



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

OFFICE OF
INSPECTOR GENERAL

March 22, 2021

MEMORANDUM

SUBJECT: Response to the Unresolved Recommendations for the Office of Inspector General Report No. 20-E-0333, *Improved EPA Oversight of Funding Recipients' Title VI Programs Could Prevent Discrimination*, issued September 28, 2020

FROM: Charles J. Sheehan, Deputy Inspector General

A handwritten signature in blue ink that reads "Charles J. Sheehan".

TO: Elise Packard, Deputy General Counsel for Operations

Thank you for contacting the OIG about holding the audit dispute resolution process in abeyance until April 16, 2021, so that you may further review the six unresolved recommendations in the subject report. By way of background, we issued the subject report on September 28, 2020, and recommended that the Office of Administrator develop a plan to coordinate across Agency program offices to develop guidance on permitting and cumulative impacts. We also recommended that EPA's External Civil Rights Compliance Office use systematic compliance reviews, develop performance measures to assess its ongoing pilot program, address potential noncompliance with funding applicants, develop guidance on the use of data collection, and outline a plan to ensure that the staff take Title VI training.

The EPA's Office of General Counsel sent my office a response to the six recommendations on November 27, 2020; however, based on the response and supporting documentation provided, we determined that none of the five recommendations issued to the general counsel are resolved. The Office of General Counsel's response also provided comments regarding Recommendation 1, but as that recommendation was issued to the associate deputy administrator, resolution efforts must be coordinated and communicated by the Office of the Administrator, and my office did not receive any communication from the Office of the Administrator. As a result, we consider all six recommendations unresolved. On February 9, 2021, we sent a memorandum to the acting general counsel, stating that the Agency should follow the audit dispute resolution process set out in EPA Manual 2750. In response, on February 16, 2021, you requested that we hold the audit dispute resolution process in abeyance so that the deputy general counsel for Environmental Initiatives, who has oversight of the Title VI area, could have sufficient time to fully assess the issues in the OIG report. We concur in holding the dispute-resolution process in abeyance until April 16, 2021, to allow the Agency to revisit these recommendations.

We will post this memorandum to our public website at www.epa.gov/oig.

cc: Dan Utech, Chief of Staff

Avi Garbow, Special Advisor to the Administrator

David Bloom, Acting Chief Financial Officer

Melissa Hoffer, Acting General Counsel

Marianne Engelman-Lado, Deputy General Counsel for Environmental Initiatives

Andrew LeBlanc, Agency Follow-Up Coordinator
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Edward S. Shields, Associate Deputy Inspector General
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Renee McGhee-Lenart, Acting Director, Air Directorate, Office of Inspector General