UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

Subpoena Duces Tecum

TO: Custodian of Records
Alexander County Housing Authority
Connell F. Smith Sr. Building
1100 Ohio St.
Cairo, IL, 62914

Whereas Section 4(a) of the Inspector General Act of 1978 as amended (the Act), 5 U.S.C. App. 3, requires the Inspector General of the Department of Housing and Urban Development (the Department) to provide policy direction and to conduct, supervise, and coordinate audits, investigations, and other activities for the purpose of promoting economy and efficiency in the administration of the programs and operations of the Department and preventing and detecting fraud and abuse in such programs; and

Whereas the Inspector General of the Department is authorized by Section 6(a)(4) of the Act to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information, as well as any tangible thing) and documentary evidence necessary in the performance of the functions assigned by this Act; and

Whereas the Inspector General of the Department has information which indicates that you may have information relevant or material to an ongoing investigation; and

Whereas the information is necessary for the Inspector General of the Department to perform his statutory duties;

Therefore, YOU ARE HEREBY COMMANDED to produce and make available FORTHWITH, without delay, and in any event, no later than the close of business on the day served, to:

Special Agent Michael Warren
Office of Inspector General
United States Department of Housing and Urban Development
Metcalf Federal Building
77 West Jackson, Blvd, Suite# 2207
Chicago, IL 60604
(Telephone: (312) 913-8490)

the documents listed below.

Instructions

1. This subpoena seeks originals of all documents. However, legible, true and complete copies of the originals will be accepted in place of originals, provided that you make the original records available for inspection by employees of the Office of Inspector General, upon request, during normal business hours.

2. The terms "documents" and "records" as used in this subpoena include all data, documentary evidence, and information, whether in paper form or stored on audiotape, videotape, computer, electronic, magnetic, or other media.

3. If you maintain that any document sought by this subpoena is protected from production by a legally recognized claim of privilege or otherwise, furnish a written statement identifying the document by date, author, addressee, each recipient, subject, and number of pages, and detailing the reason(s) for withholding the document with sufficient specificity to enable a court of law to determine the validity of your claim.

Document Demand

YOU ARE HEREBY REQUIRED TO PRODUCE the following records of the City Housing Authority, for the period from January 1st, 2009 through October 7th, 2015:

1. All personnel and payroll records, including employment applications, W-2 forms, and 1099 forms;
2. All journals, ledgers, and vouchers reflecting receipts and disbursements;
3. All bank statements and cancelled checks (front and back) for all accounts maintained either by, through, on behalf of, or with the funds of, the Housing Authority;
4. All documents related to savings accounts, certificate of deposit accounts, and other types of investment accounts maintained by, through, on behalf of, or with the funds of, the Housing Authority;
5. All documents related to procurement processes, including solicitations, requests for proposals, bid packages, bids, and correspondence relating to contractors or vendors;
6. All contracts for goods or services and other documents, such as correspondence, related to such contracts, including contracts involving maintenance work, construction, trash removal, "contracted services", or work performed by independent contractors, consultants, accountants, or attorneys;
7. All invoices, bills, receipts, and other documents reflecting charges or payments with respect to vendors, suppliers of materials or services, independent contractors, consultants, accountants, or attorneys;
8. All forms 1099 issued to vendors, contractors, consultants, or other persons or entities providing services to or on behalf of the Housing Authority;
9. All bills and descriptions of services rendered that were submitted by or on behalf of attorneys, accountants, consultants, or other persons or entities; and
10. All purchase orders issued by the Housing Authority.
11. All computers, hard drives, and other electronic media storage devices not presently being utilized to support daily operations of the Housing Authority.
12. All documents related to payments made to the City of Cairo by the Housing Authority.
13. All documents related to payments made by the Housing Authority in connection to current and former Housing Authority employee's Housing Authority pensions and pension of other entities.
14. All documents related to Capitol Fund projects.
15. All documents related to claims from the AHRMA Public Housing Authority Insurance and Housing Authority Insurance Group and any other Housing Authority insurance claims.

Issued October 6, 2015 under the authority of Section 6(a)(4) of the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3.

