



U.S. ENVIRONMENTAL PROTECTION AGENCY

**OFFICE OF INSPECTOR GENERAL**

# **OIG Investigations of Employee Misconduct at the U.S. Environmental Protection Agency**

**Statement of Patrick Sullivan  
Assistant Inspector General for Investigations**

**Before the Committee on Oversight and Government Reform  
U.S. House of Representatives**

**May 18, 2016**

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Good morning, Chairman Chaffetz, Ranking Member Cummings and members of the committee. I am Patrick Sullivan, Assistant Inspector General for Investigations for both the U.S. Environmental Protection Agency (EPA) and the U.S. Chemical Safety and Hazard Investigation Board (CSB). I am pleased to appear before you today to discuss specific Office of Inspector General (OIG) investigations of employee misconduct issues at the EPA.

**Employee Misconduct at the EPA**

The EPA OIG is charged with conducting investigations and audits related to programs and operations at the EPA and CSB. The OIG remains committed to its statutory role of detecting waste, fraud and abuse, as well as promoting the effectiveness and efficiency of government operations. We operate with a separate budget and decision-making authority, and neither EPA nor CSB senior leaders may prohibit, prevent or obstruct us from conducting our work. Our independence from the agencies over which we have oversight ensures enhanced transparency and accountability in the OIG's investigations of alleged employee misconduct.

This committee specifically has asked about a number of OIG investigative cases that we previously reported on in summary fashion, and has sent the OIG a formal written request to obtain the Reports of Investigation regarding many of those, which we have provided to the committee. My testimony will provide an overview of several cases of EPA employees who viewed and downloaded pornography on government-issued computers, as well as other types of misconduct, some of which resulted in criminal prosecution. It is important to note that most of the alleged misconduct occurred at least 2 years ago.

I am happy to report that since I last testified before this committee to discuss misconduct by EPA employees, in April 2015, the agency's internal adjudication process has dramatically improved. At the suggestion of both Chairman Chaffetz and Ranking Member Cummings, the OIG, the EPA's Office of General Counsel, and the EPA's Office of Administration and Resources Management (which includes a Labor and Employee Relations section) now meet biweekly about pending misconduct cases and their adjudication by the agency. Misconduct cases are now being addressed faster and more consistently by EPA management. This increased efficiency is a result of the coordination and communication between the OIG and the agency to create a streamlined process to address employee misconduct issues. I believe that this process can serve as a "best practices" model for the federal government.

In addition, I note that while many allegations lodged against EPA employees are investigated by the OIG, some are ultimately determined to be unfounded or unsupported. In other words, OIG investigations often clear an individual. Our job is to collect and present the facts in a fair and unbiased manner. We are just as proud of our work in the cases that clear an employee as we are when our work leads to a criminal conviction or the removal of an employee who engaged in serious misconduct.

Now, I would like to summarize two of our more significant misconduct investigations that will be cited in our next Employee Integrity Cases report that will be posted to our website over the next weeks. Then I will highlight seven significant cases from our last three Employee Integrity Cases reports.

### **OIG Investigation of a Contractor in the EPA’s Western Ecology Division**

In May 2014, the OIG Seattle Field Office received a complaint from the EPA’s Office of Environmental Information that a government computer assigned to an EPA contractor—who was working in the EPA Western Ecology Division, Office of Research and Development, in Corvallis, Oregon—had logged over 700 denials to blocked pornography, gaming and gambling sites on two occasions.

OIG special agents interviewed the EPA contractor, who stated that he was an information technology specialist who had provided support for the past 20 years. Stating he was “addicted” to pornography, he admitted to viewing pornography on his government-issued computer for the last 18 years. In the past year, he had watched pornography at least one to two hours per day. According to the contractor, he avoided detection for many years because he used commercial software to scrub/wipe his government computer. The contractor accessed pornographic sites using search engines hosted in foreign nations, including one located in Russia. He said that traditional search engines, such as Google and Yahoo, lead to pornographic sites blocked by the EPA.

Shortly after the OIG’s interview, the EPA contractor was fired by his company. In addition, the OIG was successful in recovering \$22,088 in repayments to the EPA by the company for the amount of time the contractor had viewed pornography during the prior year. Furthermore, the OIG made the EPA’s Office of Environmental Information aware of EPA network vulnerabilities that had enabled the contractor to avoid detection for 18 years.

### **OIG Investigation of a GS-13 Special Agent in the EPA’s Criminal Investigations Division**

In February 2013, the OIG Office of Professional Responsibility was notified by the U.S. Attorney’s Office (USAO)—District of Connecticut, that a GS-13 special agent—assigned to the EPA’s Criminal Investigations Division (CID) in New Haven, Connecticut—may have been engaged in criminal activity in connection with a Ponzi scheme. The special agent’s name had surfaced during the prosecution of the ringleaders of a four-level pyramid scheme involving “gifting tables.” New participants in this scheme would pay a \$5,000 “gift” to the person occupying the top level.

