



**Architect of the Capitol**

**Office of Inspector General**

**STATEMENT OF  
Management Opportunities  
AND  
Performance Challenges  
FISCAL YEAR 2024**



## MISSION

The OIG promotes efficiency and effectiveness to deter and prevent fraud, waste and mismanagement in AOC operations and programs. Through value-added, transparent and independent audits, evaluations and investigations, we strive to positively affect the AOC and benefit the taxpayer while keeping the AOC and Congress fully informed.

## VISION

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



## REPORT FRAUD, WASTE AND ABUSE



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## INTRODUCTION

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The Office of Inspector General (OIG) submits this Statement of Management Opportunities and Performance Challenges (Statement) in support of the Architect of the Capitol's (AOC's) Performance and Accountability Report (PAR) for fiscal year (FY) 2024 under best practice guidance identified in the Reports Consolidation Act of 2000<sup>1</sup> and Office of Management and Budget Circular A-136.<sup>2</sup> This Statement includes the most significant management opportunities and performance challenges facing the AOC as determined by the OIG based on trend analyses and observations as well as information uncovered during the performance of our oversight responsibilities.

## DEVELOPMENTS IMPACTING THE AOC IN FY 2024

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This FY, the AOC continued to navigate transformative changes among its senior leadership that impacted succession planning and strategic communications with AOC staff. These leadership challenges have had an impact on OIG reporting, often limiting insight into instances of fraud, waste, abuse and mismanagement within AOC programs and operations.

The OIG recognizes the AOC's accomplishments in performing its core mission amid these challenges and highlights the management opportunities and performance challenges noted in this Statement to support effectiveness and efficiency and detect and deter fraud, waste and abuse within AOC programs and operations.

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<sup>1</sup> Public Law 106-531. Reports Consolidation Act of 2000. <https://www.congress.gov/106/plaws/publ531/PLAW-106publ531.pdf>.

<sup>2</sup> Office of Management and Budget. Circular A-136, *Financial Reporting Requirements*. <https://www.whitehouse.gov/wp-content/uploads/2023/05/A-136-for-FY-2023.pdf>.



# MANAGEMENT OPPORTUNITIES AND PERFORMANCE CHALLENGES

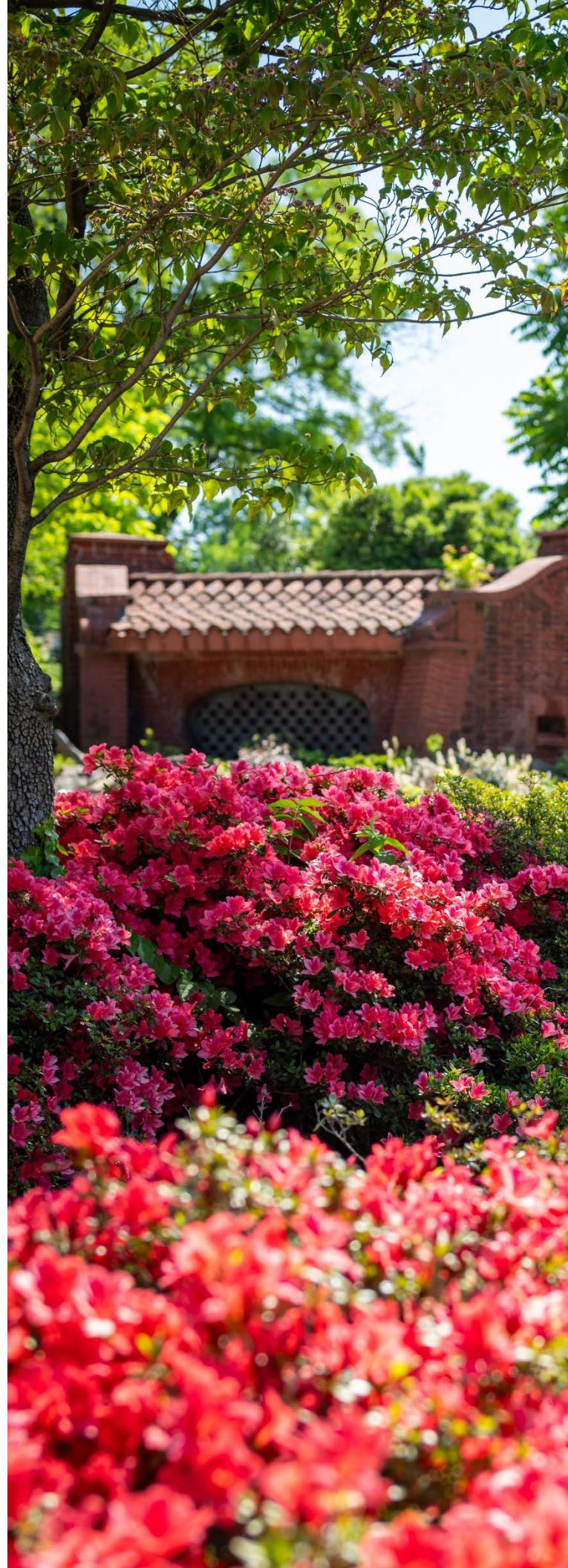
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The challenges in the following list, in no particular order, illustrate the most significant areas and themes the OIG believes need improvement for the AOC to effectively manage its resources and minimize the potential for fraud, waste, abuse and mismanagement within AOC programs and operations:

1. Human Capital Management
2. Accessibility, Auditability and Records Retention
3. Waste and Accountability
4. Balancing Safety, Security and Preservation
5. Cyber Security
6. Whistleblower Protections
7. Operational Strategy and Leadership Challenges

Addressing the issues related to these challenge areas will enable the AOC to increase operational efficiencies and improve mission effectiveness. These challenges are marked as new or renewed for the FY.

