



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

THE INSPECTOR GENERAL

JAN 10 2018

The Honorable Peter DeFazio  
Ranking Member  
Committee on Transportation and Infrastructure  
House of Representatives  
Washington, D.C. 20515

Dear Ranking Member DeFazio:

On October 4, 2017, you wrote requesting that the U.S. Environmental Protection Agency's (EPA's) Office of Inspector General (OIG) conduct a review of several aspects of EPA Administrator Scott Pruitt's security expenditures. You noted recent news detailing these expenditures, including a "round-the-clock security detail for \$832,735.40 and construction of a soundproof security booth in the Administrator's personal office at a cost of \$24,570.00." You expressed concern that "each of these expenditures is a waste of taxpayer dollars. Taken together, however, they are symptomatic of a troubling culture that appears to have swept through this administration."

You asked that we evaluate whether there are limits on the Administrator's decisions "to make purchases for his direct and personal benefit" and determine what controls are in place "to ensure such funds are not misused or misappropriated." You also asked whether the Administrator is "legally justified in diverting agency staff" from enforcement to his private security detail; what the justification was for his purchasing "a secure, soundproof communications booth" for his office; whether the EPA complied with rules for procuring round-the-clock security and the communications booth; and "how EPA can strengthen its policies, procedures and oversight controls to prevent excessive expenditures by the Office of the Administrator."

In determining whether the OIG can undertake requested work, initially we have to find that the matter is within our jurisdiction. Beyond that threshold question, we have to determine whether we have sufficient resources—people, time and funds—to do a project in a timely fashion and whether it would preclude our doing other crucial work. The fact is that the OIG has been funded at less than the levels we deem adequate to do all of the work that should be done, and we therefore have to make difficult decisions about whether to accept any given potential undertaking. Many of our projects are statutorily mandated work, with Congress adding new mandates each session. Further, our annual work plan, which is also statutorily mandated, uses a risk-based analysis that identifies dozens of additional high-impact projects. All of this means that for every discretionary review the OIG decides to undertake, there will be others we cannot.

Regarding your request that the OIG review the Administrator's use of expenditures on a security booth, we have confirmed that the U.S. Government Accountability Office (GAO) accepted a congressional request to review appropriation law questions regarding the installation of the security booth. The GAO will be reviewing virtually the same scope of issues that we planned to examine.

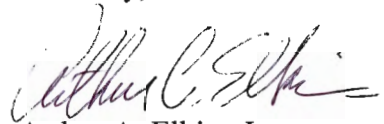
As you know, the Inspector General Act, Section 4(c), requires that each Inspector General (IG) "shall give particular regard to the activities of the Comptroller General of the United States with a view toward avoiding duplication and insuring effective coordination and cooperation." Because the GAO accepted and is initiating this engagement, and we have not yet launched our review, we are cancelling our review in deference to the GAO's review. We believe that the GAO's review will answer the questions that you posed to us. We also believe that the approach described above avoids duplicative work and potential inefficiency in the expenditure of taxpayer dollars.

Regarding your request that the OIG review the Administrator's use of expenditures on a security detail, we determined that there is no information in your request or that has otherwise come to our attention indicating any criminal violations. An Inspector General (IG) does not have the authority to make programmatic decisions for the agency. IG authority is to provide oversight of actions taken by the agency. In practical terms, this means that the IG will not second-guess decisions about matters within the discretion of the agency, such as the Administrator's justifications for re-allocating agency staff from enforcement to his security detail.

However, your letter does raise issues about whether appropriated funds are available for the expenditures you question, and whether the EPA complied with applicable oversight controls in deciding to make the expenditures. These latter issues are within the authority of the IG to review, and we will do so. As you know, we have numerous other pending projects, and we are not sure when we can begin this engagement. We will inform you and your staff when we have begun the project, and we will provide you with the results as soon as we finish.

We appreciate your interest in the work of the OIG. A similar letter is being sent to Representative Grace Napolitano. If you have any questions about this or any other matter, please contact Alan Larsen, Counsel to the Inspector General, at (202) 566-2391.

Sincerely,



Arthur A. Elkins Jr.

cc: The Honorable Scott Pruitt, Administrator  
U.S. Environmental Protection Agency