

**Council of the District of Columbia
Washington, D.C. 20004
Notice of Investigation by the Council of the District of Columbia
Committee on Government Operations and the Environment**

Pursuant to Rules of Organization and Procedure for the Council of the District of Columbia Council Period XVIII, Section 602, notice is given by the Secretary of the Council, Cynthia Brock-Smith, that the Committee on Government Operations and the Environment filed on April 3, 2009, in the Office of the Secretary, a resolution authorizing an investigation by the Committee on Government Operations and the Environment OCTO and OCP Procurement and Contracting Investigation Authorization Resolution of 2009. A copy of the resolution is attached.

1 Committee Print
2 Committee on Government Operations and the Environment
3 April 2, 2009
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8 A RESOLUTION
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13 IN THE COMMITTEE ON GOVERNMENT OPERATIONS AND THE
14 ENVIRONMENT OF THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 To authorize an investigation by the Committee on Government Operations and the
19 Environment into the Office of the Chief Technology Officer and the Office of
20 Contracting and Procurement, including any fraud and abuses, management,
21 procurement and contracting practices, controls and procedures, financial
22 relationships, and matters related thereto.
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25 RESOLVED, BY THE COMMITTEE ON GOVERNMENT OPERATIONS

26 AND THE ENVIRONMENT, That this resolution may be cited as the "Committee on
27 Government Operations and the Environment OCTO and OCP Procurement and
28 Contracting Investigation Authorization Resolution of 2009".

29 Sec. 2. Background.

30 (a) On or about March 12, 2009, an employee of the Office of the Chief
31 Technology Officer (OCTO) and a private contractor were arrested on corruption
32 charges. This matter is hereafter referred to as "the OCTO Scandal." Mr. Yusuf Acar, the
33 acting chief security officer of OCTO, was charged with four criminal counts, including
34 conspiracy to commit bribery, honest services wire fraud, conflict of interest, and
35 conspiracy to launder monetary instruments. Also arrested was Sushil Bansal, President

1 and CEO of Advanced Integrated Technologies Corporation (AITC), a former D.C.
2 government employee. Mr. Bansal was charged with Conspiracy to Commit Bribery and
3 Conspiracy to Launder Monetary Instruments. A third person was also arrested as part of
4 the OCTO Scandal, Farrukh Awan, an employee for the Chief Financial Officer, who
5 previously worked at OCTO. The federal government is conducting a grand jury
6 investigation into this scandal. Proceedings of the federal grand jury may possibly result
7 in additional indictments and arrests.

8 (b) According to the criminal complaint, Mr. Acar and Mr. Bansal conspired “to
9 commit the offense of bribery of a public official.” It is further alleged that the
10 defendants “devised and intended to devise a scheme and artifice to defraud and deprive
11 the District of Columbia Government and the citizens of the District of Columbia of their
12 right to the honest services of [Mr. Acar] performed free from deceit, favoritism, bias,
13 self-enrichment, self-dealing, concealment, and conflict of interest.” The criminal
14 complaint also alleges that “[Mr. Acar] knowingly transmitted and caused to be
15 transmitted by means of wire communication ... falsified timesheets of a third party and
16 knowingly and willfully participated personally and substantially as a Government officer
17 and employee relating to awarding contracts, purchase orders and selecting vendors, in
18 which Yusuf Acar had a financial interest.”

19 (c) In addition, the FBI asserts that Mr. Acar was intercepting e-mails sent by
20 other District of Columbia agencies, including the Office of Inspector General.

21 (d) Further, though Mr. Acar indicated that neither he nor any members of his
22 immediate household had any connections or financial interests to any business
23 enterprises, nor that he was affiliated with any business entities that do business with the

1 DC government, the allegations clearly indicate that these official representations were
2 false.

3 (e) The Committee on Government Operations and the Environment finds that
4 the circumstances surrounding the recent FBI investigation of the Office of the Chief
5 Technology Officer (OCTO) and subsequent arrests related thereto, along with numerous
6 allegations of fraud and abuse in the procurement and contracting activities of OCTO,
7 and alleged wrongful, negligent or other inappropriate actions relating to inadequate
8 controls or procedures in the Office of Contracting and Procurement (OCP) and in any
9 other agency or authority of the Government of the District of Columbia, warrant the
10 conduct of an investigation. For the purpose of this investigation, the Chairperson of the
11 Committee is authorized to issue subpoenas to compel a witness's attendance, to obtain
12 testimony, and to produce documents, evidence, other information, or tangible items,
13 pursuant to the authority provided in section 413 of the District of Columbia Home Rule
14 Act, approved December 24, 1973 (87 Stat. 789; D.C. Code § 1-204.13), and section
15 601(b) of the Rules of Organization and Procedure for the Council of the District of
16 Columbia, Council Period XVIII.

