

Arthur A. Elkins, Jr.  
U.S. Environmental Protection Agency  
Office of Inspector General  
1200 Pennsylvania Avenue, N.W. (2410T)  
Washington, DC 20460

September 14, 2017

Dear Inspector General Elkins:

We write as organizations concerned with ensuring scientific integrity in the policymaking process, particularly with respect to policies that protect the environment and public health. We respectfully request that you review the reported decision to have John Konkus, the deputy associate administrator of the Environmental Protection Agency (EPA) Office of Public Affairs, review and approve all grants awarded by the agency.

As reported by the Washington Post, Mr. Konkus has reviewed every EPA grant and grant solicitation, canceling almost \$2 million worth of grants to nonpartisan research universities and nonprofits in that process.<sup>1</sup> Given that the Office of Public Affairs is responsible for EPA communications and outreach efforts, and not the evaluation of grant proposals to determine their technical and scientific merit, its involvement raises serious concerns about the integrity of the grantmaking process. Members of Congress have requested clarification from EPA regarding this matter, and given the serious nature of issues raised, we write to urge your office to investigate as well.

First, we ask that your office determine whether Mr. Konkus and other EPA staff are making decisions in the grantmaking processes consistent with the requirements set forth in statute, EPA's policy and procedures, and other federal standards and policies related to grantmaking.<sup>2</sup> We also ask you to investigate whether Mr. Konkus and other EPA staff are using political criteria instead of scientific criteria to determine grant awards, and whether such decisions reflect improper conflicts of interest or constitute violations of the Hatch Act.<sup>3</sup>

According to the Washington Post, a "temporary hold on all awards to Alaska" enacted on July 28<sup>th</sup> alarmed two EPA officials, who subsequently reported it to EPA's Office of the General Counsel. Potential EPA political staff involvement in grantmaking increases the importance of that office's determination of the legality of such actions, so we also ask that you investigate whether the Office of General Counsel's advice was followed, and whether there was any political interference in the provision of its advice on this or other matters related to the politicized grantmaking process.

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<sup>1</sup> Washington Post, "EPA now requires political aide's sign-off for agency awards, grant applications," Sep. 4, 2017

<sup>2</sup> See FIFRA, § 20, 23; CERCLA, § 311; TSCA, § 10, 28; Clean Air Act § 103, 104; SWDA, § 8001

<sup>3</sup> 5 CFR 734.302(a)

The allegation that EPA political staff delayed the disbursement of grant awards to Alaska in retaliation for a vote on pending legislation or other improper political considerations, as well as other allegations of politically motivated decision-making in the agency's grantmaking, are grave. We urge your office to being an investigation of these matters immediately.

Thank you for your prompt attention to this matter,

Kathleen Rest, PhD, MPA  
Executive Director  
Union of Concerned Scientists

Christy Goldfuss  
Vice President for Energy and Environment Policy  
Center for American Progress

EMBARGOED