of event that occurred.

Concurrent with the above work, the I&E Division participated in an “assist” role for two external peer reviews of executive branch agencies (the General Services Administration OIG and the Department of Health and Human Services OIG).

This period, the three OIG investigators have seen an increase in complaints by 85 percent compared to the previous period. The team and investigation efforts for this reporting period yielded \$71,760 in avoided costs. We received 24 complaints, which, in part, led to opening 11 new investigations. We issued nine investigative reports in which we substantiated cases involving violations of the AOC’s Drug and Alcohol Policy, Workplace Anti-Harassment Policy and wasteful spending, as well as standards of conduct and ethical violations. We also referred three criminal complaints to Assistant United States Attorney’s (AUSA) offices or other law enforcement agencies.

The AOC OIG’s footprint on Twitter, which began a year ago @AOCOIG, now has more than 1,080 followers and

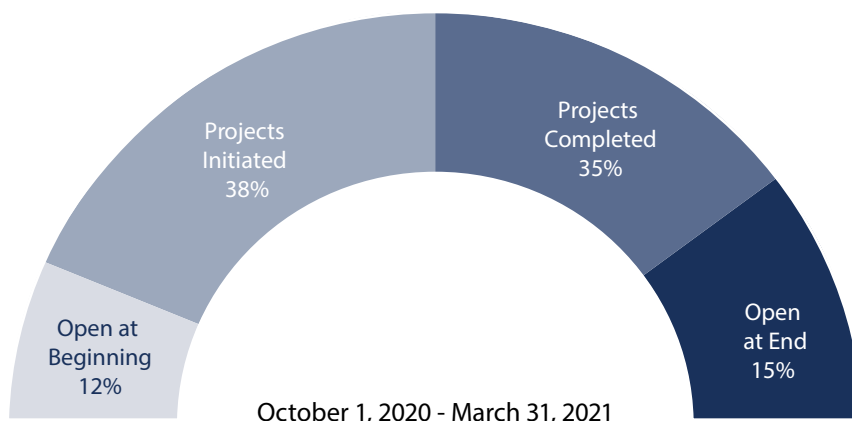
is growing as the public, media and Congress continue to take interest in our oversight work. We encourage all AOC employees and the public to follow us to learn more about how we are combating fraud, waste and abuse, as well as making recommendations that aid the AOC in becoming more economical and efficient.

I must applaud my staff for their tremendous work ethic and dedication to the mission over these challenging times. Their efforts, handling increased workloads and producing reports in this environment, are a shining example to all federal workers, and the demand for their services has only increased based on their outstanding results.

I would like to thank the Architect and the AOC jurisdictions for their support in providing documentation, their time and their expertise over this period. I look forward to a future of continued cooperation so that we may provide the Architect with valuable oversight of this dynamic organization.



OIG Productivity



16 Projects in Progress at the Start

51 Projects Initiated

47 Projects Completed

20 Projects in Progress at the End



Our Mission

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

The OIG is a high-performing team, promoting positive change and striving for continuous improvement in AOC programs and operations. We foster an environment that inspires AOC workforce trust and confidence in our work.



Table of Contents

Inspector General Message	2
Our Mission	5
Our Vision	5
Inspector General Act	7
Profiles	9
Audits	10
Inspections and Evaluations	12
Investigations	13
Other Work	24
Management Advisories	29
Notices of Concern	29
Review of Legislation and Policies	29
Instances of the AOC Refusing to Provide Information or Assistance or Interfering with the OIG's Independence	33
Status of Reports or Recommendations	33
Significantly Revised Management Decisions	33
Significant Management Decisions with which the OIG Disagrees	33
Instances in Which an Inspection, Evaluation or Audit was Completed and not Disclosed to the Public	33
Peer Review Reporting	33
Recommendations	34
Funds Questioned or Put to Better Use	49
Appendices	50
List of Acronyms Used in this Report	53
Office of Inspector General Organization Chart	54



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 Inspector General's (IG) 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 AOC derives from Section 1811 of Title 2 of the United States Code. The AOC is responsible for the maintenance, operation, development and preservation of more than 18.4 million square feet of buildings and more than 570 acres of grounds. This includes the U.S. Capitol, House and Senate office buildings, the U.S. Capitol Visitor Center, the Library of Congress, the Supreme Court of the United States, the U.S. Botanic Garden, the Capitol Power Plant, and other facilities. The AOC also provides professional expertise with regard to the preservation of architectural and artistic elements entrusted to its care and provides recommendations concerning design, construction and maintenance of the facilities and grounds. The AOC is also responsible for the upkeep and improvement of the U.S. Capitol Grounds and the support of the quadrennial inaugural ceremonies and other ceremonies held on the Capitol campus.

Architect of the Capitol J. Brett Blanton performs his duties in connection with various House and Senate committees. The Committee on House Administration, as well as several other House committees, oversee the Architect of the Capitol's activities in the U.S. House of representatives. The Senate Committee on Rules and Administration provides oversight for the Architect of the Capitol's duties associated with the Senate office buildings. The AOC is responsible for the care and repair of works of art in the U.S. Capitol under the direction of the Joint Committee of Congress on the Library. In addition, the AOC is responsible for the maintenance and restoration of murals and other architectural elements throughout the Capitol campus. Since 1934, the Architect of the Capitol has served as the Acting Director of the U.S. Botanic Garden under the Joint Committee of Congress on the Library.

OFFICE OF INSPECTOR GENERAL

The Architect of the Capitol Inspector General Act of 2007, 2 U.S.C. § 1808, 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 establishes employee protections from retaliation for contacting the OIG or participating in OIG activities. The IG reports to and is under the general supervision of the Architect of the Capitol. The OIG's duties are to:

- (1) Conduct, supervise and coordinate audits and investigations relating to AOC programs and operations.
- (2) Review existing and proposed legislation and regulations that impact AOC programs and operations and comment in the Semiannual Report regarding the impact on the economy and efficiency or the prevention and detection of fraud and abuse of such legislation and regulations.
- (3) Recommend policies for AOC activities to promote economy and efficiency or prevent and detect fraud and abuse in its programs and operations.
- (4) Provide a means of keeping the AOC and Congress fully and currently informed about problems and deficiencies relating to the administration of AOC programs and operations and the need for and progress of corrective action. This is generally done by issuing a Semiannual Report to the Architect of the Capitol and Congress.

Audits

Completed Activity This Reporting Period

FY 2020 Financial Statements Audit (OIG-AUD-2021-01)

The OIG contracted with Kearney, an IPA firm, to perform the audit of the AOC Financial Statements as of and for the fiscal year ending September 30, 2020. The IPA was responsible for conducting the audit in accordance with auditing standards generally accepted in the United States, issued by the American Institute of Certified Public Accountants; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Office of Management and Budget Bulletin No. 19-03, Audit Requirements for Federal Financial Statements. Specifically, the IPA was responsible for forming and expressing an opinion on whether the financial statements that are prepared by AOC management, with the oversight of those charged with governance, are prepared, in all material respects, in accordance with the applicable financial reporting framework.

The OIG serves as the Contracting Officer's Representative (COR) on the contract providing oversight of contract requirements and transmitting the auditor's final report in November 2020. Kearney issued an unmodified opinion report for the FY 2020 financial statements. Kearney's reports for Internal Control over Financial Reporting and Compliance with Laws, Regulations, Contracts, and Grant Agreements did not identify any material weaknesses, significant deficiencies or noncompliance.

Kearney issued no recommendations for the audit.

FY 2020 Financial Statements Audit Management Letter (OIG-AUD-2021-02)

As a supplement to the Independent Auditor's Report on the AOC's financial statements for FY 2020, the IPA issued a management letter that identified four modified report deficiencies and one new deficiency in the AOC's internal control over financial reporting. These five deficiencies did not rise to the level of material weaknesses or significant deficiencies but should be corrected.

Kearney made seven new recommendations to correct these deficiencies and management concurred with the recommendations.

Audits in Progress

Audit of Cannon House Office Building Renewal Project's Contract Reimbursable Costs (2020-AUD-008-A)

As a part of our audit and evaluation plan of continuous oversight for construction-related audits, Cotton, an IPA, is conducting a performance audit of the CHOB Project's contract reimbursable costs. The OIG announced this performance audit on August 5, 2020. The objective of the audit is to determine whether the reimbursable costs in Phase 1 and Phase 2 were billed and paid in accordance with the Construction Manager as Constructor's (CMc) contract terms and conditions, and the costs were allowable, allocable, supportable and appeared reasonable.

The OIG serves as the COR on the contract with the IPA, which includes overseeing the contract requirements; the OIG plans to transmit the auditor's final report in June 2021.

Audit of Cannon House Office Building Renewal Project's Subcontractors Bid and Award (2020-AUD-009-A)

As a part of our audit and evaluation plan of continuous oversight for construction-related audits, Cotton, an IPA, is conducting a performance audit of the CHOB Project's subcontractors bid and award. The OIG announced this performance audit on September 28, 2020. The objective of the audit is to determine whether the 1) subcontractor contracts for Phase 1 and Phase 2 were awarded in accordance with the solicitation requirements and AOC policies and procedures, and align with industry standards, and 2) subcontractors' bid supports the awarded contracts.

The OIG serves as the COR on the contract with the IPA, which includes overseeing the contract requirements, and plans to transmit the auditor's final report in August 2021.

Audit of Unliquidated Obligations (2021-AUD-004-A)

The OIG announced the audit of the AOC's unliquidated obligations (ULO) on February 3, 2021. The objective of the audit is to determine whether the AOC's ULOs are valid and supported by sufficient and appropriate documentary evidence.



Independent Assessment of AOC's Role in Securing the Capitol Campus During Large Public Gatherings (2021-AUD-005-O)

On March 11, 2021, the OIG announced the independent assessment of the AOC's role in securing the Capitol campus during large public gatherings. The objective of the independent assessment is to gain an understanding of the AOC's roles and responsibilities in the preparation and execution of operations to secure the Capitol campus, its structures, assets and artifacts during large public gatherings (e.g., A Capitol Fourth concerts, presidential inaugurations, and First Amendment demonstrations).

Inspections and Evaluations

Completed Activity This Reporting Period

Evaluation of the AOC's Tree Maintenance Program (2020-0003-IE-P)

We conducted an evaluation of the AOC's tree maintenance program. Our objective was to determine whether improvements directed by the OCWR¹ in 2018 to the AOC processes for tree inspection and safety-related issues were appropriately implemented and maintained, and if they effectively address safety hazards from trees located on the Capitol campus. This evaluation also included a limited review of the AOC Capitol Grounds and Arboretum's response efforts to the COVID-19 pandemic.

The OIG issued the final report to the AOC on February 4, 2021. Our evaluation found that the AOC had appropriately implemented and maintained improvements directed by the OCWR. We also found that the Capitol Grounds and Arboretum continually made significant improvements to its tree management practices in response to the AOC's new Strategic Plan initiative and recent organizational transformation changes. Lastly, we found that the Capitol Grounds and Arboretum's response to the COVID-19 pandemic was proactive and effective. Our report included one finding and one recommendation. The agency concurred with the recommendation and provided proposed corrective action that is currently in process.

Evaluation of the AOC's Emergency Preparedness Posture (2020-0002-IE-P)

We conducted an evaluation of the AOC's emergency preparedness. Our objective was to determine the effectiveness of AOC emergency incident drills, exercises and training in accordance with the AOC Base EARP. This evaluation also included a limited review of the AOC's response efforts to the COVID-19 pandemic.

The OIG issued the final report to the AOC on February 5, 2021. Our evaluation found that the AOC emergency incident drills, exercises and training were generally effective with minor gaps in policy, training preparation and exercise evaluation activities. We also note that the AOC's efforts to prepare for, respond to and recover from the COVID-19 pandemic allowed for efficient and sustained operations across the Capitol campus, however:

- The AOC organizations' preparation and participation in multijurisdictional emergency management training was not always consistent.
- The AOC lacked a standardized emergency management training evaluation process.
- The AOC organizational EARPs were not consistently updated and aligned with the AOC Base EARP in policy structure and guidance.
- The AOC's response efforts to the COVID-19 pandemic were proactive, efficient and sustained to support Congress, the United States Supreme Court and the AOC workforce.

Our report included four findings and eight recommendations. The agency concurred with all recommendations and provided proposed corrective action that is currently in process.

Evaluations-In-Progress

Evaluation of the Cannon House Office Building Renewal Project Construction Inspection Approval Process (2020-0001-IE-P)

The OIG announced the evaluation of the AOC's construction inspection approval process for the CHOB on April 10, 2020. Our objective is to examine the impact of associated costs, quality of work and time delays attributed

¹ The Office of Congressional Workplace Rights was formerly known as the Office of Compliance. It was renamed on December 21, 2018, and for the sake of clarity will be referred to as such in this evaluation.

to rework on construction inspections.² This evaluation was postponed during our fieldwork phase (December 2020) at the request of the AOC to address challenges posed by the COVID-19 pandemic and to meet established timelines for 2021 congressional moves. We anticipate releasing the final report in the third quarter of FY 2021.