Key OIG resources are included for each challenge and indicate work the OIG has either performed, overseen via an independent public accounting firm (IPA) or referenced as an example of the challenge(s) noted. When applicable, these resources are hyperlinked to their corresponding full report on [Oversight.gov](https://www.oversight.gov).



# 1. Human Capital Management

Status: Renewed

Human Capital Management represents a broad category of personnel-related activities that encompasses workforce planning (e.g., hiring, retention, training), employee benefits and services, payroll, and employee and labor relations. Refer to the [Human Capital Management](#) section in the appendix for relevant reports.

## Key Areas of Concern

Key areas of concern related to human capital management include recruitment and retention, equitable hiring practices and repeated employee misconduct.

For more than two decades, the Government Accountability Office (GAO) has identified strategic human capital management as a governmentwide high-risk area.<sup>3</sup> According to the AOC *FY 2023 Performance and Accountability Report*,<sup>4</sup> recruitment and retention now represents the highest rated enterprise-level risk demanding leadership attention. Further compounding the recruitment issue is the AOC's need to attract a diverse, specialized trade workforce in a highly competitive labor market. The agency faces competition from the private sector as well as other government entities as they all seek to attract the most qualified candidates from a steadily shrinking pool.

### ***Recruiting and Retaining a Highly Skilled Workforce***

Recruitment and retention of diverse and highly skilled staff continues to challenge agency operations. Part of the difficulty filling vacancies stems from a lack of sufficient resources and personnel to support recruitment and meet current

human resource (HR) demands. Often underestimated and at times overlooked, the HR functions play a critical role in helping agencies achieve their goals. If resource issues continue, the agency may want to consider modifying the current service delivery model by contracting out certain tasks or finding ways to better leverage data and technology. Additional challenges include the current wage/grade system and recent changes to telework policies that continue to constrain employee recruitment and retention efforts.

While competitive salaries are essential, other factors are equally if not more important for retaining talent. Opportunities for career growth, a positive organizational culture and work-life balance are crucial for keeping employees engaged in their roles. The recently modified AOC Return to Office policy operates counter to current industry trends, has resulted in increased concerns among staff and has created difficulty in attracting and retaining new personnel. As a result, potential candidates and seasoned AOC professionals alike may be enticed by more attractive private sector offerings.

To remain competitive, the AOC must better position itself to be a leading employer by evolving its operations to meet new

<sup>3</sup> GAO. 2023. *High Risk Series: Efforts Made to Achieve Progress Need to Be Maintained and Expanded to Fully Address All Areas*, GAO-23-106203. <https://files.gao.gov/reports/GAO-23-106203/index.html>.

<sup>4</sup> AOC. 2023. *Fiscal Year 2023 Performance and Accountability Report*. <https://www.aoc.gov/sites/default/files/2023-12/aoc-performance-and-accountability-report-fy-2023-508.pdf>.



workforce requirements. The AOC must continuously assess current trends to better anticipate talent needs; utilize available flexibilities to address critical hiring needs; and deploy innovative strategies to reach its goal of attracting, developing and retaining a highly skilled, motivated and diverse workforce.

### ***Equitable Hiring Practices***

In addition to the ongoing workforce development and retention challenges, concerns have been raised regarding hiring practices. The OIG continues to receive complaints regarding inequity and the hiring of unqualified individuals for positions throughout AOC jurisdictions. Not every complaint warranted a full investigation by the OIG — some were referred to the AOC for further review while others were incorporated into a Management Advisory; however, the OIG has received a significant number of incoming reports that raise concerns of fairness, nepotism and the qualifications of candidates into both supervisory and nonsupervisory positions. The AOC is encouraged to review policies, practices and procedures to identify and address potential biases or exclusionary practices that may prevent certain groups from being hired or promoted.

### ***Employee Misconduct and Inconsistencies in Accountability Practices***

Workplace compliance is necessary to ensure the safety of employees, achieve the AOC's strategic and operational goals and maintain a productive workforce. The OIG continues to observe inconsistent applications of and noncompliance with AOC policies and orders across many

jurisdictions and offices. The OIG pointed out in the May 2024 *Semiannual Report to Congress*<sup>5</sup> that increased employee misconduct and noncompliance may be an indication that employees are confused or unaware of their responsibility and obligation to adhere to AOC policies and orders.

The OIG has noted in prior Management Opportunities and Performance Challenges that numerous inconsistencies exist within and across offices and jurisdictions regarding the application of administrative action following findings of employee misconduct. Disciplinary action for the same violation varies even within the same jurisdiction.

As the OIG continues to receive reports of misconduct and noncompliance despite increased employee education, there is a concern that AOC's workplace reputation and culture will begin to negatively impact employee recruitment and retention efforts for the organization. Agency culture is often a reflection of the "tone at the top," and as the AOC devises their strategy for managing cultural and reputation risk, the OIG would like to remind the agency of the value added through decisive, ethical leadership that holds not only line-level employees accountable but senior leadership employees, too.

