



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

DEC 29 2021

THE ADMINISTRATOR

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

I write to report violations of the Antideficiency Act as required by section 1351 of title 31, United States Code. The violations of 31 U.S.C. § 1341(a) occurred in the U.S. Environmental Protection Agency's Environmental Programs and Management account, Treasury Account Symbol 06816/170108, in the amount of \$52,407.09. The violations occurred in fiscal years 2017 and 2018 in connection with expenses incurred for the purpose of furnishing the Administrator's office.

Section 710 of the governmentwide general provisions of each year's Financial Services and General Government appropriations act provides that during the period in which any presidential appointee holds office no funds may be obligated or expended in excess of \$5,000 to furnish, redecorate, purchase furniture for or make improvements to the appointee's office unless advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. Consolidated Appropriations Act, 2017, Pub. L. No. 115-31, div. E, title VII, § 710 (May 5, 2017); Consolidated Appropriations Act, 2018, Pub. L. 115-141, div. E, title VII, § 710 (Mar. 23, 2018).

The Government Accountability Office opined that the EPA violated this provision when the agency obligated \$43,238.68 from its FY 2017 Environmental Programs and Management appropriation account for the installation of a soundproof privacy booth for the Administrator's office without first making the required notifications. B-329603, Apr. 16, 2018. The EPA concurs that a violation occurred.

Further, upon review of its records the EPA found additional related violations. Between March 2017 and November 2017 the EPA spent \$2,963.05 on a desk; \$1,950.00 delivering and installing artwork on loan from other government agencies; \$1,606.15 framing, delivering, and installing an American flag; \$1,764.46 on miscellaneous framing; and \$5,884.75 on two biometric locks.

Since discovery of the violations, the agency has included information in its annual Advice of Allowance guidance document to all EPA budget officers notifying them of the Section 710 legal requirements. When the violations occurred, the EPA had no procedures in place to notify

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employees of Section 710 requirements. Therefore, the violations cannot be fairly attributed to any individual. Accordingly, the EPA has determined there was no knowing or willful intent to violate the Antideficiency Act, and no administrative discipline will be imposed.

Identical reports are being submitted to the President of the Senate, the Speaker of the House of Representatives and the Comptroller General in accordance with the process set forth in the Office of Management and Budget's Circular A-11.

Respectfully,



Michael S. Regan