Investigations

Since March 2020, the AOC OIG has worked under COVID-19 restrictions and authorized maximized telework flexibilities.

During this reporting period, we received or initiated a total of 24 complaints. From those complaints, investigators opened 11 new investigations. We referred a total of nine complaints to other government agencies, AOC program offices and/or AOC Avenues of Assistance. See Table A: Investigative Data This Reporting Period for details.

The OIG ensures the continuity of investigative operations through risk mitigation and completion of self-health checklists prior to reporting to the Capitol campus. Wearing face coverings is mandatory for all employees on the Capitol campus in addition to social distancing to minimize the risk of viral transmission. The AOC continues to stagger work schedules and to implement other operational mitigation measures to limit the number of staff based on occupancy so as not to violate guidance mandated by the Centers for Disease Control and Prevention (CDC) regarding public gatherings.

We continue to conduct telephonic and Skype interviews as well as in-person interviews to accommodate critical position employees that do not have telework agreements. During the in-person interviews, we used synthetic polymer barriers to shield investigators and interviewees when we could not achieve 6-foot boundaries through normal distancing. We continue to conduct meetings via Skype, Zoom video conferencing, web conferencing and webinars to complete training.

Table A: Investigative Data This Reporting Period

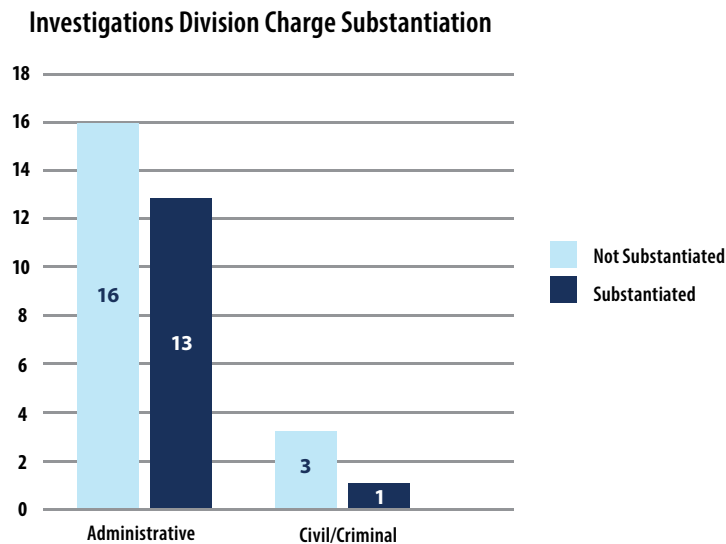
Investigative Activity	Count
Complaints	
Hotline Complaints Received (Phone and/or Email)	7
Complaints Received (Walk-ins)	0
Direct Phone or Email to the OIG	17
U.S. Mail or Facsimile Machine	0
OIG Observed or Developed	0
Total Complaints	24
Investigations	
Investigations Opened	11
Investigations Closed ¹	10
<u>Issuance of Subpoenas</u>	
OIG Subpoenas Served	1
Grand Jury Subpoenas Served	0
<u>Disciplinary Actions Resulting from Administrative Investigations</u>	
Actions Pending	4
Allegations Not Substantiated or Disproven by the OIG	3
Allegations Substantiated/Person(s) Unknown	0
Employee Removals/Resignations/Retirements (in lieu of)	1
Employee Reprimands/Warnings/Counseling	1
Employee Suspensions	0
Total Disciplinary Actions	9
Referrals	
<u>Criminal Investigation Referrals²</u>	
Accepted for Prosecution	0
Declined for Prosecution	3
<u>Administrative Investigation Referrals</u>	
Informal Referrals (to AOC Program Offices, no follow-up or report required)	6
Formal Referrals (Follow-up required within 60-90 days)	0
Employee Assistance Referral (to AOC Avenue of Assistance)	0
Total Referrals	9

¹Reflects six investigations opened during the previous reporting period.

²Referred to a law enforcement agency or the U.S. Attorney for prosecution consideration.

Source: OIG investigative files

² Inspection types may include but are not limited to electrical, structural, plumbing, heating, ventilation and air conditioning, and building occupancy inspections.

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. During the period of review, there were 29 administrative charges. Of those, 13 (45 percent) were substantiated. Of the four civil/criminal charges, one was substantiated. In response to these charges, AOC management carried out the following disciplinary actions: two reprimands/verbal counseling and one resignation upon notification of proposed termination.

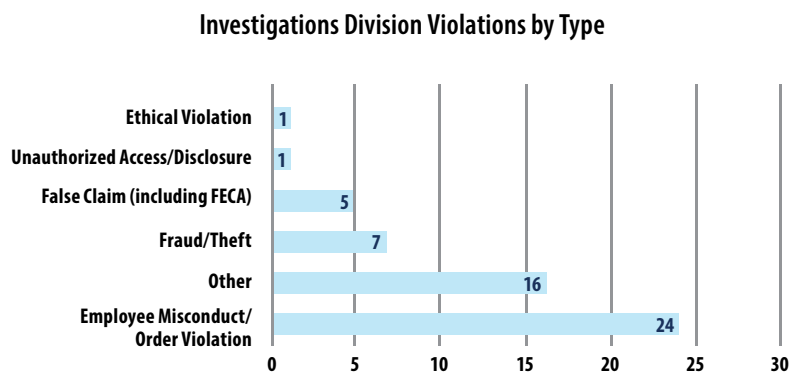
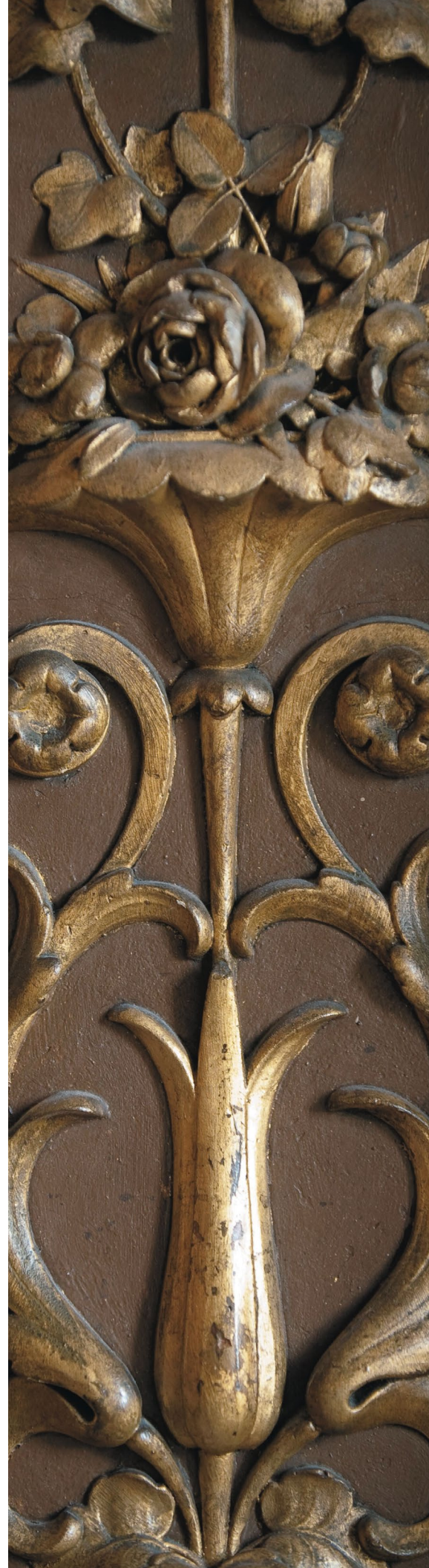
FIGURE 2: Investigations Division Violations by Type

Figure 2 represents investigation activities to include complaints and referrals for the time period under review broken out by violation type. Fraud/Theft, Other (that did not meet a certain case criteria when initiated)³ and Employee Misconduct/Order Violation were the most frequent types of violations committed by AOC employees.

³ Other Law Enforcement Coordination, Inadequate Processes, Contract Irregularities and Potential Discriminatory Practices.



Open Investigations

We currently have eight open investigations:

- 2020-0012-INVI-P
- 2020-0013-INVI-P
- 2021-0006-INVI-P
- 2021-0007-INVI-P
- 2021-0008-INVI-P
- 2021-0009-INVI-P
- 2021-0010-INVI-P
- 2021-0011-INVI-P

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

Closed Investigations

Suspected Violations of Title 18 U.S.C. § 1001

"Statements or entries generally," 18 U.S.C § 1343

"Fraud by wire, radio or television," and 18 U.S.C. § 1920

"False statement or fraud to obtain Federal employees' compensation": Not Substantiated (2018-0008-INVI-P)

The AOC Human Capital Management Division (HCMD) initiated a proactive effort in 2016 to identify former AOC employees alleged to be fraudulently receiving Federal Employees' Compensation Act (FECA) program benefits. During the effort, the HCMD evaluated all claimants on prolonged disability status.

An investigative support services contractor was hired to assist the AOC's HCMD, Employee Benefits and Services Branch, Workers' Compensation Program Unit, identify opportunities to reduce its \$4.2 million workers' compensation chargeback costs. The contractor provided surveillance services to identify individuals who may be abusing workers' compensation benefits.

The HCMD submitted 45 cases to the contractor for surveillance. Case selection was based upon a review of records retrieved from the Office of Workers' Compensation Program (OWCP).⁴ Selection criteria included records without recent/updated medical documentation, or claimants with nonpermanent injuries who continued to receive FECA benefits. The

vendor completed surveillance efforts in March 2017 and submitted findings to the agency, which included surveillance footage that showed claimants performing actions outside of their medical restrictions as stated in their OWCP files. Out of 45 cases submitted, only five were determined to be potential fraud cases.

On June 21, 2017, HCMD met with the OIG to refer the cases (18-0001-I, 2018-0008-I, 2018-0015-I, 2018-0019-I and 2018-0018-I). Their goal was to use the outcome of the OIG investigations as a basis to discontinue FECA benefits.

During the meeting, the HCMD presented a file concerning a former AOC Wage Grade Employee/Plumber in the House Office Buildings jurisdiction who strained their back while operating a core bore machine (that drills concrete). They had been receiving FECA benefits since March 12, 2001, when the injury occurred. They received a total of \$277,654.90 (approximately \$3,000 per month) for a sprain of their back-lumbar region; Aggravation of Degenerative Disease.

AOC OIG and U.S. Department of Labor (DOL) OIG Investigation

The AOC OIG initiated an investigation on June 28, 2017, and coordinated a joint investigation with the Department of Labor (DOL) OIG as the primary investigative agency, which has an office located in Sunrise, Florida. On January 23, 2020, the former employee allowed the DOL OIG to look at their business statements and tax returns that matched the yearly CA-1032s (which serves as a report of earnings, third-party settlements, dual benefits and change in dependents). The DOL OIG reviewed the information provided by the AOC OIG and then briefed AUSA for the Middle District of Florida on the finding of this investigation to determine prosecution status.

On February 14, 2020, the DOL OIG advised the AOC OIG that they felt the case had no prosecutorial merit since the OWCP documentation did not support a FECA fraud allegation. Further, the former employee would have to earn double the amount they currently receive from the OWCP (through AOC) before deductions from their benefit would occur. The employee had not reached that level of earnings so there was no loss to the government. The DOL OIG also found that the former

⁴The OWCP administers four major disability compensation programs, including the Federal Employees' Compensation Program, that provide wage replacement benefits, medical treatment, vocational rehabilitation and other benefits to certain workers or their dependents who experience work-related injury or occupational disease. <https://www.dol.gov/agencies/owcp/owcpabout>.



employee submitted inaccurate CA-1032s; however, they explained that the employee was confused about how to report earnings. The DOL OIG confirmed the forms were confusing.

On June 29, 2020, the DOL OIG advised the AOC OIG that the then AUSA, Middle District of Florida, declined to pursue prosecution for this case.

On August 27, 2020, the DOL OIG advised the AOC OIG that the new AUSA was revisiting their options regarding the outcome of this investigation. Finally, on November 24, 2020, the DOL OIG advised the AOC OIG that the current AUSA declined this case based on the prosecutorial merit of provided OWCP information.

Final Management Action: The DOL OIG notified the AOC OIG that their investigation was closed. This investigation is closed.