### ***Agency Progress***

The AOC established a plan to address recruitment, hiring, development, advancement and retention. Initiatives and accomplishments currently underway include a review of hiring practices and related policies to eliminate

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<sup>5</sup> AOC OIG. 2024. *Semiannual Report to Congress: October 1, 2023–March 31, 2024*. <https://www.oversight.gov/sites/default/files/documents/reports/2024-11/SAR%2024-1.pdf>

discrepancies and ensure consistent application. The agency has also indicated that an updated disciplinary policy that adheres to best practices, enhances efficiency in handling disciplinary cases and maintains fairness is underway.

The AOC has also made significant progress in enhancing its goals of providing a work environment free of discrimination and harassment. Specifically, the AOC has developed and updated policies and procedures to ensure reported instances are properly documented and investigated and that status updates are clearly and consistently communicated. The agency has further reaffirmed its commitment to a harassment-free workplace by strengthening the mandated training on harassment and retaliation and updating Capitol Visitor Center guidelines to protect visitors and external parties.





## 2. Accessibility, Auditability and Records Retention

Status: Renewed

Accessibility, Auditability and Records Retention refers to the execution of standardized procedures for recording all transactions, communications and significant events in a manner that allows documentation to be readily available for examination. Refer to the [Accessibility, Auditability and Records Retention](#) section in the appendix for relevant reports.

### Key Areas of Concern

Key areas of concern related to accessibility, auditability and records retention include nonstandardized documentation practices and data quality.

While the OIG has observed some improvements, the AOC continues to experience challenges executing standardized procedures for recording all transactions, communications and significant events in a manner that allows documentation to be readily available for examination. Over the past year, many OIG requests for documentation have continued to take the AOC a sizeable amount of time to gather and provide. Often, requested documentation is either delayed, incomplete or simply not provided. The delays and/or lack of completeness in requested documentation have resulted in extended OIG examination timelines and sometimes rework. Such behavior does not serve the public interest — it impairs the OIG's ability to effectively discharge its responsibilities and increases the agencies' risk profile.

A newly highlighted element of this challenge is data integrity, availability and the agency's capability to support data-driven decision making. Completed data requests often reflect the use of fragmented information systems and manual tracking methods. Reports are typically filled with inconsistencies and duplicative information.

### ***Nonstandardized Documentation Practices***

The AOC's procedures on documentation do not promote a fully standardized process; the documentation maintained varies between jurisdictions or offices. Documentation should be appropriately detailed and organized and contain sufficient information to support transactions, events and management decisions. All transactions and events should be promptly recorded and documented to maintain relevance and value to AOC management and third-party stakeholders. Documentation should apply to the entire process or life cycle of a transaction or event from its initiation and authorization to its final status in summary records. Properly managed and maintained documentation with identified responsibilities and points of contact would better support management decisions and allow for improved management reviews and auditability that in turn supports the level of assurance required for key decision points.

Issues with nonstandardized documentation practices is no more apparent than in the acquisition process for construction projects. The AOC has not developed formal policies or procedures nor has it maintained documentation that supports the evaluation or rationale used to determine

whether to engage internal resources like jurisdiction trade employees (e.g., painters, electricians) or the Office of the Chief Engineer's Construction Division (CD) or hire external contractors. CD is the AOC's in-house workforce for construction projects. This division has existed in some variation of its current form since the early 1970s with the main objective of being responsive and flexible regarding stakeholder needs. CD's flexibility includes working in areas of the campus that are not accessible to contractors, working night shifts and stopping or starting project execution without penalties.

The AOC's lack of formal processes and documentation to support contracting decisions prohibits standardization across jurisdictions, creates inefficiencies and prevents AOC management from making the most advantageous decisions.

### ***Data Quality***

The quality and availability of data substantially affects how an agency accomplishes its mission. A strong data governance program provides the foundation for enhanced collaboration, promotes knowledge sharing and improves decision making. Data governance may also mitigate various security risks by implementing controls and procedures to prevent unauthorized access and exposure of sensitive information. It requires an agency to have access to accurate, reliable data and sufficient staff capacity and tools to develop data-based insights that inform decision-making processes. Presently, the AOC lacks the comprehensive, integrated capabilities needed to support data-driven decision-making. AOC offices and jurisdictions utilize multiple unintegrated data systems, leading to inconsistencies, duplications and limited reporting functions.

The data quality issues are reflected in the way the Construction Division (CD) uses various methods to avoid accumulating unassigned (nonproject work) time for craft labor (trade employees). Their methods do not track these activities in a way that allows CD to report on its workforce capacity and efficiencies. Improvements to CD's data tracking will help the AOC understand CD's capacity and identify inefficient use of such labor. By not identifying and tracking inefficiencies, it may inhibit CD's ability to analyze the makeup of its workforce, which could impede CD's effort to maintain a right-sized workforce that meets the AOC's needs.

### ***Agency Progress***

Although multiple identified deficiencies have since been corrected, ensuring adherence to policy falls within each specific AOC jurisdiction and remains inconsistent across the agency.

