

March 4, 2025

TO: Mr. Hamton Dellinger  
Special Counsel  
U.S. Office of Special Counsel  
1730 M Street NW, Suite 218  
Washington, DC 20036-4505

FROM: [REDACTED] *Whistleblower*  
former Budget Director  
Office of Fair Housing and Equal Opportunity  
U.S. Department of Housing and Urban Development  
451 7<sup>th</sup> Street, SW  
Washington, DC 20410

SUBJECT: HUD OIG Report of Investigation OSC File No. DI-23-000873

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Dear Mr. Dellinger:

I am submitting my **formal comments** regarding the agency's report on my disclosure, pursuant to **5 U.S.C. § 1213(e)(1)**. I appreciate the opportunity to review and respond to the findings. After reviewing the agency's report, I have the following concerns:

1. I, [REDACTED] former Budget Director, Office of Fair Housing and Equal Opportunity (FHEO), reported to the Office of Special Counsel (OSC) several allegations of HUD's misuse of federal funds, including, but not limited to, authorizing the expenditure of American taxpayer dollars for [REDACTED]'s (former General Deputy Assistant Secretary for FHEO) personal gain.
2. OSC referred only one of my allegations regarding HUD's misuse of funds to HUD for investigation. Exhibit A.

*Last, you alleged HUD employees improperly approved a senior executive service (SES) separation relocation allowance of over \$45,000 for [REDACTED]. You alleged that [REDACTED] was not entitled to the SES separation relocation allowance because he did not meet the conditions in 41 C.F.R. § 302-3.307. You indicated that [REDACTED] announced his retirement from HUD on October 23, 2023. In December 2023, he submitted request for an SES separation relocation allowance of \$45,185 for travel expenses and to move his houseboat to New Port Richie, Florida, which was certified and approved by [REDACTED] FHEO Deputy Assistant Secretary for Operations. [REDACTED] retired on February 1, 2024.*

3. Adrienne Todman, former Acting Secretary for HUD and [REDACTED]'s second-line supervisor, then referred my complaint to HUD's Office of Inspector General (OIG) for investigation.
4. In so doing, HUD's OIG determined that several offices, including HUD's Office of Chief Financial Officer (OCFO), Office of Chief Human Capital Officer (OCHCO) and Treasury's Bureau of Fiscal Services (BFS) all merely "incorrectly authorized the payment of retirement relocation expenses for [REDACTED] member of the senior executive service" and it "did not find any [REDACTED] or any other HUD employees or contractors engaged in misconduct." Given President Trump's effort to restore accountability for employees who have policy-making authority ('Fork in the Road,' #4 – Enhance Standards of Conduct), HUD's OIG Report should raise concerns about the agency's commitment to addressing these issues.
5. It is disingenuous, *at best*, given the evidence, to suggest that out of all the folks interviewed in HUD's FHEO, OCFO, OCHCO, and Treasury's BFS that, I, [REDACTED] – *and an African American female, I might add* – was the only person (federal employee) who recognized that the approval of [REDACTED]'s retirement benefit was inappropriate. Exhibit A. The OIG Report states:

"When the OIG asked [REDACTED] to describe what her role was in processing this authorization, she recalled signing it because she was acting as the Alternate Funds Control Officer for FHEO at the time because officials within FHEO's Budget Office who would normally sign such documents had been "in and out of the office" for medical leave and other reasons then. [REDACTED] said her role was to ensure FHEO had sufficient funds to pay for [REDACTED]'s retirement relocation, so she "just verified that the funds were available" before signing..."

"The evidence shows that this situation arose because officials within OCHCO, OCFO, and BFS collectively failed to ensure that [REDACTED] met all the necessary criteria before processing his authorization for retirement relocation expenses.

6. Given the foregoing, I urge OSC and/or the Department of Government Efficiency to conduct further investigation into these matters and ensure the agency takes meaningful corrective action. I am willing to provide additional evidence or testimony, if needed.

Thank you for your time and consideration. Please confirm receipt of this letter, and let me know if further information is required.