Suspected Violations of the AOC Time and Attendance Policy and Procedures Policy: Not Substantiated; Violation of the AOC Standards of Conduct Policy: Not Substantiated (2020-0009-INVI-P)

On January 7, 2020, the OIG received an email complaint regarding suspected time and attendance (T&A) fraud. According to the complainant, who requested confidentiality, three AOC employees were allowed to leave work during their shift and go to the MGM National Harbor, Oxon Hill, Maryland to gamble. According to the confidential reporter, an AOC supervisor, Night Labor and Custodial Unit, Senate Office Buildings allowed three AOC employees under their supervision, time to go to the MGM National Harbor during their shift as long as they brought back food.

The investigation did not substantiate T&A fraud and there was insufficient evidence to support the allegation that the AOC supervisor allowed the three AOC employees to go to the MGM National Harbor during work. A review of closed-circuit television camera footage was inconclusive in determining the three AOC employees were leaving the Capitol campus and being away for an extended period or going to the MGM National Harbor during their shift. A review of the three AOC employees' T&A records did not reveal any indications they falsely reported or recorded their work hours.

During interviews the AOC employees denied the allegations, however, AOC employees and supervisors indicated employees were allotted a one-hour lunch break daily. According to the senior supervisor, they supervise

103 employees in the Night Labor and Custodial Unit, including 10 subordinate supervisors. It's highly probable those 103 employees were given one-hour lunch breaks for an undetermined amount of time. The OIG did not identify the total length of time this practice has been allowed and who has approved it as a matter of routine. The stated "one-hour lunch break" contradicted AOC T&A policy, which allots employees a daily 30-minute lunch break. Further, according to AOC policy, employees may, upon request and with supervisory approval, take a one-hour lunch break as long as the minimum workday requirement (eight hours) is met.

Comment: The matter of employees being granted one-hour lunch breaks while not meeting the minimum workday requirement is under review by the OIG.

Final Management Action: The OIG did not substantiate that the AOC employees violated AOC policy. The case is closed.

Suspected Violations of the AOC Government Ethics, Workplace Anti-Harassment, Security of Controlled Unclassified Information, Privacy Policy and Sexual Harassment in the Workplace Policies: Not Substantiated; Violation of the AOC Standards of Conduct Policy: Substantiated (2020-0011-INVI-P)

On April 16, 2020, the AOC OIG received information from the Diversity, Inclusion and Dispute Resolution Office (DI/DR) concerning an allegation that an employee misused their position as a temporary supervisor to access employee personnel records and used personal information found in the records to harass, embarrass, bully and adversely impact other employees.

The complainant, who wished to keep their identity confidential, alleged that personal information and personnel records were shared with employees on or around the time the employee was temporarily promoted.

The investigation determined that due to a vacancy and rotational detail, the employee received a temporary promotion from the position of Supervisor to Senior Supervisor on February 2, 2020. The temporary assignment was not to exceed May 23, 2020.

The OIG determined through testimony, documentary and digital forensic evidence that the employee did not use their temporary position as Senior Supervisor to obtain and disseminate personal information or personnel records in an attempt to harass or intimidate employees. The investigation disclosed that before their temporary promotion to the position of Senior Supervisor, they violated AOC Policy



Order 752-2, Standards of Conduct, April 25, 2014, by using their AOC-issued mobile device to transmit multiple photographs via Short Message Service (SMS/text) of an employee sleeping in what appeared to be a congressional office.

The employee was forthcoming during an interview with the OIG and admitted to sending the photographs to a coworker in an effort to seek advice on managing a subordinate who had committed multiple policy violations. Upon review, the OIG determined that the photographs were sent, not in the context of a coworker seeking advice from another manager, but with the statements “got them again” and “with a shoe off,” referring to catching the subordinate sleeping on duty multiple times. Additionally, these pictures were sent while they were the employee’s direct supervisor, prior to their temporary promotion to Senior Supervisor. These statements do not explicitly dismiss the possibility of previous verbal discussion between the supervisors referencing the subordinate and how to proceed; however, they do represent conduct unbecoming of an AOC employee in a management position.

Final Management Action: The OIG substantiated that the AOC employee violated AOC policy when they transmitted photos via mobile device of a subordinate sleeping. On November 30, 2020, the AOC employee received a verbal counseling for their conduct. This investigation is closed.

Supervisory Employee 1: Suspected Violations of the Architect of the Capitol (AOC) Standards of Conduct and Information Technology (IT) Resources and De Minimis Use Policies and the Information Technology Division Rules of Behavior Policies: Substantiated. Supervisory Employee 2: Suspected Violations of the AOC Standards of Conduct and IT Resources and De Minimis Use Policies: Not Substantiated (2021-0005-INVI-P)

On December 22, 2020, the AOC OIG received information from DI/DR that alleged Supervisory Employee 1 misused AOC IT resources and equipment to sexually harass an AOC employee. Additionally, the allegation stated Supervisory Employee 1 violated AOC policies by sharing sexually explicit photographs from their AOC-issued iPhone. The allegation further stated that Supervisory Employee 2 violated AOC policies by notifying Supervisory Employee 1 of an upcoming confidential meeting between DI/DR and an AOC employee.

The OIG coordinated a digital forensic examination of Supervisory Employee 1’s AOC-issued iPhone with a law

enforcement partner and provided all evidence related to the sexual harassment allegation to DI/DR for follow up as deemed appropriate.

Additional evidence discovered by the digital forensic exam and interviews conducted by the OIG determined that Supervisory Employee 1 consistently referred to subordinates and supervisors (in person, using their personal mobile device and using their AOC-issued iPhone) in a manner that was found to be offensive and unprofessional. Supervisory Employee 1 frequently used terms such as “mami,” “papa,” “baby” and “boo boo” even after being advised that it was inappropriate. The behavior represented conduct unbecoming of a supervisor in a management position. Using AOC-issued IT equipment in this manner is a violation of both the AOC IT System Rules of Behavior and AOC Order 8-5, AOC IT Resources and De Minimis Use.

Interviews confirmed AOC management screen captured and saved the sexually explicit photos and messages from the employee’s Facebook Messenger app within the employee’s AOC-issued iPhone to the phone’s photo application. This was done in an effort to preserve evidence. The OIG was unable to confirm the messages and photos, sent between consenting adults, actually took place from the AOC-issued iPhone. Supervisory Employee 1 denied using the AOC-issued iPhone to communicate via the social media platform. Supervisory Employee 1 claimed that anything sent from their personal computer while at home could have been viewed on an AOC-issued iPhone due to AOC policy allowing personal social media accounts and personal Apple IDs to be linked to AOC-issued mobile devices.

Additionally, the OIG found no evidence that Supervisory Employee 2 violated AOC policies when notifying Supervisory Employee 1 of their subordinate’s pending meeting with DI/DR. Supervisory Employee 1 is Supervisory Employee 2’s direct supervisor and information was shared in an effort to keep management informed on the pending work status of a subordinate employee.

Final Management Action: The OIG substantiated that AOC Supervisory Employee 1 violated AOC policies when they repeatedly used their AOC-issued iPhone and personal mobile device to communicate in an offensive and unprofessional manner. The administrative violations were submitted to the jurisdiction for action deemed appropriate, if any. The case is closed and management action is pending.



Closed Investigations Involving Senior Government Employees

Suspected Violations of the Library of Congress (LOC) Standards of Conduct, Conduct in Official Positions, Outside Employment and Activities, and Financial Interests Participation in an Official Capacity Policies: Not Substantiated (2020-0008-INVI-P)

On May 5, 2020, the Assistant Inspector General for Investigations (AIGI), LOC OIG requested investigative assistance from the AOC OIG due to concerns about an ongoing investigation.

According to the AIGI, the complainant, now retired, filed a complaint with the LOC OIG against the subject, another LOC employee. The complainant claimed the subject had drafted a last will and testament for them several years earlier with the subject listed as their power of attorney for both finances and health care. The complainant further alleged that the subject deceived them into leaving the subject money from their estate and life insurance proceeds in exchange for the subject's promise and legal obligation to provide long-term care.

LOC OIG INVESTIGATION

The LOC OIG tested the initial complaint to assess if it merited an investigation. During this phase of the investigation, the LOC OIG conducted two interviews with the complainant and were provided a copy of the last will and testament in question, as well as a copy of a bank deposit slip that identified the subject as the financial power of attorney. In its review, the LOC OIG recognized the addendum page of the last will and testament was different from the rest of the document and noted it was not signed or dated. The complainant stated that this page was added to address how their manuscripts would be donated to the LOC. The complainant stated they did not recall when it was added and why it wasn't signed but stated that the subject drafted it. The LOC OIG then interviewed three witnesses identified on the complainant's last will and testament, two of whom were previous LOC colleagues. Neither one of the employees nor the notary, also an LOC employee, recalled signing the complainant's last will and testament. The LOC OIG determined that there was significant information to open an investigation into the subject but also recognized a conflict of interest might exist due to previous investigative work. This prompted the LOC OIG to refer the investigation to the AOC OIG to avoid potential conflicts of interest. The LOC OIG provided the

AOC OIG with all material obtained during the test phase of their investigation.

AOC OIG INVESTIGATION

The AOC OIG interviewed two of the subject's employees. They both noted that they neither serve as legal representatives nor write last wills and testaments for LOC employees. Their office provides legal remedies for LOC matters and represents the agency. During settled cases and through mediation, they may draft settlement agreements at which time the subject would be responsible to approve the language in such an agreement. The employees stated that it was possible for the complainant to have a last will and testament drafted and then identify the subject as the executor and reasoned that anyone could make someone else their executor. Both noted that the subject was one of the complainant's only friends at the LOC.

The subject admitted to knowing the complainant dating back to 1990 when they both started at the LOC. The subject stated that they were a lawyer, but did not practice law outside of the LOC. The subject recalled previously writing last will and testaments for LOC employees but had not since 2000. The subject corroborated the subordinates' testimony that they did not perform legal work within their organization. The subject last spoke with the complainant in November 2019. The subject stated they tried to support the complainant through the years, but the complainant became more demanding of the subject and their time. The subject tried to stop communicating with the complainant after the complainant retired from the LOC. The complainant then started sending the subject threatening emails and calls stating they were going to get the subject fired.

On December 28, 2020, the LOC OIG notified the AOC OIG that the complainant had threatened a current LOC employee and sent verbally abusive emails. The LOC employee stated that even though they were not close friends, the complainant asked them to be the executor of their last will and testament and to help take care of them. The LOC employee stated they filed a report with the LOC OIG because they believed the complainant was going to file a complaint against them at the LOC OIG based on false information.

AOC FINDINGS

After conducting interviews, collecting physical evidence and coordinating with the banking officials, we could not find evidence that the subject wrote the complainant's last will and testament or had access to the complainant's

accounts. The subject admitted to writing simple last will and testaments for LOC employees earlier in their career but denied writing the subject's last will and testament and/or making them self the executor. The subject's signature was not on the complainant's last will and testament from 2014 nor their banking account, which was opened in 2012, although the complainant provided a deposit ticket as proof of the subject having power of attorney.

With the introduction of the LOC employee's allegation to this case, the now former complainant/subject appears to have a pattern of intimidation and possibly making false complaints against LOC employees who do not comply with their demands.

Final Management Action: This investigation was closed and provided to the LOC OIG for action deemed appropriate.

Action Resulting from Investigations Reported in Previous SARs

Suspected Violations of the AOC Standards of Conduct and Drug and Alcohol Policies: Substantiated (2020-0002-INVI-P)

On October 24, 2019, the OIG received a complaint from an AOC manager concerning an AOC employee who allegedly displayed pornography at work on their personal phone and bragged on separate occasions about having sex with a minor while visiting Central America several years prior. The employee was also video recorded cooking and drinking an alcoholic beverage while on duty.

Final Management Action: The OIG substantiated the AOC employee violated AOC Order 752-2, Standards of Conduct when they interfered with another employee by means of intimidating, hostile or offensive acts and being under the influence. During an interview, the AOC employee admitted to being under the influence of alcohol during working hours violating the authorities and procedures set forth in AOC Order 900-1, Drug and Alcohol Policy. Based on the lack of physical evidence and inability to prove this investigation on credible testimonial evidence from employees, we could not substantiate that the employee displayed pornography in the workplace. The employee formally resigned from the agency on June 23, 2020, after receiving a proposed letter of removal based on misconduct. The investigation is closed.

Suspected Violation of the AOC Standards of Conduct and AOC Workplace Anti-Harassment Policies: Not Substantiated; Violation of Congressional Accountability Act: Substantiated (2020-0006-INVI-P)

On March 5, 2020, the OIG received an OIG Hotline complaint from a former AOC employee, who claimed an AOC manager retaliated against them after filing a harassment complaint on September 30, 2019. The AOC employee claimed they worked for the AOC from December 10, 2018 until December 9, 2019, when they were terminated one day short of completing their probationary period. The former AOC employee claimed they received favorable performance evaluations, raises and bonuses throughout the year and suspects the AOC manager retaliated against them after filing a harassment complaint.