The AOC recently established a Data and Business Intelligence Division responsible for providing reporting, data analysis and financial systems support to the agency. In June 2024, a data governance council charter was created to identify, classify and manage enterprise data assets as well as develop and refine the enterprise-wide approach to data management. These changes should endow the agency with transparent, data-driven decision-making capabilities and provide the tools necessary to adopt a more proactive stance to managing risk.



### 3. Waste and Accountability

Status: Renewed

Waste and Accountability refers to the extravagant, careless or needless expenditure of AOC funds or the consumption of AOC property that results from operational and programmatic redundancies, deficient practices, systems, controls or decisions. Intent is not necessarily a factor in defining waste. This topic also refers to a lack of comprehensive accountability standards pertaining to the wasteful use of government resources. Refer to the [Waste and Accountability](#) section in the appendix for relevant reports.

#### Key Areas of Concern

Key areas of concern related to waste and accountability include ambiguous and inconsistently applied policies and their impact on the control environment as well as the need for a working capital fund to prevent fragmentation and duplication in agency processes.

The AOC has an obligation to the American taxpayers to pursue the most responsible and cost-effective ways to fulfill the agency mission, yet AOC continues to exhibit a pattern of waste. A strong internal control system provides reasonable assurance of efficient operations and compliance with applicable laws and regulations. Persistent reports of waste, abuse and policy noncompliance threaten the internal control system. In multiple instances, the OIG has identified substantiated complaints of wasteful actions and behaviors occurring often and without consequence.

Also related, the OIG has regularly observed inconsistencies in the application of administrative action following findings of employee misconduct both across and within jurisdictions, resulting in an agency culture in which recurrent instances of wasting government and taxpayer resources is commonplace.

#### *Ambiguous Policies and Orders*

The OIG reports inconsistent and ambiguous language and instructions within current AOC policies and orders in addition to directives that are omitted altogether. For example, AOC policies are silent on the definition of waste and thus do not identify internal controls to mitigate this risk.

AOC policies and orders also lack comprehensive accountability standards pertaining to the wasteful use of government resources, such as the inclusion of waste in the AOC's discipline matrix. To this end, AOC policies and the discipline matrix are also silent on violations of noncooperation with the OIG, further impeding effective oversight reporting.

The ambiguities reflect a vague definition of waste, a lack of well-defined or required roles and responsibilities and inconsistent record-keeping practices — in line with other challenges noted in this document.

In multiple instances, the OIG has identified substantiated investigations of wasteful actions and behaviors that occur without the appropriate consequence per AOC policy. Some examples the OIG has encountered of actions that have gone without appropriate consequence include falsification of records, unreported outside

employment, attempts to circumvent established processes and inappropriate relationships. Also concerning, on multiple occasions, the AOC, after being presented with substantiated findings, failed to take swift disciplinary action, and employees were permitted to resign without formal HR documentation and later obtain employment at other government agencies.

### ***Inconsistent Application of Policy***

The OIG continues to observe inconsistent application of and noncompliance with AOC policies and orders across many jurisdictions. Policy compliance is necessary to ensure the safety of employees, achieve the AOC's strategic and operational goals and maintain a productive workforce.

The OIG strongly reiterates that AOC policies and orders must be understood, accessible, frequently communicated and consistently applied across all jurisdictions to avoid potential fraud, waste and mismanagement; mitigate legal and safety risks; and increase the effectiveness and efficiency of AOC programs and operations. Additionally, strong internal controls, proper standard operating procedures, effective training and frequent communication demonstrate AOC leadership's commitment to set clear expectations and mitigate risks.

Inconsistent applications of telework policies and other work flexibilities as well as definitions inconsistently applied across different policies are just a couple examples of variable policy implementation that has been observed both within and across AOC offices and jurisdictions.

After receiving many complaints from AOC employees regarding incorrect locality pay for remote workers, the OIG conducted a review to assess whether the AOC paid

employees correct locality pay in accordance with applicable statutes, regulations and policies and to identify potential indications of waste. The findings revealed that telework and remote work agreements were applied inconsistently across and within AOC jurisdictions. Additionally, several AOC employees continued to receive Washington, D.C.-area locality pay while working in regions with lower rates of locality pay following the conclusion of the COVID-19 pandemic. Our review identified more than \$115,000 in questioned costs regarding locality-pay-related overpayments to remote workers during the period reviewed.

In another instance, an OIG investigation revealed a gap in the AOC's fleet management program that resulted in theft and waste due to a lack of management oversight and unenforced policy. There were insufficient controls in place to prevent waste and abuse.

These examples indicate increased risk and financial loss if not properly addressed through improved oversight, policy, internal controls and senior leadership strategy and vision. AOC senior leaders should acknowledge and address waste and hold staff accountable for wasteful practices.

### ***Inventory Accountability and Controls***

Accountable property is not consistently defined or standardized across the AOC; jurisdictions determine what property is accountable. The OIG recognizes that each jurisdiction's mission is different; however, too much subjectivity could lead to inventory tracking and accountability inefficiencies. As a result, there is an increased risk that mission-critical, nonconsumable property





(i.e., essential business items that are frequently used but not easily discarded) is not adequately documented and tracked.