Enclosure:  
Exhibit A

[REDACTED]  
Regards,

Whistleblower

# Exhibit A





**U.S. OFFICE OF SPECIAL COUNSEL**  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505  
(202) 804-7000

April 9, 2024

Ms. [REDACTED]  
3112 Collins Street  
Clinton, MD 20735

Sent via email to: [REDACTED]

RE: OSC File No. DI-23-000873

Dear Ms. [REDACTED]

The Office of Special Counsel (OSC) has completed its review of the information you referred to the Disclosure Unit. You alleged a violation of law, rule, or regulation; a gross waste of funds; gross mismanagement; and an abuse of authority by employees of the Department of Housing and Urban Development (HUD), Fair Housing and Equal Opportunity (FHEO), Washington, D.C.

OSC is authorized by law to determine whether a disclosure should be referred to the involved agency for investigation or review, and a report; however, OSC does not have authority to investigate disclosures. OSC may refer allegations of violations of law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; censorship related to scientific research; or a substantial and specific danger to public health or safety. Disclosures referred to the agency for investigation and a report must include information sufficient for OSC to determine whether there is a substantial likelihood of wrongdoing.

You alleged that FHEO employees improperly approved travel vouchers for [REDACTED] General Deputy Assistant Secretary (GDAS) and [REDACTED] Office of Administrative Services Director. You alleged that FHEO funded training at Harvard Kennedy School for both [REDACTED] and [REDACTED] – an expense of over \$25,000 for each individual – without following proper procedures. We have confirmed with the HUD Office of Inspector General (OIG) that they have investigated these allegations. As a general policy, OSC does not to transmit allegations of wrongdoing to the head of the agency involved where the agency has investigated or is currently investigating the same allegations. Because HUD OIG has already taken steps to investigate this matter, we will take no further action on this allegation.

You also alleged [REDACTED] Principal Deputy Assistant Secretary (PDAS) for FHEO, improperly approved a Regional Director's meeting in Puerto Rico from November 14-15, 2023. We understand that staff were travelling from all over the U.S. to the meeting and FHEO has an office in Puerto Rico. However, you indicated you were concerned about the timing,

place, and cost of this meeting as it was held near the expiration of a continuing resolution period. The decision regarding where and when to hold an agency meeting or conference is matter of agency policy and discretion. Agencies are generally afforded a wide degree of latitude in these areas. Although we understand you strongly object to PDAS [REDACTED]'s decision to hold the meeting in Puerto Rico, we cannot find with a substantial likelihood the agency has acted outside of its discretion. Therefore, we will take no further action on this allegation.


Should you wish to pursue these claims further, you may wish to follow up on your complaint filed with the HUD Office of Inspector General. They can be contacted at 451 7th Street S.W., Washington, D.C. 20410; *telephone number:* (202) 708-0430; *hotline number:* (800) 347-3735; *hotline email:* [hotline@hudoig.gov](mailto:hotline@hudoig.gov).

Last, you alleged HUD employees improperly approved a senior executive service (SES) separation relocation allowance of over \$45,000 for [REDACTED]. You alleged that [REDACTED] was not entitled to the SES separation relocation allowance because he did not meet the conditions in 41 C.F.R. § 302-3.307. You indicated that [REDACTED] announced his retirement from HUD on October 23, 2023. In December 2023, he submitted request for an SES separation relocation allowance of \$45,185 for travel expenses and to move his houseboat to New Port Richie, Florida, which was certified and approved by [REDACTED], FHEO Deputy Assistant Secretary for Operations. [REDACTED] retired on February 1, 2024.

Under 41 C.F.R. § 302-3.307, an employee must have been transferred or reassigned geographically at the expense of the Government from one official station to another for a permanent duty SES career appointment to be eligible for an SES separation relocation allowance. You alleged that [REDACTED] did not meet those requirements because when he moved to Washington, D.C. to start his employment at HUD in 2016, he did not receive an SES career appointment. Rather, [REDACTED] moved to Washington, D.C. to join HUD as a GS-15 employee. Later, when [REDACTED] received an SES appointment in 2018, he was already stationed in Washington D.C., and thus, was not relocated geographically. Thus, you alleged that HUD employees violated 5 U.S.C. § 5724 and 41 C.F.R. 302-3.304 by awarding an SES separation relocation allowance to [REDACTED].