The OIG investigation determined, based upon a preponderance of evidence and the timeline of events, that there was retaliation on the part of the AOC manager. Official documents supported the former AOC employee's claim of receiving favorable performance (Fully Successful) evaluations, raises and bonuses. The OIG determined the AOC manager claimed the former AOC employee had a history of poor work performance but did not document the employee's alleged poor work performance in writing throughout the rating period. After the former AOC employee filed a harassment complaint, the AOC manager recommended the former AOC employee's termination and submitted a removal packet including a narrative summary of performance observations and feedback from memory (December 2018 through November 2019), citing the former AOC employee for not meeting expectations, and for sleeping on duty.

A review of AOC policies in effect at the time of the complaint revealed that the AOC only defined retaliation for complaints made to the OIG and not for other AOC jurisdictions. However, we concluded in the absence of an AOC policy protecting the employee at the time of the complaint the anti-retaliation provision of the Congressional Accountability Act 2 U.S.C. § 1317(a) covers the employee.

AOC Order 752-2, Standards of Conduct, April 25, 2014, Section 2.11, prohibits "reprisal or retaliation against an employee who referred an issue to the OIG in accordance with the AOC Inspector General Act of 2007 (2 U.S.C. § 1808)." However, the former AOC employee brought

the harassment matter to the attention of the OIG after their employment was terminated. Additionally, the AOC updated its sexual harassment policy on October 25, 2019, and further updated Order 24-2, AOC Workplace Anti-Harassment Policy, on March 13, 2020. Under AOC Order 24-2, the AOC added and defined retaliation under paragraph 5 - Retaliation; 5.1. Retaliation against an AOC employee who made a complaint or cooperated with a harassment investigation, or any investigation based on protected categories, is strictly prohibited. Under Order 24-2, and Policy Memorandum 24-3, any concerns of retaliation shall be reported directly to the AOC office responsible for dispute resolution. The retaliation against the former AOC employee occurred at the time of their

termination in December 2019, prior to the March 2020 revision and expansion of harassment and retaliation defined in Order 24-2. The AOC office responsible for dispute resolution neither addressed the complainant's request for additional assistance, nor did they refer the former AOC employee to the AOC Conciliation Program as directed under Order 24-1. In addition, no timely information was offered to the former AOC employee about recourse provided through the OCWR. The complainant then sought the OIG's help with their retaliation complaint on March 5, 2020.

Final Management Action: No formal disciplinary action was taken.



Other Work

Semiannual Status Update on CHOB Project (2021-AUD-003-O)

The Explanatory Statement accompanying the FY 2016 Legislative Branch Appropriations Act, Public Law (P.L.) 114-113, directed the AOC OIG to transmit quarterly status updates to the House Committee on Appropriations (HCA) regarding AOC's progress related to the CHOB Project (formerly addressed as the Cannon Project). The statement required the AOC OIG to provide the HCA with the AOC's confirmation that the CHOB 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 our request to transmit these status updates semiannually. Therefore, this report covers the period from July 1 through December 31, 2020.

The OIG received the CHOB Project Semiannual Report from AOC project management officials on February 18, 2021. The report was organized into seven areas: 1) safety, 2) security, 3) schedule, 4) budget, 5) client satisfaction, 6) contract management and 7) risk management. To assist in our review of the semiannual report, we also reviewed the AOC's monthly Executive Summaries for July 2020 through January 2021, which provided the status of the CHOB Project for those months. We then reviewed the minutes of weekly meetings held between the CHOB team and the contractor during the period covered by the semiannual report, as well as in January and February 2021. Specifically, we performed a limited review of the status of the CHOB Project presented in these reports. We prepared detailed questions for the AOC pertaining to progress outlined in the reports; reviewed summary-level documentation supporting the project funding, obligations and expenditures; and obtained relevant updates to tasks that were in process or expected to be completed shortly after December 31, 2020.

We have presented the results of our review in this letter for the committee's review.

It is important to note that our review was not an audit of the CHOB Project, and we therefore did not conduct the procedures in accordance with Generally Accepted Government Auditing Standards (GAGAS). AOC management is responsible for the information presented

in the CHOB Project Semiannual Report and Cannon Executive Summary. Our review did not substantiate all information presented in these reports; therefore, we do not express an opinion in this report.

The CHOB Project includes urgent work to replace major outdated building systems and components while preserving historic building characteristics and improving its safety conditions. The Cannon House Office Building dates back to 1908 and is the oldest office building on the Capitol campus. It includes a combination of member suites, committee hearing rooms, support offices, food services and facility and utility space. The building has not had a comprehensive systems overhaul since the 1930s, leaving many of its systems outdated and at risk of failure. The AOC completed preconstruction on the Cannon Building in December 2014. Construction is scheduled to be completed in five phases over a 10-year period, as follows:

- Phase 0: Started in January 2015 and completed in December 2016.
- Phase 1: Started in January 2017 and achieved occupancy permit in December 2018.
- Phase 2: Started in January 2019 and achieved occupancy permit in November 2020.⁵
- Phases 3 and 4: Scheduled for the period between January 2021 and November 2024.

Per the integrated cost-schedule risk analysis (ICSRA) that the CHOB Project team completed in December 2019, the estimated total cost of the CHOB Project remains \$890.2 million. The AOC is in the process of requesting additional appropriations to help fund the increase in budget from the original \$752.7 million to \$890.2 million. The COVID-19 pandemic caused the CHOB Project to sustain substantial delays in April and May 2020, which, in addition to other unforeseen conditions, led the CHOB Project team to negotiate a new Phase 2 baseline schedule in June 2020. The result of these negotiations was Modification M073 (executed on July 6, 2020), which updated the contractual substantial and final completion dates to October 15, 2020, and November 27, 2020, respectively, based on the rebaselined schedule (previously August 31, 2020, and November 1, 2020). Since the execution of Modification M073, additional delays occurred for both milestones,

⁵ As of March 18, 2021, Phase 2 is not complete. The CHOB Project team currently estimates final completion on April 9, 2021.

primarily as a result of unforeseen conditions, COVID-19⁶ and work stoppages⁷ in January 2021 (e.g., project delays due to heightened security at the jobsite). In its January schedule update, the contractor, Clark/Christman, A Joint Venture (CCJV), acknowledged that it did not meet the contractual Phase 2 final completion date of November 27, 2020, negotiated in June 2020. A new final completion date has not yet been contractually established, but the CHOBr Project team now expects CCJV to achieve final completion of Phase 2 on April 9, 2021. CCJV achieved substantial completion of Phase 2 on November 1, 2020, after the contractual substantial completion date of October 15, 2020, negotiated in June 2020. Despite CCJV not meeting the contractual completion dates, the CHOBr Project team turned over the Phase 2 member suites on time in December 2020.

The CHOBr Project team is completing construction of Phase 2 (the north wing) and performing enabling construction work and coordinating the schedule to start construction of Phase 3 (the east wing). CCJV completed all Phase 1 punch list work by June 2020. As of December 31, 2020, CCJV had seven remaining Phase 1 warranty correction items to complete for which the CHOBr Project team did not receive a credit from CCJV or transition to Phase 2. As of mid-February 2021, the CHOBr Project team had closed all Phase 1 warranty items and was working to obtain the necessary documentation for the last two items. The CHOBr Project team moved 21 warranty items to Phase 2 and tracked them as deficiencies.

The AOC formally closed out the Phase 1 construction contract in November 2020. Phase 1 was budgeted to cost \$194.7 million. As of December 31, 2020, the total funding for Phase 1 was \$194.7 million. This amount represents a decrease from the previous total funding of \$195.7 million because the AOC determined that it would not require \$1.0 million of this amount to complete the Phase 1 closeout. Of the \$194.7 million, the AOC has obligated \$193.1 million and expended \$192.9 million. The CHOBr Project team expects to transfer the remaining \$1.6 million to Phase 3.

Phase 2 is budgeted to cost \$203.9 million. As of December 31, 2020, the total funding was \$203.9 million, of which the AOC has obligated \$182.2 million and expended \$165.2 million. Of the available Phase 2 balance of \$21.7 million, the CHOBr Project team has allocated \$9.5 million for expected Phase 2 costs continuing through the anticipated financial closeout in spring/summer 2021. As mentioned above, the CHOBr Project's Phase 2 schedule was rebaselined, and the AOC issued Modification M073, a no-cost time extension, to update the project dates. Modification M073 also revised the scope of work included in "substantial completion" and "final completion" to include fewer milestones. As such, CCJV will complete additional work past December 2020, including completion of the basement storage area; punch list completion in common areas, stairs and restrooms; fifth floor exterior metal panel installation; third floor colonnade and balcony storm door installation; north lawn site restoration and sidewalk replacement; House Committee on Veterans' Affairs hearing room construction; and landscaping. Despite the delays, the CHOBr Project team turned over the Phase 2 member suites in December 2020, thus allowing 32 members and their staffs to move in on schedule. However, the CHOBr Project team did not turn over a small number of nonmember suite office spaces to the Chief Administrative Officer for furniture installation until mid-December due to some incomplete CCJV punch list items. The CHOBr Project team expected CCJV to complete the Phase 2 punch list in mid-February, but due to the work stoppages in January, CCJV was unable to meet this date.

Phase 3 is budgeted to cost \$177.4 million. As of December 31, 2020, the total funding was \$155.6 million, of which AOC had obligated \$150.7 million and expended \$1.4 million. The AOC awarded the Phase 3 guaranteed maximum price (GMP) contract to CCJV for a negotiated value of \$135.6 million, or \$12.1 million more than the budgeted GMP of \$123.5 million. The CHOBr Project team stated that the AOC will fund the shortfall using anticipated savings from Phase 2 — although the team is currently unable to estimate the potential savings due to

⁵ Between July 1 and December 31, 2020, 45 project contractors and two AOC employees tested positive for COVID-19, with an additional 148 project contractors classified as "identified risk" and 69 project contractors classified as positive/presumed positive. During that same period, the project lost 1,079 worker-days due to COVID-19. A joint investigation, conducted by the CCJV CHOBr Project team, AOC Office of Attending Physician, AOC Office of Safety and Code Compliance, and AOC Office of the Chief Engineer's Design Services, into an increase in cases during December pointed to a potential outbreak in the construction administration trailer. The trailer was therefore partially closed until March 8, 2021, and additional COVID-19 prevention measures were added, such as the installation of Plexiglas barriers at all desk locations, installation of six new exhaust fans on the roof, replacement of old air filters with new MERV-13 air filters and setting of the air conditioning unit fans to "Fan On" for continuous ventilation.

⁷The January 6, 2021, riot at the U.S. Capitol Building led to the following work stoppages: 1) from January 6, 2021, at approximately 3:30 p.m. to January 7, 2021, at 6:00 a.m. (all work suspended); 2) from January 13, 2021, at 6:00 a.m. to January 20, 2021, at 11:00 PM for Inauguration Day security precautions (interior and exterior work suspended); and 3) from February 2, 2021, at 5:00 p.m. to February 3, 2021, at 5:00 p.m. for the lying in honor ceremony for Officer Brian Sicknick (exterior work suspended). During a typical inauguration, work would be stopped for only one day – Inauguration Day itself.



a lack of supplemental funding for COVID-19 costs and project delays resulting from heightened security — and from Phase 3 construction contingency funds. The CHOBBr Project team noted that it does not expect the award to affect its ability to deliver the overall project within the \$890.2 million budget.

The CHOBBr Project team analyzes risks to the CHOBBr Project during weekly, monthly and quarterly risk meetings. CCJV and the CHOBBr Project team held a Phase 2 risk closeout meeting on December 16, 2020, during which they resolved all previously noted Phase 2 risks, although the CHOBBr Project team noted that uncertainty regarding future COVID-19 impacts continues to present some risk to the final completion of Phase 2. According to the CHOBBr Project team, the top five risks for Phase 2 that it effectively managed through mitigation efforts were:

- (1) Cost and schedule impacts due to supply chain issues, workforce availability, site access and enhanced protection measures related to COVID-19.
 - CCJV performed enhanced project site cleaning on Saturday evenings to minimize production impacts.
 - The CHOBBr Project team partnered with the U.S. Capitol Police to minimize exposure while still working to maintain scheduled project deliveries.
 - The Office of Attending Physician continued providing contact tracing guidance for potential exposures to help minimize worker concerns and absenteeism, and to ensure proper quarantining of possible COVID-19 cases.
 - The CHOBBr Project team and CCJV required workers to wear face coverings and follow other strategies that the CDC recommended to mitigate disease transmission.
- (2) Ability to turn the construction area over to stakeholders with adequate time to install furniture, fixtures and equipment before congressional moves.
- (3) Ability to maintain high-quality craftsmanship within a compressed construction schedule.
- (4) Adequate time available for fire and life safety testing within a compressed timeline.
- (5) Stakeholders being unable to accelerate their work to meet the occupancy date based on the time remaining.