This issue extends to nonaccountable property, which is also not required to be reported in the property management system. This means that some mission-critical, nonconsumable property may be considered nonaccountable and thus not monitored or tracked. The lack of a clear distinction between accountable and nonaccountable property makes it difficult to hold employees accountable for lost or missing property. In some cases, the OIG found no documentation or that months had passed since an item was last accounted for or seen.

The AOC also has a storage-space issue resulting in some property being stored in back hallways or attics. Inadequately secured property increases the risk of theft and waste of taxpayer money. At a minimum, the agency needs to update and implement procedures to increase accountability and prevent unauthorized use of inventory, theft and lost property. More effective monitoring and tracking could reduce these negative consequences.

### ***Working Capital Fund***

Management of construction projects and other programs that cross appropriations pose challenges and risks that are not typical to other agencies. Though adequate planning and design can decrease some challenges, unforeseen circumstances can increase vulnerabilities and costs and create waste and inefficiencies.

With no working capital fund, there are operational and programmatic redundancies leading to decentralized decision-making, creating inefficiencies, waste and duplication of efforts that could be mitigated through centralized efforts.

## 4. Balancing Safety, Security and Preservation

Status: Renewed

Balancing Safety, Security and Preservation refers to AOC's mission to "Serve, Preserve, Inspire" and recognizes the desire that all construction and renewal projects maintain the historical heritage of the Capitol campus. Additionally, emergency preparedness and safety have been key considerations as there is a noted inconsistency across jurisdictions in applying safety codes and standards and a past culture of not complying with safety regulations. Refer to the [Balancing Safety, Security and Preservation](#) section in the appendix for relevant reports.

### Key Areas of Concern

Key areas of concern related to balancing safety, security and preservation include physical security, emergency management and the agency's heritage and archival requirements.

Physical security presents a persistent challenge to the Capitol campus as there exists an elevated risk of threats to people and physical assets that could result in significant damages or loss. Inconsistent physical security awareness and sharing of threat assessment information across AOC office and jurisdiction leadership remains a concern.

Also of concern, are the five OIG recommendations addressing physical security and emergency preparedness that remain unanswered after two years.

#### ***Physical Security***

Like information technology (IT) security, physical security situational awareness and preparation is a shared responsibility by all members of an organization. Unfortunately, physical security awareness is not engrained in AOC's organizational culture and processes. The AOC recognizes this shortcoming and has identified physical security as a top-tier risk, threatening the agency and its ability to fulfill its mission.

Safety and situational awareness should be fully integrated into day-to-day operations. "See something, say something" is more than a common adage; situational awareness is key to mitigating potential physical security threats. As staff begin to return from a fully remote/telework environment, it is important they are aware of their role in securing the Capitol campus and have consistent access to safety education and training.

Security badging access across the Capitol complex is a key component of the physical security framework. While security badge access rights are controlled by the U.S. Capitol Police (USCP) for all badging entities, with the exception of the Supreme Court, the AOC has a critical responsibility for suitability screening and security badge management processes for contractors. The OIG continues to note the importance of finalizing and implementing the Staff Personnel Suitability Program policy and Contractor Suitability policy to improve security badging program cohesiveness and minimize process gaps.

The agency has indicated that it is in the process of developing a physical security governance doctrine that, once implemented, will "help determine the



coordination of key management roles and responsibilities from a security perspective.”

### ***Serve, Preserve, Inspire***

The AOC’s mission to “Serve, Preserve, Inspire” recognizes the desire that all construction and renewal projects maintain the historical heritage of the Capitol campus. Historical heritage and archival requirements of the Capitol campus are supported through the AOC’s preservation operations and activities. AOC archives include paper and electronic records along with other unique material, such as architectural models and product samples. To provide efficient and effective archival and related educational and operational functions, the AOC should continue timely policy development and adequate resourcing to ensure historical records are preserved and accessible for ongoing and archived programs and operations.

### ***Emergency Preparedness***

Emergency preparedness is a key component of balancing safety and security with preservation and heritage, and the OIG continues to note the need for consistency in the implementation of emergency management across the campus. Presently, emergency management exercises are not fully centralized, and participation is not required by all offices and jurisdictions.

Persistent threats against the Capitol campus highlight the need for sustained emergency preparedness and smart processes for accessing its many buildings and structures.

Despite a strong USCP presence, certain jurisdiction employees work under heightened security concerns from possible external threats (e.g., unattended packages) due to the respective jurisdiction’s mission to engage with the public. These workplace safety concerns have resulted in an adverse impact on some staff when an incident has occurred and leading staff to seek emotional support through the AOC’s Employee Assistance Program.

### ***Agency Progress***

The OIG recognizes the new updates to multiple internal policies to address previously noted safety-related inspection issues. The AOC’s jurisdictions and offices have made improvements to implement their safety self-inspection programs over the past year, and the process is still ongoing. However, for the AOC to provide a robust safety culture, the agency must continue consistent implementation and execution of safety policies, technical guidance, management practices and standard operating procedures.

Finally, the OIG continues to note that the AOC should consider additional coordination efforts with other Capitol campus stakeholders to develop a comprehensive emergency preparedness and safety mindset across the campus.

## 5. Cybersecurity

Status: Renewed

Cybersecurity refers to the importance of securing sensitive data in the face of continued public and private data breaches and attacks. Sophisticated attacks have the potential to disrupt critical IT services and functions, compromising data confidentiality and the agency's ability to successfully fulfill its mission and ensure the safety and security of the Capitol campus. Refer to the [Cybersecurity](#) section in the appendix for relevant reports.

