



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

NOV 05 2019

THE ADMINISTRATOR

Hon. Carolyn Maloney  
Acting Chair  
Committee on Oversight and Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Eddie Bernice Johnson  
Chair  
Committee on Science, Space and  
Technology  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Frank Pallone  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. John Barrasso  
Chairman  
Committee on Environment & Public Works  
U.S. Senate  
Washington, D.C. 20510

Hon. Ron Johnson  
Chairman  
Committee on Homeland Security and  
Government Affairs  
U.S. Senate  
Washington, D.C. 20510

Hon. Jim Jordan  
Ranking Member  
Committee on Oversight and Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Frank Lucas  
Ranking Member  
Committee on Science, Space and  
Technology  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Greg Walden  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Tom Carper  
Ranking Member  
Committee on Environment & Public Works  
U.S. Senate  
Washington, D.C. 20510

Hon. Gary C. Peters  
Ranking Member  
Committee on Homeland Security and  
Government Affairs  
U.S. Senate  
Washington, D.C. 20510

Dear Chairs and Ranking Members:

On October 29, 2019, I received a letter from the Acting Inspector General of the Environmental Protection Agency (“EPA”) pursuant to Section 5(d) of the Inspector General Act of 1978 (“the IG Act”), which is more commonly known as a “Seven Day Letter.” I am required by the Act to

transmit to the appropriate Congressional committees this letter within seven calendar days of receipt. *See* 5 U.S.C. App. 3 § 5(d). This transmittal fulfills this statutory obligation.

Along with this letter, I am authorized by the Act to provide “any comments” that I deem appropriate. *Id.* As such, I am providing this transmittal letter along with two additional attachments: a memorandum that I received from EPA’s General Counsel regarding the Agency’s compliance with the Act and a written response from Ryan Jackson, EPA’s Chief of Staff, to the allegations made about him in the Seven Day Letter.

The Seven Day Letter alleges that Mr. Jackson has refused to cooperate with OIG regarding its ongoing work. I first learned about OIG’s concerns in detail on October 15, 2019, when the Assistant Inspector General sent an email to me seeking assistance from the Agency for Mr. Jackson to comply fully with a request to appear for a second interview as part of an OIG investigation. Since that time, the Agency has attempted to provide reasonable accommodations to OIG: first in a meeting on October 18, 2019 between the Acting Inspector General, Doug Benevento, Associate Deputy Administrator, and the Agency’s General Counsel Matt Leopold. At that meeting Mr. Benevento discussed the parameters of Mr. Jackson’s participation that would be acceptable to the OIG. On October 21, 2019, I understand Mr. Jackson provided an additional offer of accommodation by offering to respond to questions in writing. I understand OIG refused these offered accommodations and instead chose to send the Seven Day Letter. Since I received the Seven Day Letter, I discussed the issue with Mr. Jackson and he has now agreed to a second interview with the Acting Inspector General to attempt to resolve the impasse. However, when I informed the Acting Inspector General of Mr. Jackson’s decision to appear for a second interview, he nonetheless refused to withdraw the attached Seven Day Letter. This decision is troubling and undermines the cooperative and iterative relationship that EPA has shared with its OIG.

Additionally, the IG has also requested that Mr. Jackson identify the person that provided him the testimony of a member of an EPA federal advisory committee prior to a congressional hearing. Mr. Jackson refused to identify the source that provided him that testimony. As explained in the General Counsel memorandum, that implicates constitutional concerns that are ultimately for the Agency and OIG to resolve.

Since the day I joined the Agency, it has been my intent to provide OIG with assistance and access to Agency information necessary for it to complete its important work, in a manner consistent with the Constitution and applicable law. I believe the Agency has provided such assistance in this instance.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Wheeler", with a long horizontal flourish extending to the right.

Andrew R. Wheeler