After reviewing the information you provided, we have requested that the Acting Secretary of HUD conduct an investigation into this allegation and report back to OSC pursuant to 5 U.S.C. § 1213(c). We have provided the Secretary 60 days to conduct the investigation and submit the report to OSC. However, you should be aware that these investigations usually take longer and agencies frequently request and receive extensions of the due date. Should the HUD request an extension in this case, we will advise you of the new due date for the report.

Unless the report is classified or otherwise not releasable by law, we will send you a copy after our review so that you may comment on the report, if you wish. When the matter is closed, the Special Counsel will transmit the report and your comments to the President and

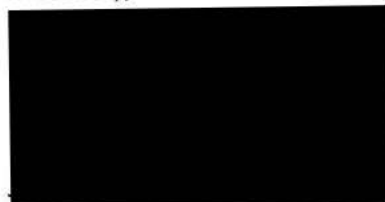
  
Page 3

the appropriate congressional oversight committees. Copies of these documents will be maintained by OSC in a public file, which is posted on OSC's website at [www.osc.gov](http://www.osc.gov).

We emphasize that, while OSC has found a substantial likelihood of wrongdoing based on the information you submitted in support of your allegations, our referral to the Secretary for investigation is not a final determination that the allegations are substantiated. This remains an open matter under investigation until the agency's final report is forwarded to the President and Congress.

If you have questions or wish to discuss this matter, please contact me at 

Sincerely,



Attorney, Disclosure Unit



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RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

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From: [REDACTED]  
Date: Tue 1/16/2024 6:47 PM  
To: [REDACTED] >

[REDACTED]

Are you available for a phone call to discuss this matter on Thursday, January 18 at 10:00 am? If not, please let me know a time that would work for you.

Thank you,

[REDACTED]  
Attorney, Disclosure Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Ste. 300  
Washington, DC 20036  
[REDACTED]

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From: [REDACTED] >  
Sent: Monday, January 8, 2024 4:34 PM  
To: [REDACTED]  
Cc: [REDACTED]  
[REDACTED]

**Subject:** Re: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

And now, [REDACTED] FHEO's DAS for the Operations, has approved GDAS [REDACTED]'s \$45,000 relocation fees of a boat to Florida *after his retirement*? See attached GDAS [REDACTED]'s Retirement Announcement and Relocation Authorization signed by [REDACTED] and [REDACTED]. Where's the safeguard of use of federal funds?

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From: [REDACTED] >  
Sent: Monday, January 8, 2024 2:28 PM  
To: [REDACTED]  
Cc: [REDACTED]  
[REDACTED]

**Subject:** Re: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

Hello [REDACTED]

Thank you for reaching out. I've haven't heard a word from anyone at HUD's OIG, who is copied on this email, since my last reporting in June 2023, more than six months ago, with final payment information, *as requested*, regarding [REDACTED] General Deputy Assistant Secretary for HUD's Office of Fair Housing and Equal Opportunity, attendance at Harvard Kennedy School, in Cambridge, MA. Since then, the Agency has proposed my removal from federal service and [REDACTED] has announced his retirement in February 2024 from the federal government, *but not before* taking the American taxpayer for \$26,000 in rent, daily per diem and annual SES salary for five consecutive months (January - May 2023) *without* the American taxpayer seeing a return on its investment for expenditure of federal funds. Another example of questionable use of taxpayer dollars will follow this email.

On a personal note, this is precisely why senior-level, Public Trust management officials such as myself either do not report or delay reporting instances of potential fraud, waste and abuse of federal funds to oversight agencies. Nothing happens, and agency officials such as myself are left to their own devices and to fend for themselves against their federal government employer without protection, because there is none. (i.e., Whistleblower Protection).

I can be reached via this email ([REDACTED]) and/or ([REDACTED]), if further discussion is required on this matter.