CCJV and the CHOBBr Project team held a Phase 3 risk management kickoff meeting on February 3, 2021.

The CHOBBr Project team continued to provide detailed information regarding Potential Change Orders (PCO). From July 1 to December 31, 2020, CCJV and the project's architect-engineer, Shalom Baranes Associates, initiated 208 PCOs for the CHOBBr Project. The CHOBBr Project team has since voided 17 of the PCOs and has determined that another 96 have a potential impact to the project's schedule. The proposed value of the PCOs initiated during this period totaled \$3,207,561. During this same period, the CHOBBr Project team negotiated and settled 150 PCOs related to the Phase 2 scope, for a final awarded value of \$4,667,410. As of December 31, 2020, 73 PCOs remained open (25 of which are pending proposal submission by CCJV), with a proposed value of \$597,676. If the CHOBBr Project team approves these PCOs, the AOC will fund them from the \$8.8 million in Phase 2 contingency funds remaining within the current budget. The potential work would therefore reduce the budgeted contingency funds but would not increase the overall project budget.

As of December 31, 2020, the AOC had obligated \$2.1 million in Phase 2 contingency funds for project costs related to COVID-19. The CHOBBr Project team expects to require an estimated \$6.2 million to continue these measures throughout Phase 3. This unanticipated requirement brings the total COVID-19 mitigation costs to an estimated \$8.3 million. The CHOBBr Project received \$658,000 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act; in the absence of any additional supplemental funding for COVID-19, the CHOBBr Project team will continue to use contingency funding to cover any future COVID-19 cleaning requirements. The CHOBBr Project team appears to have accepted that COVID-19 is a significant risk to delivering the project on time and has taken actions to mitigate that risk. However, we expect that impacts to the schedule and budget due to COVID-19 will warrant review for the foreseeable future of the CHOBBr Project.



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 one management advisory to the AOC during the reporting period.

- Management Advisory Letter – Cost and Pricing Certification Noncompliance (Project No. 2021-AUD-001-O)

Notice of Concerns

A Notice of Concern reports on specific AOC safety or security issues observed during the course of OIG work and is provided to AOC management for any immediate action they deem appropriate. These reports do not provide recommendations.

We did not issue any Notices of Concern during the reporting period.

Review of Legislation and Policies

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 ensures the AOC’s orders and/or policy revisions are consistent and promote economy and efficiency. Some of these orders result directly from OIG recommendations to improve internal controls and maintain an orderly operation. Our review is an integral part of our effort to identify and prevent fraud, waste and abuse. During this reporting period, we reviewed 16 orders or other policy or guidance documents.

Table B: Review of AOC Legislation and Policies

Document	Title	Description
Order 4-3	Snow and Ice Removal	<p>This update of the June 5, 2015 Order 4-3 includes changes made in consideration of COVID-19 pandemic operational constraints.</p> <p>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 directs that the AOC will effectively plan for and remove snow and ice in a safe, effective and efficient manner to support the needs of the U.S. Congress and the Supreme Court.</p>
Order 10-1	Electrical Safety	<p>This policy summarizes requirements for protecting personnel and property from electrical hazards at the AOC, and also describes duties and responsibilities of employees with respect to electrical safety regulations that apply to the AOC. Changes include:</p> <ul style="list-style-type: none"> • Incorporates new requirements from National Fire Protection Association 70E®, Standard for Electrical Safety in the Workplace, 2018 edition • Clarifies training and retraining requirements for employees • Clarifies roles and responsibilities • Establishes requirements for work involving electrical hazards • Establishes electrically safe work conditions • Establishes personal protective equipment (PPE) requirements • Establishes new arc flash risk assessment • Establishes equipment labeling requirements • Establishes a requirement for test instruments and equipment

Table B: Review of AOC Legislation and Policies Continued

Document	Title	Description
Order 10-1	Fall Protection Safety	This order establishes the requirements for protecting AOC employees from falls while working at height. It supersedes the Fall Protection Policy dated August 2015 in its entirety and includes updated citations due to regulatory and standard additions and updates. This policy also incorporates the securing of floor holes and openings, outlines how alternate training vendors are to be approved, incorporates Walking and Working Surfaces, and defines roles and responsibilities.
Order 32-3	Reimbursement of Professional Liability Insurance	This order outlines the AOC's policy for the reimbursement of professional liability insurance for qualified employees, and supersedes AOC Order 32-3, dated April 30, 2009. Changes include an increase in the maximum reimbursement amount for professional liability insurance for qualified employees to the lesser of one-half the costs incurred by the employee or \$300.
Order 32-10 and Standard Operating Procedures 32-10	Quarterly Financial Reviews and Quarterly Financial Review Procedures	This order outlines the AOC quarterly financial review process, which establishes a framework for the routine management review of aged and unliquidated financial obligations. This update addresses the AOC's new web-based application, which automates the process to validate open obligations. A standard operating procedure was also created to serve as a companion document.
Order 42-5	Personal Suitability Program Policy	The purpose of this order is to formalize the AOC's Personnel Suitability Program Policy and to establish requirements enabling the AOC to operate an effective, efficient and cost-effective personnel suitability program. This program will ensure accurate, timely and equitable suitability determinations of an individual's eligibility for access to sensitive information and/or facilities. This order supersedes and replaces AOC Order 731-1, Contract Employee Suitability and Supplements Policy.
Order 42-6	Incidents of Security Concern	The purpose of this order is to formalize the AOC's Incidents of Security Concern Program and to establish the requirements for AOC employees and contractors for reporting incidents of security concern and/or actions, inactions or events that are believed to pose a threat to congressional infrastructure, personnel and/or assets. This is a new order.
Order 430-1	Performance Communication and Evaluation System	This order outlines the AOC's performance evaluation system and includes the following changes: <ul style="list-style-type: none"> • Changes the rating system from three (3) tiers (Outstanding, Fully Successful and Unsuccessful) to five (5) tiers (Exceptional, Exceeds Standards, Achieves Standards, Needs Improvement and Unsuccessful) • Requires performance elements to be rated based upon performance factors • Incorporates a point-based rating system • Allows for employees to receive performance awards at the Exceeds Standards and Exceptional rating levels • Requires all performance documents to be completed within 45 days of the end of the review period • Imposes consequences for supervisors who do not complete performance documents within the given deadlines • Eliminates the grievance standards of performance-related documents
Order 451-1	Awards Policy	This order outlines the framework for creating and disseminating the AOC Awards Program and supersedes AOC Policy Memorandum 451-1 dated December 27, 2017, and AOC Order 451-1, Awards Policy, dated March 6, 2009.

Table B: Review of AOC Legislation and Policies Continued

Document	Title	Description
Order 550-1	Overtime Policy and Procedures	This update to the September 16, 2013 order adds important information regarding the provisions, requirements, responsibilities and procedures for the authorization and management of overtime work and compensation for AOC employees.
Order 600-1	AOC Telework Program	<p>This policy update outlines provisions for participation in the Telework Program, and includes the following changes:</p> <ul style="list-style-type: none"> • Eliminates the annual recertification requirement • Removes the six-month service requirement, thereby allowing managerial discretion to approve/deny all applications upon entry on duty • Removes the limit on the number of days employees can telework and permits the Jurisdiction/Office Head to approve telework based on the needs of the jurisdiction/office • Outlines criteria for determining the official worksite for location-based purposes • Replaces the Telework Guide for Supervisors and Employees with a Frequently Asked Questions Guide • Clarifies workers' compensation eligibility
Order 610	Hours of Duty	This order outlines requirements for establishing hours of duty for AOC employees and supersedes AOC Order 610, dated September 2, 2003, and Policy Memorandum 610-5, Breaks, dated August 6, 2012. It provides authority for Superintendents/Division directors and equivalent management personnel to authorize early release of less than one hour. The requirement to charge one hour of annual leave when daylight savings time goes into effect has been changed to reflect that one hour of administrative leave will be granted.
Policy Memorandum 10-1C	Guidance on Voluntarily Using a Filtering Facepiece Respirator (FFR), such as an N95, N99, N100, P95, P99, P100, R95, R99 and R100, as a Face Covering at Work	This policy memorandum augments memorandum 10-1B with further guidance on voluntarily using a FFR, such as an N95, N99, N100, P95, P99, P100, R95, R99 and R100, as a face covering at work.
Policy Memorandum 32-4	Fleet Manual	This policy memorandum updates Order 32-4, Fleet Manual, with responsibilities for installation, maintenance and associated mandatory training for the application of law enforcement light and siren packages on agency vehicles for official purposes. The memorandum delegates this responsibility to the Office of Security Programs.
Policy Memorandum 42-4	Document Control Procedures Within the AOC	This policy memorandum formalizes guidance for document control procedures within the AOC in accordance with Order 42-4, Security of Controlled Unclassified Information.
Policy Memorandum 610-3	Authorization for Food and Lodging for Emergency Employees	The purpose of this memorandum is to request advanced authorization for the provision of food and/or lodging for emergency employees.



Instances of the AOC Refusing to Provide Information or Assistance or Interfering with the OIG's Independence

There were no instances of the AOC refusing to provide information or assistance or interfering with the OIG's independence during the reporting period.

Status of Reports or Recommendations

- (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.

Significant Management Decisions With Which the OIG Disagrees

There were no significant management decisions with which the OIG disagreed with during this reporting period.

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.

Peer Review Reporting

AUDIT

There was no peer review activity for audit operations this reporting period. The last peer review for the OIG audit function was conducted in September 2018 by the Corporation for Public Broadcasting OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.

INSPECTIONS & EVALUATIONS

The I&E Division participated in an "assist" role for two external peer reviews of executive branch agencies (General Services Administration and the Department of Health and Human Services). Work for these peer reviews has been completed since the last SAR reporting period.

The last external peer review for the AOC OIG I&E function was conducted in June 2018 by the Office of the Special Inspector General for Afghanistan Reconstruction and the Pension Benefit Guaranty Corporation OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.

INVESTIGATIONS

There was no peer review activity for investigation operations this reporting period. The last peer review for the OIG investigation function was conducted in July 2017 by the Federal Housing Finance Administration OIG. The AOC OIG received a rating of Pass, and there are no outstanding recommendations.

Recommendations

Tables C through G below reflect 70 recommendations associated with 12 reports and one management advisory. Of those, 32 recommendations were implemented and closed; 38 remain open/unresolved.

Table C: Audits Unimplemented Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Architect of the Capitol/Office of the Chief of Operations/Office of the Chief Engineer			
Audit of the AOC Capitol Power Plant Cogeneration Facility	OIG Report	A.1	Report Summary: The OIG performed an audit of the AOC Capitol Power Plant Cogeneration Facility.
	OIG-AUD-2019-05		Recommendation: The AOC incorporate well-defined contract requirements for future utility energy service contracts, to include but not limited to:
	September 30, 2019		<ul style="list-style-type: none">• commissioning requirements – general description, commissioning roles and responsibilities, systems to be commissioned, commissioning plan, scheduling, commissioning report• reliability run requirements – duration, classification of interruptions and scheduling AOC Management Decision: Concur. The AOC is updating its 2010 Commissioning Guidelines and will include provisions in the update to address the issues raised by the OIG. The AOC expects to complete this update by March 2021.
Architect of the Capitol/Office of the Chief Administrative Officer/Office of the Chief Financial Officer			
Audit of FY 2019 Financial Statements Audit Management Letter	OIG Report	1	Report Summary: The OIG performed an audit of the AOC FY 2019 Financial Statements Audit.
	OIG-AUD-2020-02		Recommendation: Ensure that Momentum® user administration guidance and procedures are updated to reflect current processes and controls, including processes for approving both new accounts and roles and modifications to existing access to the system.
	December 17, 2019		AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		2	Recommendation: Require, document and maintain approvals for Momentum® access modifications in addition to original account provisioning actions.
			AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		5	Recommendation: Enforce AOC Order 30-1 requiring a review of ULOs. Consider drafting a standard operating procedure to simplify the periodic review process for the status of ULOs and to ensure appropriate contract personnel and jurisdictional account holders communicate when funds are no longer valid. The process should include the requirement to provide documentation of the review of the status of the ULO balances that lack expenditure activity for a prolonged period.
			AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		6	Recommendation: Conduct appropriate training and provide formal communication (e.g., correspondence, minutes) on a periodic basis to applicable AOC personnel (e.g., Contracting Officers, CORs) to ensure proper execution over the monitoring of ULO balances and timely de-obligations of invalid ULO balances. Training should include information on the AOC's ULO review process, specifically on how to execute review, in addition to understanding the importance of de-obligating unneeded funds in a timely manner.
			AOC Management Decision: Concur.