17 Sec. 3. Investigation

18 This investigation will examine:

19 (1) Any and all investigations, including administrative reviews, which have been
20 conducted into the procurement and contracting activities of OCTO, OCP and any other
21 agency or instrumentality of the District Government engaged in the same said activities,
22 particularly violations of law and regulations and any irregularities pertaining to these
23 activities;

1 (2) Any weaknesses, defects, or similar problems in internal controls that
2 permitted the OCTO Scandal to occur, including contract and procurement practices of
3 OCTO and any other agency or authority of the District Government;

4 (3) A determination of policies, procedures, controls, or other practices intended
5 to prevent a reoccurrence of the OCTO Scandal or any similar action by any employee of
6 the District Government;

7 (4) Whether there were failures, and the extent and scope of such failures, in
8 established controls, whether internal or external, that should have detected the fraud and
9 theft at OCTO and any other agency or authority of the District Government;

10 (5) Whether there were previous signs of fraudulent activity, irregularities,
11 noncompliance with existing laws, regulations and procedures relating to procurement
12 and contracting at OCTO and any other agency or authority of the District Government,
13 who should have detected such signs of fraudulent activity, and why such signs of
14 fraudulent activity were ignored or went unheeded;

15 (6) The financial, business and personal relationships of any employee of OCTO
16 and any other agency or authority of the District Government which procures and
17 contracts with outside contractors, vendors or other party;

18 (7) The development and implementation of a comprehensive plan of correction
19 as the Committee may so determine; and

20 (8) All relevant facts and circumstances related to the matters listed above to
21 determine what, if any, legislative action may be appropriate.

22 Sec. 4. Subpoena authorization.

1 The Committee is authorized to use subpoenas to compel the attendance of
2 witnesses, to obtain testimony, or to produce documents or other information or tangible
3 items.

4 Sec. 5. Filing of the resolution.

5 The Committee Clerk of the Committee on Government Operations and the
6 Environment shall file this resolution, upon its adoption, in the Office of the Secretary, in
7 accordance with section 601(b) of the Rules of Organization and Procedure for the
8 Council of the District of Columbia, Council Period XVIII.

9 Sec. 6. Effective date.

10 This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA

Notice of Reprogramming Request

Pursuant to DC Code Sec 47-361-et.seq of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s)

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, Room 5, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10. Telephone: 724-8050

Reprog. 18-12: Request to reprogram \$5,481,476 of capital budget authority and allotment between various capital projects of the University of the District of Columbia (UDC) that are implemented by the Office of Property Management (OPM) was filed in the Office of the Secretary on April 2, 2009. This reprogramming will ensure that UDC realigns its capital budget with budget corrections required following a study of historical budgets in the financial system of record (SOAR) and actual appropriated amounts.

RECEIVED: 14 day review began April 3, 2009

Reprog. 18-13: Request to reprogram \$1,299,900 of capital budget authority and allotment within the Department of Parks and Recreation (DPR) was filed in the Office of the Secretary on April 2, 2009. This reprogramming is needed to ensure adequate funding is available to renovate 23 outdoor pools and locker rooms at 3 facilities, as well as replace mechanical equipment such as pumps and filters system of record (SOAR) and actual appropriated amount.

RECEIVED: 14 day review began April 3, 2009

Reprog. 18-14: Request to reprogram \$2,350,112 of capital budget authority and allotment between various capital projects within the Department of Corrections (DOC) was filed in the Office of the Secretary on April 2, 2009. This reprogramming will ensure that DOC realigns its capital budget with budget corrections required following a study of historical budgets in the financial.

RECEIVED: 14 day review began April 3, 2009