### Key Areas of Concern

Key areas of concern related to cybersecurity include effective application of Information Technology Division (ITD) policies and the potential for confidential information breaches.

The AOC is responsible for the operations, maintenance, development and preservation of the Capitol campus. Additionally, it is responsible for effectively managing the IT used in AOC programs and operations, especially as IT is increasingly integral to most aspects of these programs and operations. IT devices and components are generally interdependent with disruption in one node impacting others.

Enhancing AOC's cybersecurity posture is a high priority as the agency has identified cybersecurity as a top-tier risk, threatening the agency and its ability to fulfill its mission.

### Policy and Implementation

The AOC uses various information systems to carry out its responsibilities to ensure the agency provides responsive support throughout the Capitol complex. These information systems may contain sensitive information, such as Capitol complex designs, emergency preparedness documents, security procedures and protocols used in response to emergencies, procedures and planning.

Cybersecurity attacks have the potential to disrupt the AOC's IT network, systems and services and compromise the AOC's continuity of operations. Advanced and persistent attacks can result in significant releases of confidential information and potential damage to AOC IT infrastructure as well as the security of the Capitol campus. In an era of ever-increasing cyber threats, the AOC faces challenges effectively and consistently applying security policies and directives and implementing cybersecurity best practices across all offices and jurisdictions. In two instances, AOC staff violated multiple policies, including the ITD policy, creating the potential for an information security breach. One of these could have been avoided had the agency confirmed receipt and review of the ITD Rules of Behavior. The OIG continues to evaluate and document cybersecurity risks and vulnerabilities impacting the AOC.

### Compromised Data Confidentiality

In an evaluation assessing the AOC's internal controls for its security badging program, the OIG identified several security vulnerabilities and gaps. Of greatest concern was the lack of adequate security processes for protection of personally identifiable information (PII) and a reliance

on outdated means of communication when coordinating with external partner agencies. Following a complaint that an employee committed forgery while completing the security badging process, the OIG initiated an investigation into potential criminal violations and multiple AOC policies. The investigation identified approximately 20 instances in which the employee forged signatures on official government forms, including a Request for Criminal History Records and an ID Request-118th Congress. In addition, the employee committed multiple PII violations.

### ***Agency Progress***

The AOC has made some improvements for information security controls and practices. The agency indicated it launched an executive dashboard and refined the

process for identifying, assessing, remediating and reporting cybersecurity weaknesses to identify required updates and improve policies and procedures. However, the AOC still faces challenges effectively and consistently implementing cybersecurity best practices across all offices and jurisdictions. The AOC must continue to implement effective information security programs and practices to protect privacy and defend systems from intrusions, attacks and unauthorized access.

The agency is currently in the process of revising the policy that establishes requirements and responsibilities for protecting the information systems under the authority or control of the Architect of the Capitol.





## 6. Whistleblower Protections

Status: Renewed

Whistleblower Protections refers to AOC leadership's responsibility to provide a safe work environment free from reprisal for reporting allegations of fraud, waste and abuse. Refer to the [Whistleblower Protections](#) section in the appendix for relevant reports.

### Key Areas of Concern

Key areas of concern related to whistleblower protections include providing protection from retaliation and reprisal.

As a legislative branch agency, AOC employees are not afforded protection under the Whistleblower Protection Act.<sup>6</sup> Instead, the Congressional Accountability Act<sup>7</sup> prohibits employing offices from intimidating, retaliating against, or discriminating against employees who report allegations of misconduct. As such, it is incumbent upon AOC leadership to ensure employee confidence in reporting and to provide a safe work environment free from reprisal for those who report.

### Availability of Protection

The OIG's independent hotline continues to receive allegations of fraud, waste and abuse within AOC programs and operations, and the OIG continues to treat all allegations with the utmost concern and consideration; however, the availability of protections and potential retaliation continues to be a concern by reporting parties. AOC leadership has a responsibility to provide a safe work environment free from reprisals against those who do report. As noted in [Section 3. Waste and Accountability](#), the AOC discipline matrix

remains silent regarding violations of noncooperation with the OIG.

In recent years, the OIG has seen an increasing number of complaints. While encouraging to see a willingness to report fraud, waste and abuse, AOC leadership has a responsibility to ensure employee confidence in reporting programs and oversight activities. To do this, the AOC should reward integrity and emphasize to management that employees who "see something and say something" are not subject to reprisal. Employees should not be fearful of retribution or retaliation after reporting a crime or violation to the OIG or their own management.

The OIG recognizes that legislation is required to fully address this issue for the Legislative Branch as a whole and that the AOC does maintain a policy guarding against retaliation. However, the AOC may consider strengthening its own internal policies for whistleblower protections as other legislative branch agencies have done and/or working with Congress to include statutory whistleblower protections.

<sup>6</sup> Public Law 101-12. Whistleblower Protection Act of 1989. <https://www.govinfo.gov/content/pkg/STATUTE-103/pdf/STATUTE-103-Pg16.pdf>.

<sup>7</sup> Public Law 115-397. Congressional Accountability Act. <https://www.congress.gov/115/plaws/publ397/PLAW-115publ397.pdf>.