Table C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of FY 2019 Financial Statements Audit Management Letter		7	Recommendation: Continue to have Chief, Acquisition of Architecture, Engineering and Construction Services Division; Chief, Acquisition of Supplies, Services, and Material Management Division or their representative and the Accounting and Finance officer work jointly to develop an automated solution. AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		8	Recommendation: The HCMD should review the policies and procedures related to overtime and leave and make updates if considered appropriate. AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		9	Recommendation: AOC managers, supervisors and timekeepers must adhere to the policies and procedures put in place for supervisors and responsible parties to properly monitor the overtime and leave of absence use in their jurisdictions. AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		10	Recommendation: AOC jurisdictional leaders should reinforce to their managers, supervisors, timekeepers and employees the importance of following the leave and overtime approval process by frequently communicating and meeting with personnel with responsibility to monitor overtime and leave use. Jurisdictional leaders should have situational awareness of instances where overtime and leave requests are not being approved in accordance with AOC Orders 550-1 and 630-1, respectively. AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		11	Recommendation: If overtime or leave cannot be approved in advance, document and maintain an explanation for the delay. Hard copy requests and approvals should be retained in a location that is easily available upon request or annotated in the remarks section in WebTA if overtime or leave requests are requested and approved in the system. AOC Management Decision: Concur.
FY 2020 Financial Statements Audit Management Letter	OIG Report OIG- AUD-2021-02 December 14, 2020	1	Report Summary: The OIG performed an audit of the AOC FY 2020 Financial Statements Audit. Recommendation: Ensure that AOC staff responsible for evaluating System and Organization Controls (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 Complementary User Entity Controls (CUEC). AOC Management Decision: Concur.
FY 2020 Financial Statements Audit Management Letter		2	Recommendation: Determine whether the National Finance Center (NFC), Invoice Processing Platform (IPP), and subservice provider SOC 1® reports will be delivered in a timely manner and contain the following information required for an effective review and analysis: <ul style="list-style-type: none"> a. Complete system description b. Description of controls tested and the results of those tests c. Applicable management responses d. Incorporate any applicable changes to IPP and Treasury Web Application Infrastructure (TWA) subservice providers to the AOC IPP risk assessment that impacts the accounts payable financial statement assertion for transactions through IPP. AOC Management Decision: Concur.

Table C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
FY 2020 Financial Statements Audit Management Letter		3	<p>Recommendation: Complete an IPP/TWAI-specific risk assessment to ensure implementation of key controls relevant to the AP financial statement assertion (e.g., through complete and timely SOC 1® reports and/or internal AOC CUECs). If the AOC becomes aware that the content of IPP/TWAI-related SOC 1® reports will continue to be provided in an untimely manner or presented in redacted format, AOC management should implement, through its risk assessment, a process to separately identify and assess mitigating and compensating controls to its environment. Additionally, for known control deficiencies at the service and key subservice providers, the AOC should identify compensating control(s) to mitigate the risks within the AOC control environment.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		4	<p>Recommendation: Complete an NFC-specific risk assessment to ensure implementation of key controls relevant to the payroll financial statement assertion (e.g., through complete and timely SOC 1® reports and/or internal AOC CUECs). If the AOC becomes aware that the content of NFC-related SOC 1® reports will continue to be provided in an untimely manner, AOC management should implement, through its risk assessment, a process to separately identify and assess mitigating and compensating controls to its environment. Additionally, for known control deficiencies at the service and key subservice providers, the AOC should identify compensating control(s) to mitigate the risks within the AOC control environment.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		5	<p>Recommendation: Update AOC patching guidance by setting specific timelines for implementation related to high-risk patches.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		6	<p>Recommendation: Prioritize application of specific patches based on the security impacts, versus the functional impacts of the patch application.</p> <p>AOC Management Decision: Concur.</p>
FY 2020 Financial Statements Audit Management Letter		7	<p>Recommendation: Implement critical security patches within prescribed timelines, remediate vulnerabilities through configuring the software (e.g., turning off or limiting access to ports or services), or obtain and document the open vulnerabilities in a plan of action and milestones.</p> <p>AOC Management Decision: Concur.</p>
Architect of the Capitol/Office of the Chief Engineer			
Audit of the Cannon House Office Building Renewal Project's Contract Invoices	OIG Report OIG-AUD-2020-05 August 25, 2020	1	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOB Project's contract invoices.</p> <p>Recommendation: The AOC review the terms and conditions of the CMc's contract to ensure that the contract contains the appropriate terms and conditions for the CHOB Project.</p> <p>AOC Management Decision: Concur. By September 30, 2020, the AOC will modify the contract's payment terms to reflect the process being used by the AOC and the CMc.</p>

Table C: Audits Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of Senate Underground Garage Renovations and Landscape Restoration Project's Contract Modifications	OIG Report OIG-AUD-2020-06 September 25, 2020	1	<p>Report Summary: The OIG performed an audit of the Senate Underground Garage (SUG) Renovations and Landscape Restoration Project's contract modifications.</p> <p>Recommendation: We recommend the SUG Project team ensure:</p> <ul style="list-style-type: none"> a. The SUG Project contract file includes all the documentation to support the final decisions and/or approvals for potential change orders. b. All the support documentation is properly managed and maintained to be readily available for examination. <p>AOC Management Decision: Concur. The project team will document final decisions and approvals and include this documentation and related documents in the contract file for the remainder of the project.</p>
Audit of Senate Underground Garage Renovations and Landscape Restoration Project's Contract Modifications		2	<p>Recommendation: The SUG Project team, to the extent legally and administratively possible, recover the \$9,344 of unallowable costs and the \$39,768 of unallowable markups identified in our review.</p> <p>AOC Management Decision: Concur. Recovering these funds is complicated due to legal and administrative issues associated with government claims involving recovering funds from contractors. Despite this challenge, the AOC will attempt recovery from the contractor.</p>
Audit of Senate Underground Garage Renovations and Landscape Restoration Project's Contract Modifications		3	<p>Recommendation: The Acquisition and Material Management Division (AMMD) clarify language in the AOC 52.243-1 Changes - Supplement (c) Allowable Markups, dated June 2014, to provide better guidance on how the contractor and subcontractor should calculate the overhead and profit markups.</p> <p>AOC Management Decision: Concur. The AMMD revised the Changes - Supplement clause in July 2020. This revision clarifies contractor and subcontractor markups.</p>
Audit of the Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) Contract Modifications	OIG Report OIG-AUD-2020-07 September 28, 2020	2	<p>Report Summary: The OIG performed an audit of the AOC's Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) project's contract modifications.</p> <p>Recommendation: The Exterior Repair and Restoration project team ensure that the Sequence II contract file include all documentation to support final decisions and/or approvals for modification 13, Contract Line Item Number (CLINs) 10, 12 and 13.</p> <p>AOC Management Decision: Concur. The project team will add a document to the contract file approving the costs typically included in overhead as direct costs and confirming that questions raised during the review process have been resolved.</p>

Table D: I&E Unimplemented Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Architect of the Capitol/ Office of the Chief Administrative Officer			
Evaluation of the AOC's Inventory Accountability and Controls	OIG Report 2018-0002-IE-P August 20, 2019	C	<p>Report Summary: The OIG performed an evaluation to determine whether the AOC had adequate mechanisms, controls and property tracking procedures in place to account for non- consumable property. We also detailed if any “best practices” existed that might enhance the AOC's property management efforts, and if savings to the agency could be gained by lowering the \$1,500 non- consumable property threshold amount.</p> <p>Recommendation: The AOC direct an organizational assessment to determine the feasibility of creating full-time property management positions that strictly deal with property management.</p> <p>AOC Management Decision: Concur. The AOC concurs that having full-time, accountable property officers and property custodians is a good idea. However, this is a position/funding issue that has to be studied and possibly budgeted.</p>
Evaluation of the AOC's Inventory Accountability and Controls		D.1	<p>Recommendation: The AOC review all existing allocated and assigned storage space across each jurisdiction and reallocate and reassign facility space based on the needs of the jurisdictions.</p> <p>AOC Management Decision: Concur. The AOC concurs with reviewing existing storage spaces across jurisdictions and reallocating based on the needs of the jurisdictions. Jurisdictional input is required, and possibly a feasibility study.</p>
Evaluation of the AOC's Inventory Accountability and Controls		D.2	<p>Recommendation: The AOC complete a cost estimate and assess the feasibility of building a consolidated and centralized AOC inventory control center.</p> <p>AOC Management Decision: Concur. The AOC concurs with assessing the feasibility of a centralized inventory center. Jurisdictional input and a feasibility study are required.</p>
Evaluation of the AOC's Compliance with Its Discipline Order	OIG Report 2019-0001-IE-P June 5, 2020	A.1	<p>Report Summary: 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. We also reviewed disciplinary actions to determine if punitive actions were applied consistently based on appropriate criteria and evidence.</p> <p>Recommendation: The AOC develop a system of accountability that regularly assesses agency performance and that provides clarity in roles, as well as expected outcomes, to include: a) that HCMD implement a case management system to ensure regular assessment and reporting of agency performance and trends with easily retrievable data; b) improved training practices for the HCMD Employee & Labor Relations Branch (ELRB) and AOC management staff; c) updated guidance documents that clarify roles as well as expected outcomes; and d) development of a knowledge management plan for all personnel involved in the disciplinary process.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation to develop a system of accountability that regularly assesses agency performance and provides clarity in roles as well as expected outcomes. The AOC has until June 7, 2021 to address the recommendation.</p>
Evaluation of the AOC's Compliance with Its Discipline Order		A.2	<p>Recommendation: The AOC revise Order 752-1, Discipline, and the Management Toolkit for Discipline to direct that jurisdictions provide documentation to HCMD on all formal disciplinary actions before the actions are implemented.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation for HCMD to revise Order 752-1 and the Management Toolkit for Discipline. The AOC has until June 7, 2021 to address the recommendation.</p>
Evaluation of the AOC's Compliance with Its Discipline Order		A.3	<p>Recommendation: The AOC conduct a feasibility study for centralizing all discipline actions in HCMD.</p> <p>AOC Management Decision: Concur. The AOC concurs and will conduct a feasibility study for centralizing all discipline actions in HCMD. The AOC has until June 7, 2021 to address the recommendation.</p>

Table D: I&E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Compliance with Its Discipline Order		B	<p>Recommendation: The HCMD retrain ELRB Human Resource specialists in the assignment of SF 50 codes. The AOC should also seek affirmation from the Office of Personnel Management that its use of the "RUM" code is appropriate in cases where employees with appeal rights waive these rights to fulfill settlement terms for a clean discipline record as a factor in separation.</p> <p>AOC Management Decision: Concur. The AOC concurs that regular training is important. We believe ELRB specialists have been adequately trained but we will review their training requirements to ensure they are up-to-date. The AOC has until June 7, 2021 to address the recommendation.</p>
Evaluation of the AOC's Compliance with Its Discipline Order		C	<p>Recommendation: The AOC develop and publish a discipline policy for exempt personnel, for transparency and consistency with other employee groups.</p> <p>AOC Management Decision: Concur. The AOC concurs with the OIG recommendation to develop and publish a discipline policy for Senior Rated personnel, for transparency and consistency with other employee groups. The AOC has until June 7, 2021 to address the recommendation.</p>
Architect of the Capitol/Capitol Grounds and Arboretum			
Evaluation of the AOC's Tree Maintenance Program	OIG Report 2020-0003-IE-P February 4, 2021	1	<p>Report Summary: The OIG performed an evaluation to determine if improvements directed by the OCWR in 2018 to the AOC processes for tree inspection and safety-related issues were appropriately implemented and maintained, and if they effectively address safety hazards from trees located on the Capitol campus. This evaluation also included a limited review of the AOC Capitol Grounds and Arboretum's response efforts to the COVID-19 pandemic.</p> <p>Recommendation: The Capitol Grounds and Arboretum implement a formalized training tracking system, with consideration given to the AOC Training Department initiatives planned or currently in place. This system should be regularly reviewed by supervisors to ensure employees appropriately maintain their professional certifications and as a tool for individualized career development planning.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 4, 2021.</p>
Architect of the Capitol/Office of the Chief Administrative Officer/Office of Safety and Code Compliance			
Evaluation of the AOC's Emergency Preparedness Posture	OIG Report 2020-0002-IE-P February 5, 2021	1	<p>Report Summary: The OIG performed an evaluation to determine the effectiveness of AOC emergency incident drills, exercises and training in accordance with the AOC Base EARP. This evaluation also included a limited review of the AOC's response efforts for the COVID-19 pandemic.</p> <p>Recommendation: The AOC organization leaders in coordination with the AOC organization head responsible for emergency management, implement a quarterly review and validation process to ensure the appropriate emergency management personnel are designated to fully represent and communicate jurisdiction interests for planning and participation in AOC emergency management exercises.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>
Evaluation of the AOC's Emergency Preparedness Posture		2	<p>Recommendation: The AOC organization head responsible for emergency management perform a feasibility study to consider the development and implementation of a quarterly AOC Emergency Management Training Program to train and educate AOC executive leaders and organizational emergency management personnel on critical emergency management functions, emergency management responsibilities and emergency incident management systems.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>