Brad Geary
Special Agent in Charge
Office of Inspector General
U.S. Department of Housing
and Urban Development

WARNING: Section 6(a)(4) of the Inspector General Act of 1978, as amended, provides that this subpoena shall be enforceable, in the case of contumacy or refusal to obey, by order of any appropriate United States district court.

Further, failure to comply with this subpoena could also constitute a violation of your Annual Contributions Contract and U.S. Department of Housing and Urban Development regulations, which could result in sanctions by the Department.
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OFFICE OF INSPECTOR GENERAL
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
NOTICE PURSUANT TO PRIVACY ACT OF 1974

Subsection (e)(3) of the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), requires federal agencies that solicit personal information from individuals to provide such individuals with notice of: (A) the authority for solicitation of the information and whether disclosure is mandatory or voluntary; (B) the principal purposes for which the information is intended to be used; (C) the routine uses that may be made of the information; and (D) the effects, if any, of not providing the requested information.

Authority for Solicitation of the Information

The authority for requiring production of the information is set forth in the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3. Disclosure of information is mandatory subject to the valid assertion of a legal right or privilege.

Principal Purposes

The Inspector General's principal purpose in soliciting the information is to promote economy, efficiency, and effectiveness in the administration of the programs and operations of HUD and to prevent and detect fraud and abuse in such programs and operations.

Routine Uses

Information you give may be disclosed by the Inspector General pursuant to routine uses such as the following:

1. In the event that records indicate a violation or potential violation of law, whether criminal, civil or regulatory in nature, the relevant records may be disclosed to the appropriate federal, state, or local agency charged with the responsibility for investigating or prosecuting such violation or enforcing or implementing such statute, rule or regulation.

2. Records may be disclosed to a congressional office in response to an inquiry from that congressional office made at the request of the individual who is the subject of the records.

3. Records may be disclosed to the Department of Housing and Urban Development (HUD) contractors, Public Housing Authorities or management agents of HUD-assisted housing projects, in order to assist such entities in taking or defending actions to recover money or property, or take personnel actions based on an Office of Inspector General (OIG) investigation or audit, where such recovery or personnel action serves to promote the integrity of the programs or operations of HUD.

4. Records may be disclosed during the course of an administrative proceeding where HUD is a party to the litigation and the disclosure is relevant and reasonably necessary to adjudicate the matter.

5. Records may be disclosed to any source, either private or governmental, to the extent necessary to elicit information relevant to an OIG investigation.

6. Records may be disclosed to appropriate state boards of accountancy for possible administrative or disciplinary sanctions such as license revocation. These referrals will be made only after the independent auditor has been notified that the OIG is contemplating disclosure of its findings to an appropriate state board of accountancy, and the independent auditor has been provided with an opportunity to respond in writing to the OIG's findings.

7. Records may be disclosed to the Department of Justice (DOJ) for litigation purposes associated with the representation of OIG and/or HUD before the courts.

8. Records may be disclosed to persons engaged in conducting and reviewing internal and external peer reviews of OIG to ensure adequate internal safeguards and management procedures exist within any office that had received law enforcement authorization.

9. In the event that these records respond to an audit, investigation or review, which is conducted pursuant to an authorizing law, rule or regulation, and in particular those conducted at the request of the Council of Inspectors General on Integrity and Efficiency (CIGIE) pursuant to Executive Order 12993, the records may be disclosed to the CIGIE and other federal agencies, as necessary.

10. Additional Disclosure for Purposes of Facilitating Responses and Remediation Efforts in the Event of a Data Breach. A record from a system of records maintained by this Department may be disclosed to appropriate agencies, entities, and persons when:

    a. The Department suspects or has confirmed that the security or confidentiality of information in a system of records has been compromised;

    b. The Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and,

    c. The disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

11. Records may be disclosed to private, state or Federal licensing authorities or boards regulating professional services, such as appraisers, attorneys, insurers, or mortgage brokers, when the records reveal conduct related to activities associated with a HUD program that is appropriate for possible administrative or disciplinary sanctions, such as license revocation.

Effect of Noncompliance

Failure to comply with a subpoena may result in the Inspector General's requesting a court order for compliance. If such an order is obtained and you thereafter fail to supply the information, you may be subject to civil and/or criminal sanctions for contempt of court.