Regards,  
[REDACTED]

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**From:** [REDACTED]  
**Sent:** Wednesday, January 3, 2024 12:18 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] <[REDACTED]>  
**Subject:** RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

[REDACTED]

I am following up on the status of your allegations and the HUD OIG investigation. If you are unsure of the status, with your consent, I will contact HUD OIG to find out. Please let me know by next Wednesday, January 10, 2024. If I don't hear back from you by then I will review your case based on the information you have already provided.

Thank you,  
[REDACTED]

[REDACTED]  
Attorney, Disclosure Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Ste. 300  
Washington, DC 20036  
[REDACTED]



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From: [REDACTED]  
Sent: Monday, December 11, 2023 5:57 PM  
To: [REDACTED]  
Subject: RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

[REDACTED]

With your consent, we would like to contact [REDACTED] at HUD OIG to discuss the status of their investigation. Are you okay with us contacting her?

Thank you,

[REDACTED]  
Attorney, Disclosure Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Ste. 300  
Washington, DC 20036  
[REDACTED]

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From: [REDACTED]  
Sent: Tuesday, October 17, 2023 2:53 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

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Good afternoon –

To clarify a key point highlighted in my email below, please see attached email communications re: the IPP payment for [REDACTED]'s course at Harvard Kennedy School in Cambridge, MA, October 15 – November 9, 2023.

Regards,

[REDACTED]  
Budget Director  
Office of Management, Planning and Development  
Office of Fair Housing and Equal Opportunity

[REDACTED]

**From:** [REDACTED]

**Sent:** Thursday, October 12, 2023 3:07 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

Greetings

Attached are additional supporting information and documents (e.g., approved travel authorization), as it pertains to [REDACTED], Director, Office of Administrative Services, attendance at Harvard Kennedy School in Cambridge, MA, October 15-November 9, 2023. Also attached are additional examples of [REDACTED] FHEO's Deputy Assistant Secretary for Operations, improper approval of several other travel authorizations, locally and abroad, for management staff within the Office of Fair Housing and Equal Opportunity.

Sharing this information, as it adds to my allegation of HUD-FHEO's improper and misuse of federal government dollars.

Regards,

[REDACTED]  
Office of Management, Planning and Budget  
Office of Fair Housing and Equal Opportunity  
[REDACTED]

**From:** [REDACTED]

**Sent:** Thursday, October 5, 2023 10:35 AM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023

Good morning –

Following up on my email below, attached is additional information for your review and consideration, as it pertains to my below communication. Thank you, again.

Regards,

[REDACTED]  
Budget Director  
Office Management, Planning and Budget  
Office of Fair Housing and Equal Opportunity  
[REDACTED]

**From:** [REDACTED]

**Sent:** Wednesday, October 4, 2023 5:34 PM

**To:** [REDACTED]

**Cc:** [REDACTED]



**Subject: Important Message - Another Example or Allegation of FHEO-HUD Misuse of Federal Funds & Abuse of Position and Authority 10-04-2023**

Good afternoon –

Attached is supporting documentation of yet another example or allegation of HUD-FHEO leadership's misuse of federal taxpayer dollars. In support thereof, I note the below, as it pertains to [REDACTED] Deputy Assistant Secretary (DAS) for Operations; [REDACTED] General Deputy Assistant Secretary (GDAS) for FHEO; and [REDACTED] Director, Office of Administrative Services (OAS), and [REDACTED] attendance at the Harvard Kennedy School (HKS), located in Cambridge, Massachusetts, from October 15 – November 9, 2023. [REDACTED] is GDAS [REDACTED] former Senior Advisor. See Attachment.