Table D: I&E Unimplemented Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Emergency Preparedness Posture		3	<p>Recommendation: The AOC organization head responsible for emergency management in coordination with AOC Training and Employee Development develop and implement a standardized AOC emergency management training evaluation process for all AOC organizations.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>
Evaluation of the AOC's Emergency Preparedness Posture		4	<p>Recommendation: The AOC organization leaders in coordination with the AOC organization head responsible for emergency management designate appropriate personnel to review and update the organizational EARPs and Base EARP to synchronize alignment of policy structure, content and application guidance.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>
Evaluation of the AOC's Emergency Preparedness Posture		5	<p>Recommendation: The AOC organization head responsible for emergency management in coordination with AOC organization leaders implement a standardized timeline for periodic review of emergency management policies and procedures to improve means of tracking and sustaining these efforts.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>
Evaluation of the AOC's Emergency Preparedness Posture		6	<p>Recommendation: The AOC organization head responsible for emergency management in coordination with AOC organization leaders designate appropriate personnel to continue to monitor, review and update the AOC Pandemic Plan and organizational EARPs in accordance with emerging federal guidelines and medical best practices.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>
Evaluation of the AOC's Emergency Preparedness Posture		7	<p>Recommendation: The Chief Administrative Officer in coordination with the AOC Return to Work Tiger Team continue to develop and update AOC policies and operational related changes in accordance with emerging federal pandemic legislation.</p> <p>AOC Management Decision: Concur. The AOC anticipates that corrective action to address the recommendation will be complete by May 5, 2021.</p>



Table E: Audits Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Architect of the Capitol/Office of the Chief Administrative Officer			
Audit of FY 2019 Financial Statements Audit Management Letter	OIG Report OIG-AUD-2020-02 December 17, 2019	3	Report Summary: The OIG performed an audit of the AOC FY 2020 Financial Statements Audit. Recommendation: Recertify all active Momentum® users annually and remove unnecessary accounts within reasonable timelines. AOC Management Decision: Concur.
Audit of FY 2019 Financial Statements Audit Management Letter		4	Recommendation: Disable accounts for separated, inactive and reassigned personnel consistently and timely. AOC Management Decision: Concur.
Architect of the Capitol/Office of the Chief Engineer			
Audit of the Cannon House Office Building Renewal Project's Contract Modifications	OIG Report OIG- AUD-2020-04 May 29, 2020	1	Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOBr Project's contract modifications. Recommendation: The CHOBr Project team strengthen the PCO proposal review process to ensure that unallowable costs are not included in the approved PCO amounts. AOC Management Decision: Concur. The CHOBr Project program executive and contracting officer will reevaluate the proposal review process and make any changes that are appropriate. In addition, before the beginning of each phase, the contracting officer or his/her designee will provide refresher training to project staff who are responsible for reviewing proposals.
Audit of the Cannon House Office Building Renewal Project's Contract Modifications		2	Recommendation: The CHOBr Project team work with the CMc to ensure that proposals submitted for PCOs are factually sound, contain the required cost detail and exclude unallowable costs. AOC Management Decision: Concur. The CHOBr Project team will provide written notification to the construction contractor identifying relevant contract language that requires the contractor to submit proposals that are accurate, sufficiently detailed and do not include unallowable costs.
Audit of the Cannon House Office Building Renewal Project's Contract Modifications		3	Recommendation: To the extent legally and administratively possible, we recommend that the CHOBr Project team recover the \$102,189 of unallowable costs identified in our review. AOC Management Decision: Concur. The CHOBr Project team noted that recovering these funds is complicated due to legal and administrative issues associated with government claims. However, despite these challenges, the AOC will continue discussions with the contractor and make a final decision on the most prudent path forward by December 31, 2020.
Audit of the Cannon House Office Building Renewal Project's Contract Modifications		4	Recommendation: The CHOBr Project team perform and document all required cost analyses. The documentation should be in writing, and the CHOBr Project team should retain copies of any detailed analysis performed. AOC Management Decision: Concur. The AOC CO will provide instructions to the CHOBr Project team to perform and document all required cost analyses by June 30, 2020. In addition, the CO will see that documentation evidencing implementation of this instruction is occurring on each applicable action.
Audit of the Cannon House Office Building Renewal Project's Contract Modifications		5	Recommendation: The CHOBr Project team consider amending its Change Management Plan (CMP) to require that the team perform and document performance of a cost analysis for all PCOs with a value of less than \$100,000, unless the PCO is funded using contractor contingency funds (due to contract incentive). AOC Management Decision: Concur. The CHOBr Project team will revise the CMP as recommended by December 31, 2020. The CO will ensure that documentation is prepared and maintained evidencing that any required cost analyses are completed.

Table E: Audits Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of the Cannon House Office Building Renewal Project's Contract Invoices	OIG Report OIG-AUD-2020-05 August 25, 2020	2	<p>Report Summary: The OIG performed oversight of an IPA audit of the AOC CHOB Project's contract invoices.</p> <p>Recommendation: The AOC perform and document an analysis of the advantages and risks to the AOC, including lessons learned from the CHOB Project, on the use of various contract vehicles when procuring future major construction projects, to ensure that the AOC selects the best option to meet its objectives.</p> <p>AOC Management Decision: Concur. The AOC will review viable contract vehicles and select the one that is most likely to meet our objectives, including cost, risk and lessons learned from the CHOB Project.</p>
Audit of the Cannon House Office Building Renewal Project's Contract Invoices		3	<p>Recommendation: The AOC ensure that its policies and procedures regarding the development and review of future construction contracts are sufficient to ensure that its contracts contain the appropriate terms and conditions prior to implementation.</p> <p>AOC Management Decision: Concur. By September 30, 2020, the AOC will issue guidance to the contracting officers and their supervisors highlighting the need to ensure that payment provisions in construction contracts are appropriate before award.</p>
Audit of Senate Underground Garage Renovations and Landscape Restoration Project's Contract Modifications	OIG Report OIG-AUD-2020-06 September 25, 2020	4	<p>Report Summary: The OIG performed an audit of the Senate Underground Garage Renovations and Landscape Restoration Project's contract modifications.</p> <p>Recommendation: The SUG Project team strengthen the PCO proposal review process to ensure proposals properly categorize costs and unallowable costs and markups are not included in the approved PCO amounts.</p> <p>AOC Management Decision: Concur. The SUG Project team will develop and use a contractor proposal review checklist that will include steps to review cost categorization, inclusion of unallowable costs, application of proper markups and proposal changes to be made by the contractor following the AOC review process.</p>
Audit of the Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) Contract Modifications	OIG Report OIG-AUD-2020-07 September 28, 2020	1	<p>Report Summary: The OIG performed an audit of the AOC's Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) project's contract modifications.</p> <p>Recommendation: The Exterior Envelope Repair and Restoration Project team ensure that the Sequence II contract file clearly documents how the independent government cost estimate was calculated for modification 13, CLINs 10, 12 and 13.</p> <p>AOC Management Decision: Concur. The AOC has added documentation, including the calculations the OIG requested, to the contract files.</p>
Audit of the Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) Contract Modifications		3	<p>Recommendation: Planning and Project Management (PPM) revise the PPM Memo 19-4⁸ to clarify how independent government cost estimates are prepared when sufficient information is not available to develop an informative estimate prior to the issuance of the request for proposal and to clarify the documentation requirements.</p> <p>AOC Management Decision: Concur. The AOC has revised PPM Memo 19-4, as recommended.</p>

⁸ PPM Memo 19-04 PMD Construction Change Order Process

Table E: Audits Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Audit of the Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) Contract Modifications		4	<p>Recommendation: The AMMD ensure that any guidance and contract language requiring the contractor to provide an itemized breakdown of costs within the cost proposal should address allowable exceptions, justification for the exception, and authorization by an appropriate official. The justification and authorization for the exception should be documented.</p> <p>AOC Management Decision: Concur. The AMMD revised the Changes-Supplement clause in July 2020, as recommended.</p>
Audit of the Russell Senate Office Building Exterior Envelope Repair and Restoration, Seq. II (Phases 2 and 4) Contract Modifications		5	<p>Recommendation: The Exterior Repair and Restoration Project team ensure that the contract file for the project is properly managed, maintained and readily available for examination.</p> <p>AOC Management Decision: Concur. The project team will develop a file checklist by December 31, 2020.</p>



Table F: I&E Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Architect of the Capitol/Office of the Chief Administrative Officer			
Evaluation of the AOC's Inventory Accountability and Controls	OIG Report 2018-0002-IE-P August 20, 2019	A	<p>Report Summary: The OIG performed an evaluation to determine whether the AOC had adequate mechanisms, controls and property tracking procedures in place to account for non-consumable property. We also detailed if any "best practices" existed that might enhance the AOC's property management efforts, and if savings to the agency could be gained by lowering the \$1,500 non-consumable property threshold amount.</p> <p>Recommendation: The Chief Administrative Officer update and revise AOC Order 34-45, Personal Property Manual, and all other associated policy directives to establish internal control requirements, including standard definitions and criteria for highly pilferable and mission critical non-consumable property valued less than \$1,500.</p> <p>AOC Management Decision: Concur. The AOC concurred with updating AOC Order 34-45, Personal Property Manual to identify pilferable and mission essential property under \$1,500. The Chief Administrative Officer has made updates to Property Manual 34-45. This recommendation is closed.</p>
Evaluation of the AOC's Inventory Accountability and Controls		B.1	<p>Recommendation: The Chief Administrative Officer update and revise AOC Order 34-45, Personal Property Manual, and all other associated policy directives to establish guidelines to document, report and track missing non-consumable property valued less than \$1,500.</p> <p>AOC Management Decision: Concur. The AOC concurred with updating AOC Order 34-45, Personal Property Manual to document, report and track missing non-consumable property valued at less than \$1,500. The Chief Administrative Officer has made updates to Property Manual 34-45. This recommendation is closed.</p>
Evaluation of the AOC's Inventory Accountability and Controls		B.2	<p>Recommendation: The Chief Administrative Officer update and revise AOC Order 34-45, Personal Property Manual, to enforce the requirement for mission critical non-consumable property valued less than \$1,500 to be recorded in the personal property management system.</p> <p>AOC Management Decision: Concur. The AOC concurred with updating AOC Order 34-45, Personal Property Manual, to enforce the requirement for mission critical non-consumable property valued at less than \$1,500 be recorded in the property management system. The Chief Administrative Officer has made updates to Property Manual 34-45. This recommendation is closed.</p>
Architect of the Capitol/Office of the Chief Administrative Officer/Utility Plan Operations & Services			
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture	OIG Report 2019-0002-IE-P March 23, 2020	A.1	<p>Report Summary: The OIG performed an evaluation to determine whether vulnerabilities existed within the AOC's Capitol Power Plant cogeneration facility and the Capitol Power Plant's interconnected control systems.</p> <p>Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed.</p> <p>AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.</p>
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		A.2	<p>Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed.</p> <p>AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.</p>

Table F: I&E Implemented and Closed Recommendations Continued

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		A.3	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		B.1	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		B.2	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		C.1	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		C.2	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Evaluation of the AOC's Capitol Power Plant Cogeneration Facility Cybersecurity Posture		D	Recommendation: Due to the sensitive nature of this evaluation, specific language pertaining to findings and recommendations is protected and not disclosed. AOC Management Decision: Concur. The AOC took corrective action and this recommendation is closed.
Architect of the Capitol/Office of the Chief Administrative Officer/Office of Safety and Code Compliance			
Evaluation of the AOC's Emergency Preparedness Posture	OIG Report 2020-0002-IE-P February 5, 2021	8	Report Summary: The OIG performed an evaluation to determine the effectiveness of AOC emergency incident drills, exercises and training in accordance with the AOC Base EARP. This evaluation also included a limited review of the AOC's response efforts for the COVID-19 pandemic. Recommendation: The Chief Administrative Officer perform a feasibility study to consider the purchase and maintenance of an emergency stockpile of PPE and cleaning supplies beyond the standard on-hand levels for the AOC. AOC Management Decision: Concur. The AOC provided information to the OIG showing detailed assessments and plans to acquire and maintain PPE and supplies. Acquisition and maintenance of supplies has been executed. This recommendation is closed.