## 7. Operational Strategy and Leadership Challenges

Status: New

Operational Strategy and Leadership Challenges refers to AOC's operational efficiency and leadership's ability to effectively execute the agency's strategic goals and initiatives. Refer to the [Operational Strategy and Leadership Challenges](#) section in the appendix for relevant reports.

### Key Areas of Concern

Key areas of concern related to operational strategy and leadership include communication and expectation risks, organizational structure and succession planning.

Dating back to 2018, the AOC has experienced frequent turnover in its top leadership positions. There have been seven Architect's (three appointed and four acting) in as many years. Additionally, during the past two years, multiple members of the AOC's senior leadership team departed either through resignation or termination. These departures have continued to test the resiliency of the AOC and its policies, procedures and processes as well as the effectiveness of the AOC's succession plan. Inconsistent management practices have unintentionally undermined staff efforts to effectively meet the agency mission as leadership failed to effectively communicate regarding realigned roles, responsibilities and procedures. While we recognize the necessity of separation decisions, the AOC does not appear to have been in the best position to effectively respond to the significant change.

#### ***Communication and Expectation Challenges***

Unresolved leadership challenges revealed significant deficiencies in the AOC's organizational strategy as the transition left the agency without interim guidance, resulting in increased operational and

compliance challenges. The OIG also noted increased inconsistencies in communication, particularly a lack of transparency and the misapplication of AOC policies creating significant communication breakdowns as work practices and the sharing of key operational information became increasingly siloed. As a result, throughout most of the FY, policies remained outdated, processes were fragmented and roles and responsibilities were unclear.

#### ***Succession Planning***

Succession planning is the process of identifying critical positions and selecting and developing key talent to ensure the continuity of operations. It helps ensure institutional knowledge, experiences and decision-making authority are effectively passed on. The recent retirements and sudden departures of key management and senior employees highlight the importance of succession planning — the AOC was not adequately prepared to respond and experienced a significant level of disruption in operations and performance. It appears that inadequate knowledge management practices and siloed communications left many without a clear path forward. In some instances, extended vacancies increased the agency's risk of internal control failure, which contributed to other key challenges noted in this document.

For example, the effectiveness and integrity of the AOC financial reporting and financial management protocols were at an increased risk of control weakness and/or failure due to the lengthy Chief Financial Officer vacancy. IPA KMPG, which conducted the agency's FY 2023 financial statements audit, found a control gap in succession and contingency plans for key roles within the organization. Specifically, they identified "insufficient contingency plans to address the entity's need to respond to sudden personnel changes that could compromise the internal control system as required by GAO's Standards for Internal Control in the Federal Government."

To continue to employ a workforce capable of meeting AOC's mission-critical needs, it is incumbent upon agency leadership to develop a succession plan that identifies individuals who can assume key roles and responsibilities in times of disruption.

### ***Organizational Structure***

In FY 2021, the AOC underwent a reorganization that included splitting the contracting function between two divisions, which has resulted in increased operational and communication challenges. The AOC's two acquisition divisions, Design and

Construction Acquisitions (DCA) and Supply Services Materials Management Division (SSMMD), were split between two separate offices. DCA, which includes the Acquisition Policy Branch, reports to the Chief Engineer, and SSMMD reports to the Chief Administrative Officer. Under this structure, when disputes inevitably arise, program office leadership holds greater authority than acquisition leadership, who in turn can overrule their decisions. This reporting structure may weaken the independence of contracting officers and directly inhibits contract compliance oversight. If the acquisition function is not properly aligned within an agency, the function will not have the independence, support and visibility needed to ensure it can carry out responsibilities efficiently and effectively. Additionally, misalignment of such a key function risks an internal control failure or appropriations law violation.

### ***Agency Progress***

Acknowledging significant concerns pertaining to manager–employee communications and routine knowledge-sharing, the agency indicates they will increase access to information and implement tools to hold leadership accountable.



## CONCLUSION

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All federal agencies and offices have areas in which improvements are needed. This Statement is written from the OIG's perspective and should be understood in that context. The AOC has much to be proud of as it has worked to reduce or eliminate elements of the previous years' challenges. The progress made on these opportunities is very encouraging, and the management challenges noted in this Statement will serve to improve the AOC's efforts to prevent and detect fraud, waste and abuse as well as improve the effectiveness and efficiency of its programs and operations. As the OIG identifies additional challenges, we will inform AOC management of findings and recommendations via audits, inspections and evaluations, follow-up evaluations, investigations and management advisories. The intent of findings and recommendations is to improve upon the AOC's programs and operations to meet its overall mission to "Serve, Preserve, Inspire."



## APPENDIX: SUPPLEMENTAL INFORMATION

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The following sections list reports relevant to each subject opportunity/challenge.