1. [REDACTED] who is [REDACTED] *first-line supervisor*, signed off on **all** of the below funding documents for [REDACTED] attend HKS, from October 15 – November 9, 2023, thereby failing to ensure “a segregation of duties throughout the funds utilization process.” See Attachment—Handbook 1830.2\_REV6\_March\_20\_2017 (page 12 of 75).
  - a. SF-182, *Authorization, Agreement and Certification of Training* (see attachment);
  - b. Funds Verification Sheet, verifying funds availability for training (see attachment); and
  - c. 10.4 funding instrument, *Requisition for Supplies, Equipment, Forms, Publication and Procurement Services* (see attachment)
2. [REDACTED] also authorized FHEO's \$10,000 GPC credit card limit be overwritten or increased to \$25,000 to accommodate the cost (\$25,000) of [REDACTED] attendance at HKS in October 2023. See Attachments and link to HKS Schedule ([Senior Executive Fellows | Harvard Kennedy School](#)).
3. GPC requirements for increasing credit card limits are set forth on pages 15-23 in the attached GPC Policy Refresher\_Mandatory Checklist and MCC Overrides\_presentation. See Attachment. I note here that a market research study, among other things, is required for approval of increased credit limits above \$10,000.
4. There is no threshold limit for Invoice Processing Platform (IPP). See attached email to, from and between [REDACTED] (GS13 Budget Analyst) and Accounts Payable. I note, the email communication is the same day, July 19, 2023, that [REDACTED] authorized the increased credit card limit, from \$10,000 to \$25,000.
5. Attached is the **July 10, 2023** email from [REDACTED] GS14, Training Officer, who reports to [REDACTED] informing [REDACTED] and [REDACTED] (GS13 Budget Analyst) of my staff of the HKS invoice (**Bill Date: 3-9-2023** and **Due Date: 4-8-2023**) for [REDACTED] Attached also is the HKS invoice for \$25,000. It's unclear to me how this even occurred given my instruction, as FHEO's Budget Director and Funds Control Officer, to staff that this not occur.
6. [REDACTED] HKS Travel Authorization submitted today, October 4, 2023, indicates that he is departing on October 15, 2023, from MSN-Madison, WI for BOS, Boston, MA, returning on November 9, 2023, from BOS, Boston, MA to MSN-Madison, WI. See Attachment.
7. [REDACTED] work auto reply email states, he is “currently out of the office on extended absence.” See Attachment.
8. To the best of my knowledge and belief, [REDACTED] is not using “leave” during the duration of his trip to Cambridge, MA between October 15, 2023 – November 9, 2023.

There are few other additional documents that need forwarding for your review and consideration, but I need to locate them in my email. Thank you in advance for your time and attention to this important matter.

Regards,

[REDACTED]  
Budget Director  
Office of Management, Planning and Budget  
Office of Fair Housing and Equal Opportunity  
[REDACTED]



From: [REDACTED]  
Sent: Monday, September 25, 2023 2:49 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: <External Message> RE: GPC Order - Delay

Good afternoon,

No problem and thank you. I will be on standby for your call. Please call me at [REDACTED] or email me at [REDACTED] or my work email at [REDACTED]. I don't want to miss your call this go around.

Looking forward to hearing from you soon.

Regards,

[REDACTED]  
Budget Director  
Office of Management, Planning and Budget  
Office Fair Housing and Equal Opportunity  
[REDACTED]

From: [REDACTED]  
Sent: Monday, September 25, 2023 2:39 PM  
To: [REDACTED]  
Subject: <External Message> RE: GPC Order - Delay

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[REDACTED]

Thank you for your patience. We are in the process of getting your case re-opened. Once that has happened, we will review what you have submitted and schedule a call.

Sincerely,

[REDACTED]  
Attorney, Disclosure Unit  
U.S. Office of Special Counsel  
1730 M Street, N.W., Ste. 300  
Washington, DC 20036  
[REDACTED]

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From: [REDACTED]  
Sent: Friday, September 22, 2023 4:28 PM  
To: [REDACTED]  
Subject: FW: GPC Order - Delay

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FYI, see below, as it relates to my last email.

From: [REDACTED]  
Sent: Friday, September 22, 2023 4:07 PM

To: [REDACTED]  
Cc: [REDACTED]

Subject: RE: GPC Order - Delay

No need to send to me, but thanks. I will forward to the appropriate authorities along with my statement of concerns, as discussed herein and in prior discussions. It escapes me why HUD is intent on exposing itself and its "untoward" business practices outside of the organization.

And thank you, I will enjoy my weekend which begins now!