Shortly after the OIG opened its investigation, the USAO–District of Connecticut recused itself from the case because the EPA CID special agent was well known to the local Assistant U.S. Attorneys. The special agent had participated in numerous environmental crimes prosecutions by that office. The U.S. Department of Justice then assigned the case to the USAO–District of Massachusetts.

The OIG investigation determined that the EPA CID special agent had made a false statement on a required Office of Government Ethics financial disclosure form in January 2012, wherein she concealed the fact that she had received \$2,500 cash from her participation in the pyramid scheme.

In January 2015, the special agent retired from the EPA. In March 2015, she pleaded guilty to one felony count of 18 U.S.C. 1001, False Statements. In July 2015, she was sentenced to 1 year of probation and ordered to pay \$7,500 in restitution, as well as a fine of \$500.

### **OIG Investigation of a GS-14 Employee in Dallas (Case 5: April 1, 2015, to September 30, 2015)**

In January 2012, the OIG Dallas Field Office received information alleging that a GS-14 program manager in EPA Region 6, Dallas, Texas, who was responsible for managing grants for the Border Environment Cooperation Commission, was using grant money for purposes not related to the grant.

The OIG investigation determined that the EPA program manager misused her position to divert agency grant funds, resulting in several improper payments by Border Environment Cooperation Commission officials totaling \$5,195.

The USAO–Northern District of Texas declined to prosecute the EPA program manager for potential violation of various federal statutes, including 18 U.S.C. 641 (theft of government funds) and 18 U.S.C. 666 (theft or bribery concerning programs receiving federal funds). The USAO declined to prosecute primarily because the program manager did not personally benefit from the diversion of the grant funds.

In July 2014, although termination was proposed in lieu of this, the EPA Region 6 Director of Multimedia Planning and Permitting Division agreed to let the program manager enter into an Abeyance/Last Chance Agreement. The terms of the agreement included the following:

- The effective date of the program manager’s removal from employment would be held in abeyance in return for her compliance with the terms of this agreement.
- Within 2 years of signing this agreement, she would pay back \$5,195 to the federal government based on a process determined by the agency.
- She would be demoted to a position chosen by the agency at the pay rate of GS-12, Step 10.

## **OIG Investigation of a GS-13 Employee in EPA's Office of Pollution Prevention and Toxics (Case 17: April 1, 2015, to September 30, 2015)**

In March 2012, the OIG Washington Field Office received a complaint from the EPA's Office of Environmental Information alleging that a GS-13 biologist who worked in the EPA's Office of Pollution Prevention and Toxics downloaded pornographic images to an EPA shared file. During the course of the investigation, the employee admitted that he viewed and downloaded videos, movies and photographs, including those of pornographic nature, onto his EPA-issued computer.

The OIG reviewed the pornographic material on the employee's EPA-issued computer through a forensic examination, and found approximately 500 pornographic images. Additionally, the OIG determined that more than 2,560 videos and 435 music files were accessed and/or downloaded by the employee. The review also discovered sexually explicit videos on the employee's EPA-issued computer.

In 2014, the employee was barred from EPA facilities and placed on paid administrative leave pending a decision on the matter. In March 2015, a notice of proposal for removal for the misuse of government equipment for other than official purpose was provided to the employee. In May 2015, the employee's retirement—after receiving a written notice for the proposal of removal went into effect.

## **OIG Investigation of a GS-12 Employee in Atlanta (Case 8: October 1, 2014, to March 31, 2015)**

In October 2013, an OIG special agent in the Atlanta Field Office proactively checked a list of EPA property reportedly lost or stolen from EPA Region 4 in Atlanta through a law enforcement database. This search resulted in a "hit" on an EPA digital camera pawned at a store in Decatur, Georgia, in July 2012. The person who pawned the camera had the same name as an EPA Region 4 employee—a GS-12 public affairs specialist in the Office of External Affairs. The camera was assigned to the Office of External Affairs.

The subsequent OIG investigation revealed that, on seven occasions between July and September 2012, the EPA employee pawned EPA digital cameras and camcorders at the same pawn shop. She failed to reclaim EPA property on five occasions, and the property was then sold by the pawn shop, resulting in a loss to the government of \$3,117. The USAO—Northern District of Georgia declined prosecution for violation of 18 U.S.C. 641 (theft of government property). However, the District Attorney's Office in Fulton County, Georgia, accepted the case for local prosecution.