Table G: Investigations Implemented and Closed Recommendations

Subject	Report No. Issue Date	Rec No.	Summary of Recommendations and Action
Architect of the Capitol/Office of the Chief Administrative Officer			
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office	2020-0002-INVM-P September 2, 2020	1	<p>Report Summary: The Management Advisory presents multiple interactions and process issues the AOC OIG has identified via OIG investigative activities involving AOC DI/DR. These issues include concerns about the DI/DR investigative standards and processes, a lack of defined authorities, and lack of compliance with the Inspector General Act of 1978, the Architect of the Capitol Inspector General Act of 2007 and other AOC orders.</p> <p>Recommendation: The AOC consider aligning DI/DR under an AOC senior manager such as the Assistant to the Architect or the OIG to better fulfill its mission.</p> <p>AOC Management Decision: Concur. The AOC concurred with the OIG recommendation to align DI/DR under an AOC senior manager but did not concur with the recommendation to align DI/DR under the OIG. As a part of the ongoing AOC organizational restructuring, DI/DR would be a direct report to the Chief Administrative Officer. This alignment provided DI/DR the flexibility to coordinate directly with the AOC's HCMD and the Chief Administrative Officer to efficiently resolve employee concerns.</p>
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office		2	<p>Recommendation: DI/DR review and update all internal policies for complaint intake, employee interaction and engagement, inquiry procedures, documentation standards, and reporting for compliance with diversity and inclusion/equal opportunity community best practices to include clear definitions of authorities not already provided to the OIG.</p> <p>AOC Management Decision: Concur. The AOC concurred with the OIG recommendation that DI/DR review and update all internal policies to ensure compliance with diversity and inclusion/equal opportunity community best practices. DI/DR has already implemented a new case management tracking system and had begun a business process review in 2019. In addition, DI/DR is currently undergoing a systematic review of its internal processes.</p>
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office		3	<p>Recommendation: DI/DR incorporate into practice and follow all laws and AOC orders pursuant to its mission to include the Inspector General Act of 1978, the Architect of the Capitol Inspector General Act of 2007 and other AOC orders, specifically regarding the turnover of cases to the OIG.</p> <p>AOC Management Decision: Concur. The AOC concurred with the OIG recommendation that DI/DR follow all laws and AOC orders.</p>
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office		4	<p>Recommendation: DI/DR should establish a tracking and reporting structure to publish the results of their inquiries to the AOC community to include the OIG for auditability and transparency.</p> <p>AOC Management Decision: The AOC did not concur with the OIG recommendation that DI/DR publish the results of their inquiries to the AOC community. This sort of publication would breach employee confidentiality requirements in addition to creating a chilling effect over DI/DR's ability to provide assistance.</p>
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office		5	<p>Recommendation: The AOC seek annual training and academic certifications programs pertaining to DI/DR.</p> <p>AOC Management Decision: Concur. The AOC concurred with the OIG recommendation that the AOC seek annual training and academic certification programs pertaining to DI/DR. DI/DR personnel had already attended numerous equal employment opportunity-related trainings in 2020 and future training sessions are scheduled.</p>
Management Advisory - OIG Interactions with the AOC Diversity, Inclusion and Dispute Resolution Office		6	<p>Recommendation: DI/DR and the AOC OIG should establish standing quarterly meetings to open communications, discuss challenges and share information. Participants should be at a manager level with the ability to make decisions and commit resources. In addition, these meetings could be used as a training session to cover topics of interest, changes in policy or law, as well as policy impacts.</p> <p>AOC Management Decision: The AOC concurred with the OIG recommendation for more "open communications," but did not concur with the establishment of quarterly meetings between DI/DR and the OIG. DI/DR would promptly communicate with and refer any potential criminal issues to the OIG.</p>



Funds Questioned or Put to Better Use

Table E: Audit Recommendations and Management Decisions Put to Better Use of Funds

	Number of Reports	Category	Funds Put to Better Use
A. Audit reports for which no Management Decision was issued by the start of the reporting period	0	0	\$0
B. Reports requiring a Management Decision during the reporting period	0	0	\$0
Subtotals (A+B)	0	0	\$0
C. Reports for which a Management Decision was issued during the reporting period	0	0	0
(i) Dollar value of disallowed costs	0	0	\$0
(ii) Dollar value of costs not disallowed	0	0	\$0
D. Reports for which no Management Decision was issued by the end of the reporting period	0	0	\$0
E. Reports for which no Management Decision was made within six months of issuance	0	0	\$0

Table F: Investigation Recommendations for Better Use of Funds

Item	Quantity
Cost Avoidance, Savings and Recoveries Resulting From OIG Investigations	
*Cost Avoidance from Employee Removals/Resignations	\$71,760
*Savings from Employee Salaries during Suspensions	\$0
Administrative Repayment Determinations	\$0
Court Ordered Fines/Forfeitures/Restitution	\$0
OIG Recovery of Stolen Government Property/Funds	\$0
Total	\$71,760

**Using the AOC average salary of \$71,760 per employee per year or \$276 per workday for suspensions for FY 2121. The one-year cost avoidance method is used to conservatively estimate the positive impact and savings from investigations that result in the removal or resignation of employees engaged in misconduct in the workplace or who submit fraudulent workers' compensation claims.*

Appendices

Appendix A: Inspector General Reporting Requirements

IG Act Reporting Requirements	Description	Page No.
Section 4(a)(2)	Review of Legislation and Regulations	29
Section 5(a)(1)	Significant Problems, Abuses and Deficiencies	10-13
Section 5(a)(2)	Recommendations with Respect to Significant Problems, Abuses and Deficiencies	34-47
Section 5(a)(3)	Prior Significant Recommendations Not Yet Implemented	34-40
Section 5(a)(4)	Summary of Matters Referred for Prosecution and resulting convictions	13-14
Section 5(a)(5)	Summary of Instances Where Information Was Refused	33
Section 5(a)(6)	Listing of Audit, Inspection and Evaluation Reports, including total value of questioned costs and funds put to better use	10-13, 49
Section 5(a)(7)	Summary of Significant Reports	10-27
Section 5(a)(8)	Statistical Tables on Management Decisions on Questioned Costs (See statute for specifics)	49
Section 5(a)(9)	Statistical Tables on Management Decisions on Recommendations That Funds Be Put To Better Use (See statute for specifics)	49
Section 5(a)(10)	Summary of Each Audit Report Over Six Months Old for Which No Management Decision Has Been Made (See statute for specifics)	33
Section 5(a)(11)	Significantly Revised Management Decisions	33
Section 5(a)(12)	Significant Management Decisions With Which the Inspector General Disagrees	33
Section 5(a)(17)	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	13
Section 3(d), Section 5(a)(14)	Peer Review	33
Section 5(a)(18)	Description of the metrics used for developing the statistical tables under 5(a)(17)	14
Section 5(a)(19)	Report on each investigation conducted by the OIG involving senior government employee (See statute for specific info required)	21-22
Section 5(a)(21)	Detailed description of any attempt to interfere with OIG independence (See statute for specifics)	33
P.L. 114-113	Quarterly status updates on Cannon House Office Building and the Capitol Power Plant Projects	24-27

Appendix B: Definitions of Terms Used in this Semiannual Report

Term	Definition
Questioned Cost	A cost that is questioned because (i) of an alleged violation of a provision of a law, regulation, contract or other agreement or document governing the expenditure of funds; (ii) the cost is not supported by adequate documentation; or (iii) the expenditure of funds for the intended purpose is unnecessary or unreasonable.
Disallowed Cost	A questioned cost that management, in a Management Decision, has sustained or agreed should not be charged to the government.
Funds Put to Better Use	A recommendation made that funds could be used more efficiently if management took actions to implement and complete the recommendation.
Management Decision	Management’s evaluation of the findings and recommendations included in an audit or investigative report and the issuance of a decision by management, including actions the AOC plans to take in response to the recommendations.

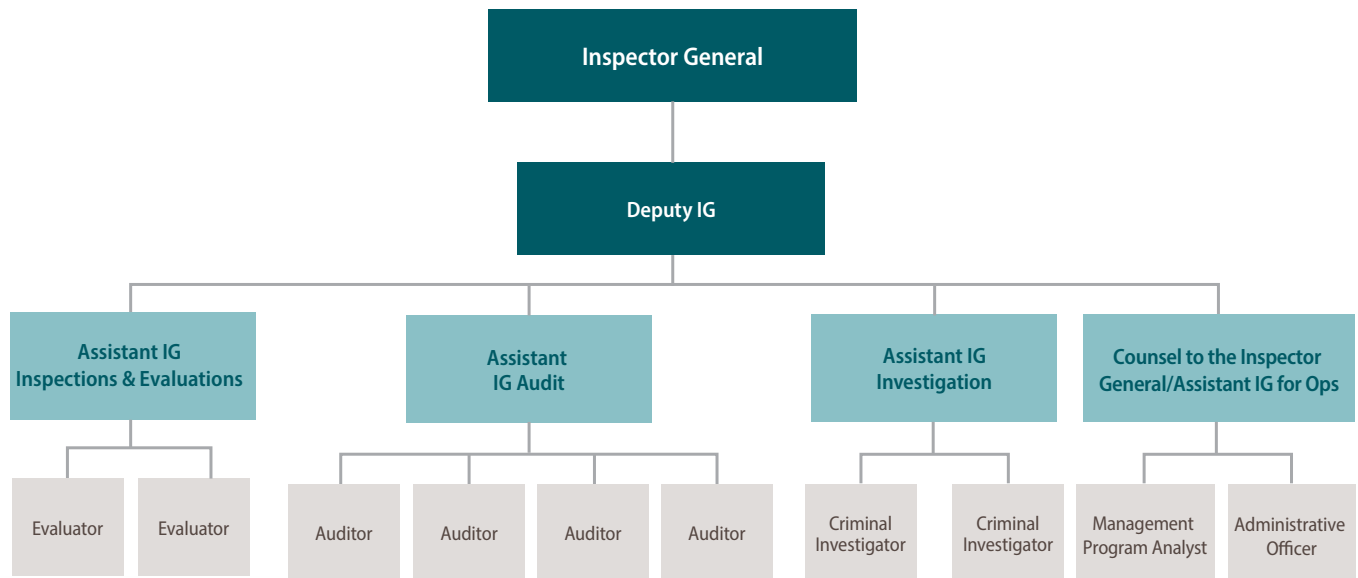




List of Acronyms Used in this Report

AOC	Architect of the Capitol	HCA	House Committee on Appropriations
AIIGI	Assistant Inspector General for Investigations	HCMD	Human Capital Management Division
AMMD	Acquisition and Material Management Division	I&E	Inspection & Evaluation
AUSA	Assistant United States Attorney	ICSRA	Integrated Cost-Schedule Risk Analysis
CCJV	Clark/Christman, A Joint Venture	IG	Inspector General
CDC	Centers for Disease Control and Prevention	IPA	Independent Public Accounting Firm
CHOB	Cannon House Office Building Renewal	IPP	Invoice Processing Platform
CIGIE	Council of the Inspectors General on Integrity and Efficiency	LOC	Library of Congress
CLIN	Contract Line Item Number	NFC	National Finance Center
CMc	Construction Manager as Constructor	OCWR	Office of Congressional Workplace Rights
CMP	Change Management Plan	OIG	Office of Inspector General
CO	Contracting Officer	OWCP	Office of Workers' Compensation Program
COR	Contracting Officer Representative	PCO	Potential Change Orders
COVID-19	2019 Novel Coronavirus	P.L.	Public Law
CUEC	Complementary User Entity Controls	PPE	Personal Protective Equipment
DI/DR	Diversity, Inclusion and Dispute Resolution	PPM	Planning and Project Management
DOL	Department of Labor	SAR	Semiannual Report
EARP	Emergency Action Response Plan	SMS	Short Message Service
ELRB	Employee & Labor Relations Branch	SOC	System and Organization Controls
FECA	Federal Employees' Compensation Act	SUG	Senate Underground Garage
FFR	Filtering Facepiece Respirator	T&A	Time and Attendance
FY	Fiscal Year	TWAI	Treasury Web Application Infrastructure
GAGAS	Generally Accepted Government Auditing Standards	ULO	Unliquidated Obligations
GMP	Guaranteed Maximum Price	U.S.C.	United States Code

Office of Inspector General Organization Chart



To Report Fraud, Waste and Abuse



Confidential Toll-Free Hotline 877.489.8583
Phone 202.593.1948



Confidential OIG Website Hotline Report
http://www.aoc.gov/aoc/oig_hotline.cfm (For the Public)
<http://compass.aoc.gov/help-me-with/faqs/office-inspector-general-oig> (AOC Intranet)



Email Hotline@aoc-oig.org



Visit Fairchild Building, Suite 518, 499 South Capitol Street, SW, Washington, DC 20515

To request a copy of this Semiannual Report, please send a written request to:

Architect of the Capitol | U.S. Capitol, Room SB-16 | Washington, DC 20515

Email: webfeedback@aoc.gov

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

Please send any comments to Christopher Failla, CIG at Christopher.failla@aoc.gov.