Regards,

[REDACTED]  
Budget Director  
Office of Management, Planning and Budget  
Office of Fair Housing and Equal Opportunity  
[REDACTED]

From: [REDACTED]  
Sent: Friday, September 22, 2023 3:59 PM  
To: [REDACTED]  
Cc: [REDACTED]

Subject: RE: GPC Order - Delay

Attached is the initialed and signed 10.4 with the revised delivery date and the amended SOW. Please add to your respective files for this transaction. Have a good weekend!

[REDACTED]  
Director  
Office of Management, Planning and Budget  
Office of Fair Housing and Equal Opportunity  
[REDACTED]

From: [REDACTED]  
Sent: Friday, September 22, 2023 3:51 PM

To: [REDACTED]

Cc: [REDACTED]

**Subject:** RE: GPC Order - Delay

**Importance:** High

Creating a new 10.4 for this funding action compromises nothing; more specifically, "the illusion that a new action was initiated." However, if Agency officials copied on this email are determined/intent on pushing this thing through in light of the facts and in the absent appropriate protocols that's fine. I have a fiduciary responsibility to share what I know about this particular "contract" and discussions with the appropriate authorities. Enjoy your weekend.

**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 3:41 PM

To: [REDACTED]

Cc: [REDACTED]

**Subject:** RE: GPC Order - Delay

It is my understanding that the only material change to this funding document is extending the POP into next fiscal year. This can be accomplished by amending the expected delivery date on the original 10.4, amending the SOW and having the FCO initial the change. Creating a new 10.4 compromises the audit trail because it creates the illusion that a new action was initiated. Moreover, this is consistent with FHEO's business practice which predates my arrival here more than 16 years ago. I will initial the revised delivery date to note this change in the POP on the original 10.4.

[REDACTED]  
Director

Office of Management, Planning and Budget

Office of Fair Housing and Equal Opportunity  
[REDACTED]

**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 3:06 PM

To: [REDACTED]

Cc: [REDACTED]

**Subject:** RE: GPC Order - Delay

[REDACTED]

You are correct; I don't think you are following this. I'm not reading into "something untoward into this." The issue isn't the contract crossing fiscal years, as I am aware that it happens more frequently than not. Also, there is no issue with allowing an extension crossing fiscal years if this was a normal contract. If the FCO advises that the best way to



proceed is for the program office to provide a new 10.4 and an updated/amended SOW, I don't understand why that's an issue.

Enjoy the rest of your day.

[REDACTED]  
Budget Analyst

U.S. Department of Housing and Urban Development

Office of Fair Housing and Equal Opportunity

Office of Management, Planning and Budget

451 7<sup>th</sup> Street, SW

Washington, DC 20410  
[REDACTED]

From: [REDACTED]

Sent: Friday, September 22, 2023 2:08 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: GPC Order - Delay  
[REDACTED]

I don't think I am following this. Contract periods of performance are extended for any number of reasons all the time. And it is very, very common for periods of performance to cross fiscal years. In fact, more likely than not the contractor is *entitled* to an extension unless the contractor is responsible for the delay (See FAR 49.401(b)). And even if the contractor is responsible for the delay, we aren't obligated to terminate the contract unless that is in the best interest of the government. Since none of us are prescient, it is not unusual that what seemed like the correct period of performance might turn out to be in error. I am not sure why Melvina is reading something untoward into this. Contracts end when both parties have fully performed or are terminated for default or convenience. Here both parties have not fully performed and I see no reason for HUD to terminate for default or convenience.

Can you explain your concerns in a bit more detail? Is your concern based in contract law/regulation or appropriations law/regulation?

I am happy to discuss this and do research as necessary to make sure everything is square, but I don't understand the problem or the legal or regulatory basis for your direction.

Best,  
[REDACTED]

Phone: [REDACTED]

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**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 1:32 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: GPC Order - Delay

To the contrary, attached is the previous thread on how to resolve the matter. And for the record, as FHEO's Funds Control Officer, I have deemed what is necessary on how "best" to proceed in this matter.

**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 1:23 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: GPC Order - Delay

Greetings [REDACTED]

For full context, here is what [REDACTED] recommended on how to resolve the matter.