### 1. Human Capital Management

- *Fiscal Year 2023 Financial Statements Audit Management Letter* ([OIG-AUD-2024-02](#))
- *Evaluation of Architect of the Capitol's Human Capital Management Program* ([2023-0003-IE-P](#))
- *Allegations of Violations of Outside Employment and Suspected Favoritism During a Hiring Process* ([2023-0011-INVI-P](#))
- *Follow-Up Evaluation of the Congressional Request for Architect of the Capitol's Response to Sexual Harassment* ([OIG-FLD-2022-01](#))
- *Inequitable Hiring Practices*: 2024-0017-INVC-P, 2024-0038-INVC-P, 2024-0031-INVC-P, 2024-0032-INVC-P, 2024-0045-INVC-P, 2023-0011-INVC-P, 2023-0017-INVC-P, 2023-0022-INVC-P, and 2023-0032-INVC-P (Not Releasable to Public)
- *Architect of the Capitol Office of Inspector General Semiannual Report to Congress* ([24-1](#))
- *Outside Employment while on Administrative Leave* ([2023-0004-INVI-P](#))
- *Inappropriate Romantic Relationship Involving a Senior Rated Employee and a Subordinate Supervisor* ([2023-0005-INVI-P](#))
- *Unreported Outside Employment and Employment of Subordinate Architect of the Capitol Employees* ([2023-0009-INVI-P](#))
- *Alleged Violations of Contract Protocol in Hiring of Yoga Instructor* ([2023-0012-INVI-P](#))
- *False Medical Documentation* ([2023-0015-INVI-P](#))
- *Misuse of Government issued iPhone* ([2024-0001-INVI-P](#))
- *Misuse of Government issued iPhone* ([2024-0017-INVI-P](#))
- *Office of Inspector General Management Advisory Report: Clear, Consistent and Uniform Application of Architect of the Capitol Policy* ([2023-0006-INVM-P](#))
- *Architect of the Capitol Implementation of the Pregnant Workers Fairness Act* ([2024-0001-INVM-P](#))
- *Architect of the Capitol Office of Inspector General Organizational Risk Assessment FY 2023* (Not Releasable to Public)

### 2. Accessibility, Auditability and Records Retention

- *AOC Locality Pay for Remote Employees* ([2023-0047-INVC-P](#))
- *Evaluation of the Architect of the Capitol's Contracting Officer and Contracting Officer's Representative Oversight* ([2023-0002-IE-P](#))
- *Evaluation of Architect of the Capitol's Human Capital Management Program* ([2023-0003-IE-P](#))
- *Audit of the Architect of the Capitol's Construction Division* ([OIG-AUD-2024-06](#))
- *Follow-Up Evaluation of the Congressional Request for Architect of the Capitol's Response to Sexual Harassment* ([OIG-FLD-2022-01](#))

- *Follow-Up Evaluation of the Architect of the Capitol's Inventory Accountability and Controls* ([OIG-FLD-2023-01](#))
- *Follow-Up Evaluation of the Architect of the Capitol Data Center* ([OIG-FLD-2024-01](#))

### **3. Waste and Accountability**

- *Follow-Up Evaluation of the Architect of the Capitol's Inventory Accountability and Controls* ([OIG-FLD-2023-01](#))
- *AOC Locality Pay for Remote Employees* ([2023-0047-INVC-P](#))
- *Alleged Violations of Contract Protocol in Hiring of Yoga Instructor* ([2023-0012-INVI-P](#))
- *Government Accountability Office Architect of the Capitol—Proposal for Establishment of a Working Capital Fund* ([B-328065](#))
- *The AOC's Fleet Management Program Lacked Adequate and Verifiable Controls for Effective Operation and Auditability* ([2021-0001-IE-P](#))

### **4. Balancing Safety, Security and Preservation**

- *Evaluation of the Architect of the Capitol's Security Badging Program* ([2022-0001-IE-P](#))
- *Evaluation of the Architect of the Capitol's Safety Inspection Program* ([2022-0004-IE-P](#))
- *Architect of the Capitol Office of Inspector General Organizational Risk Assessment FY 2023* (Not Releasable to Public)

### **5. Cybersecurity**

- *Evaluation of the Architect of the Capitol's Implementation of Federal Information Security Modernization Act of 2014, Fiscal Year 2022* ([2022-0005-IE-P](#))
- *Evaluation of the Information Technology Division's Inventory Accountability and Controls* ([2022-0002-IE-P](#))
- *Allegations of Forgery and Security Violations Related to the Security of Personally Identifiable Information* ([2024-0006-INVI-P](#))
- *Misuse of Government issued iPhone* ([2024-0001-INVI-P](#))
- *Misuse of Government issued iPhone* ([2024-0017-INVI-P](#))

### **6. Whistleblower Protections**

- *[Recommendations for Improvements to the Congressional Accountability Act – 118th Congress](#)* from the Office of Congressional Workplace Rights

### **7. Operational Strategy and Leadership Challenges**

- *Evaluation of the Architect of the Capitol's Contracting Officer and Contracting Officer's Representative Oversight* ([2023-0002-IE-P](#))
- *Architect of the Capitol Office of Inspector General Organizational Risk Assessment FY 2023* (Not Releasable to Public)





# ACRONYMS AND ABBREVIATIONS

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AOC	Architect of the Capitol
CD	Construction Division
DCA	Design and Construction Acquisitions
FY	fiscal year
GAO	Government Accountability Office
HR	human resources
IPA	independent public accounting firm
IT	information technology
ITD	information technology division
OIG	Office of Inspector General
OCSO	Office of the Chief Security Officer
PAR	Performance and Accountability Report
PII	personally identifiable information
SSMMD	Supply Services Materials Management Division
USCP	United States Capitol Police