In January 2014, the EPA Region 4 Director of the Office of External Affairs issued a memorandum that proposed the suspension of the employee for 120 days. Following an appeal by the employee, the Deputy Regional Administrator issued, in May 2014, a memorandum detailing the final decision to suspend the employee for 30 days.

In October 2014, the EPA employee pleaded guilty to theft, in violation of Georgia Code, Title 16, Section 16-8-2, in Superior Court of Fulton County. She was sentenced to 3 years of probation, and ordered to pay restitution in the amount of \$3,117, as well as a fine of \$1,000.

The OIG investigation further revealed that the EPA Region 4 property custodian falsely certified her physical property inventories in fiscal years 2012 and 2013. The property custodian signed and certified that she conducted an inventory of all of the property items assigned to her inventory for that period. It was determined that two of the items allegedly inventoried by the property custodian were previously pawned by the GS-12 public affairs specialist and not returned. Therefore, these items were not physically present within Region 4, and could not have been inventoried. In June 2014, the Director of the Office of External Affairs issued the property custodian a letter of warning in reference to her false certifications of inventories.

### **OIG Investigation of a GS-12 Employee in the Office of Administration and Resources Management in Research Triangle Park (Case 9: October 1, 2014 to March 31, 2015)**

In August 2013, the OIG Research Triangle Park (RTP), North Carolina, Field Office was notified that a GS-12 employee, who was working as a Contracting Officer's Representative at the Facilities Support Branch, Office of Administration and Resources Management, in RTP, was suspected of having a financial interest in a company doing business with the EPA.

The OIG's investigation determined that the EPA employee did have a financial interest in a company doing business with the EPA, which is a potential violation of 18 U.S.C. 208 (acts effecting a personal financial interest). The USAO–Middle District of North Carolina declined prosecution and referred the matter back to the EPA for administrative action.

In July 2014, the OIG submitted a Report of Investigation to the Office of Administration and Resources Management senior management official at RTP, in which allegations of misconduct were supported. The OIG's investigation determined that the EPA employee had not reported that she had a financial interest in a company doing business with the EPA. Further, she used EPA computers for conducting personal business. She also provided false information when interviewed by OIG special agents.

In August 2014, EPA rescinded the EPA employee's authority to act as a Contracting Officer's Representative. In September 2014, the employee resigned. At the time of her resignation, the EPA was considering a proposal to remove her from federal service. However, she had not yet been served with termination papers.

### **OIG Investigation of a GS-13 Employee in Dallas (Case 17: October 1, 2014, to March 31, 2015)**

In March 2006, the OIG Dallas Field Office was informed that a GS-13 EPA Enforcement Officer was cited by the Dallas Police Department for the improper use of emergency lights on his personal vehicle while also being a registered sex offender. He previously had been convicted, in April 1997, on a deferred adjudication for indecent acts with a minor. (Note: An EPA Enforcement Officer is NOT a federal law enforcement officer (LEO), but rather an administrative enforcement officer. Unlike a federal LEO who carries a gun and badge and is authorized to execute arrest and search warrants, an EPA enforcement officer is not armed and cannot make arrests). The EPA employee also possessed a make-shift badge which accompanied his administrative EPA

Enforcement Officer credentials, which were displayed by the employee to the police officer. This led the police officer to believe that the employee was an EPA law enforcement officer. The EPA employee also used emergency lights affixed to his personal vehicle at an accident scene. The police officer checked the employee's vehicle license plate and determined that he was a registered sex offender.

The subsequent OIG investigation disclosed that the EPA employee had designed and purchased 20 similar badges. He also possessed a bullet-proof vest and installed emergency lights on his personal vehicle, which was a violation of his probation for a sex offender charge. (Note: In March 1999, the same employee had been counseled by EPA Region 6 officials for using emergency lights on his personal vehicle. He was then told to remove all law enforcement equipment from his personal vehicle.)

In April 2006, the USAO–Northern District of Texas declined to prosecute the EPA employee for violation of 18 U.S.C. 912 (false personation) and 18 U.S.C. 701 (counterfeit badges). EPA Region 6 then imposed discipline in the form of a 60-day suspension, and the EPA employee was removed from his position as an EPA Enforcement Officer. He was reassigned to an administrative position within the office.

In August 2013, the Dallas Police Department Sex Offender Unit requested assistance from the OIG in arresting the same EPA employee for violation of probation. He was arrested on the probation violation charge. As a result of this arrest, the OIG developed information that the employee may have viewed and possessed child pornography on his EPA-issued computer. A subsequent OIG forensic examination of his computer revealed no evidence of child pornography or any pornography on his EPA computer.

Following the employee's arrest for probation violation, EPA Region 6 indefinitely suspended him. In January 2014, the employee was terminated from his employment with the EPA.