1. De-obligate funds from current 10.4 for any work that was not completed by 09/30/2023
2. Issue a new 10.4 to cover remaining services.

I've included the previous email thread, for reference. Please advise on how best to proceed. Thank you.

---

**From:** [REDACTED]

**Sent:** Friday, September 22, 2023 11:59 AM

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: FHEO Consulting Request

Then the SOW and accompanying documents needs to reflect that the work is a "bone fide need," for budget approval and auditing purposes, as discussed below.

From: [REDACTED]  
Sent: Friday, September 22, 2023 11:55 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: FHEO Consulting Request

Hello [REDACTED]

The organization had a bona fide need for the services in FY23, so the period of performance is allowed to cross fiscal years. We will amend the PoP to reflect the new delivery date and make a note to the contract file.

Thanks!



[REDACTED]  
Deputy Assistant Secretary | Operations and Management  
Office of Fair Housing and Equal Opportunity  
U.S. Department of Housing and Urban Development  
451 7<sup>th</sup> Street, SW, Suite 5130 | Washington, DC 20410  
T: [REDACTED]

From: [REDACTED]  
Sent: Friday, September 22, 2023 11:45 AM  
To: [REDACTED]  
Subject: RE: FHEO Consulting Request

Thanks for your response, [REDACTED] I told [REDACTED] to let the program office know that I, as Funds Control Officer for FHEO, could not provide additional consult on the formation and requirements of the contract because it was a conflict of interest. I can't approve the funding for the contract and advise the program office on what they need to do to secure that funding, pursuant to Agency requirements, which is the reason these actions/contractor services (consulting services) are typically handled and processed by separate office (OCPO) to preserve a segregation of duties and avoid the appearance of impropriety (i.e., conflict of interest, fraud, waste and abuse). I think [REDACTED] has advised in her email below what needs to be, or rather what will happen next – i.e., deobligation of funds for services not rendered by the contractor, by date certain. For any work not completed by the contractor by date certain, 9/30/2023, that work will have to be completed in the new fiscal year (FY24), under a new 10.4, if the Agency-FHEO sees a bone fide need for that continuation of services.

From: [REDACTED]  
Sent: Friday, September 22, 2023 11:20 AM  
To: [REDACTED]  
Subject: Re: FHEO Consulting Request

Morning. [REDACTED] has been in constant contact with [REDACTED] in this and started obtaining her guidance on the specific questions of completion and invoicing and payment since early August. [REDACTED] asked whether she should contact budget folks directly and was told no. Just this week [REDACTED] advised for [REDACTED] to consult budget which she did yesterday. Not sure if this helps but we appreciate the assistance in getting this right. Best, [REDACTED]

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From: [REDACTED]  
Sent: Friday, September 22, 2023 7:54 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: FW: FHEO Consulting Request

FYI

From: [REDACTED]  
Sent: Friday, September 22, 2023 10:46 AM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: FHEO Consulting Request

Good morning,

The SOW that you and [REDACTED] provided on May 4, 2023, indicated that the Period of Performance for the contract (Consulting Services) was 5/15/2023 to 9/30/2023. If you and/or [REDACTED] the contractor, thought that the end date of 9/30/2023 was insufficient to satisfy the requirements of the contract it should never have been entered into under those terms. As was discussed in the formation of the contract, the contractor should be paid upon completion of product services per Region, instead of being paid for all products and services for all Regions by 9/30/2023. Now, some funds will need to be de-obligated because all products and services cannot be delivered to the Agency, based on your email below, by the date specified in the contract.

Without an approved contract modification and funding approval by the FCO, [REDACTED] cannot continue to provide consulting services to the remaining Region after 9/30/2023, and he should provide any and all completed reports as of 9/30/2023 for payment of work completed. Also, please note that any and all Federal funds executed for product and contractor services may be audited by outside agencies and are subject to FOIA.

[REDACTED]  
Budget Analyst  
U.S. Department of Housing and Urban Development  
Office of Fair Housing and Equal Opportunity  
Office of Management, Planning and Budget  
451 7<sup>th</sup> Street, SW  
Washington, DC 20410  
[REDACTED]