

Oversight and Government Reform Committee Hearing: “Is the EPA Obstructing Its Own Inspector General?”

On Wednesday, May 8th, the House Oversight and Government Reform Committee held a hearing on the question “Is the EPA Obstructing Its Own Inspector General?” The hearing examined employee misconduct at the EPA, and allegations that the agency’s Office of Homeland Security (OHS) is actively obstructing its Office of Inspector General (OIG) from conducting investigations.

Last October, the Oversight Committee held a hearing on the case of John Beale, a former EPA senior official who posed as a CIA agent and defrauded the agency of time, money and travel for more than a decade. His deception, however, is not the only egregious story of employee misconduct at the EPA that was allowed to continue, unchecked, for years.

At this week’s hearing, OIG investigators testified that one employee who was accused of viewing pornography at work was actually caught viewing pornography when investigators went to his office to question him. They estimate he spent up to 6 hours a day viewing pornography and saved 7,000 files to his EPA computer since 2010 – and actually received a performance award during that time. He still works at the EPA.

The Committee was told that another employee, who is a top personnel official, sold jewelry and weight loss pills out of her office using her EPA account. She hired family members and friends for EPA’s paid internships and directed a cash bonus to her daughter, who is also an EPA employee. While she was abusing her position, she received a prestigious Presidential Rank Award, which comes with a \$35,000 award. She also still works at the EPA.

The IG also provided multiple examples of individuals receiving paychecks for years after they stopped coming into the EPA office and producing work. In one such case, a man was paid for 1-2 years after he moved to a retirement home and stopped working because his supervisor continued to rubber stamp his time cards.

The Office of Inspector General is tasked by law to investigate wrongdoing within the agency, like these instances, and bring them to light. However, IG investigators testified that the EPA’s Office of Homeland Security – part of the Obama-appointed Office of the Administrator - is refusing to turn over the emails, documents, and records they need to properly do their job. More troubling, OHS is conducting its own investigations, despite the fact that they have no investigatory authority by statute.

IG Agent Elisabeth Drake Heller told the Committee that she was assaulted by one OHS official when she approached him about filing out perfunctory paperwork following an interview. Ms. Heller testified that the official yelled at her and jabbed his finger at her chest in a physically intimidating manner. The EPA Administrator responded by telling Ms. Heller and the IG to stand down, and by halting the investigation for the last six months.

Committee members expressed disbelief at the examples of obstruction and misconduct that the OIG witnesses provided and frustration at the lack of answers provided by the EPA. Hearing highlights include:

- Allan Williams, Deputy Assistant Inspector General for Investigations: “True deterrence of employee misconduct at the EPA ultimately rests with agency executives and managers to set a tone that ensures such behavior will not be condoned. By doing so, the agency’s leadership can establish a culture of accountability within the EPA and clearly communicate that employee misconduct will not be tolerated.
- Patrick Sullivan, Assistant Inspector General for Investigations: “We do have a number of cases of employees showing up for work and getting paid...Unfortunately, for us as investigators, we collect the facts, present it to the U.S. attorney’s office and they make a decision based on their resources, but it is quite common to get a declination.”
- Special Agent Elisabeth Heller: “[EPA Senior Intelligence Officer Steven Williams] repeatedly jabbed his finger at me, merely inches from my chest, and as he got more aggressive, his complexion heated, his veins bulged, and he began to sweat profusely. We are trained to deal with difficult circumstances. However, I was surprised at having this situation [with an OHS official] escalate so quickly in a professional setting—EPA headquarters—over a request that was so standard and minor.”
- Bob Perciasepe, EPA Deputy Administrator: “There are things we’ve done already. There’s more that we have to do. And I also want to make sure that I commit to the Committee here that the Administrators meeting next week is designed so we can break the logjam and move forward on some of the other issues you’ve heard about today.”

At the conclusion of the hearing, Deputy Administrator Perciasepe pledged to fully comply with multiple outstanding Committee subpoenas within one month. He also promised to cooperate with Committee staff to provide routine updates on EPA’s efforts and progress to address the troubling issues raised in the hearing.

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