Subsequently, the Merit Systems Protection Board overturned the employee's termination and ordered that he be re-hired by the EPA. In September 2014, the employee returned to work at the EPA. In January 2015, the employee entered into a Settlement Agreement, which was overseen by Merit Systems Protection Board, in which he agreed to resign from the EPA in exchange for certain considerations.

### **OIG Investigation of SES-Level Director in EPA's Office of Administration and Resources Management (Case 3: April 1, 2014 to September 30, 2014)**

In January 2014, while conducting an investigation into an unrelated misconduct case, an OIG special agent in the Washington Field Office discovered that an Senior Executive Service (SES)-level EPA employee, who was the Director of the Office of Administration and Resources Management's Facilities Management and Services Division, incurred \$22,315 in international roaming charges on her EPA-issued mobile device between December 2010 and October 2012. The EPA Director had no authorized international travel on behalf of EPA. The OIG investigation ultimately supported the following charges in which the EPA Director:

1. Improperly used her EPA issued mobile device while overseas on personal travel and incurred over \$22,000 in charges.
2. Made false statements on the SF-86, Questionnaire for National Security Positions when she failed to disclose five trips to Israel and one trip to Germany.
3. Made false statements on the same SF-86 when she failed to disclose that she wired \$90,000 to a foreign national in Jericho, Palestine.
4. Claimed approximately 24 hours of regular work time while on personal travel to Israel, when she should have claimed annual leave.

The USAO–District of Columbia declined to prosecute for violations of 18 U.S.C. 1001 (false statements) and 18 U.S.C. 641 (theft of government funds).

In May 2014, the OIG provided the EPA with a report of investigation; however, shortly thereafter, and prior to the agency taking administrative action, the EPA Director resigned her position. Subsequently, the agency conducted an initial review and was unable to determine what portion of the employee’s charges were due to personal activity versus work activity. In April 2016, the EPA informed the OIG that the matter was being reviewed. The agency is now considering issuing a debt notice to the EPA Director for the charges incurred.

#### **OIG Investigation of a GS-14 Employee in Kansas City (Case 10: April 1, 2014 to September 30, 2014)**

In August 2010, the EPA Regional Administrator, Region 7, Kansas City, Kansas, made a formal referral to the OIG based upon a complaint filed in the U.S. District Court, District of Nebraska by the Union Pacific Railroad Company. The referral alleged that the EPA violated the Freedom of Information Act and other statutes in connection with the Omaha Lead Superfund Site. It was alleged that the agency destroyed emails and other records.

In 2012, the OIG opened a criminal investigation, in concert with the FBI, after developing preliminary information indicating that a GS-14 EPA environmental engineer assigned to Region 7 destroyed emails concerning the Omaha Lead Superfund Site and encouraged other agency employees to do the same. Because of a potential conflict of interest, the USAO–District of Nebraska recused itself from the criminal investigation. The U.S. Department of Justice assigned the case to the USAO–District of Kansas. Ultimately, the USAO declined to prosecute the EPA employee for violation of 18 U.S.C. 1519 (destruction or alteration of records in federal investigations and bankruptcy) or other statutes due to a lack of provable criminal intent.

In November 2013, the OIG submitted to the Region 7 Regional Administrator a Report of Investigation in which administrative misconduct by the employee was supported. The OIG investigation revealed—through the use of computer forensics, and the results of interviews, affidavits and depositions—that the employee deleted emails and directed and/or instructed other EPA employees to delete emails pertaining to the Omaha Lead Superfund Site.

In May 2014, the OIG was informed that a notice of proposed removal was served on the employee, but the employee retired from federal service before the termination became effective.



## **Additional EPA Employee Integrity Cases**

The OIG posts to its publicly-accessible Investigations web page reports summarizing the closed EPA employee integrity cases. The following, available in those posted reports, describe a number of additional OIG investigations that were closed within the previous three reporting periods (April 1, 2014, to September 30, 2014; October 1, 2014, to March 31, 2015; and April 1, 2015, to September 30, 2015). The OIG intends to publish its next report on employee integrity cases (October 1, 2015, to March 31, 2016) in late May or early June 2016.

### **List of Selected Closed Employee Integrity Cases: April 1, 2015, to September 30, 2015**

**CASE 1:** An SES-level supervisor allegedly engaged in inappropriate behavior, hiring, promotions and management of programs. Also, the supervisor allegedly compromised his ability to be objective in his conduct at work and in his management of senior staff. The supervisor admitted involvement in an inappropriate romantic relationship with a subordinate, GS-15-level, employee. Additionally, evidence showed that the supervisor attempted to influence other EPA employees in an effort to promote the subordinate employee. The supervisor retired from the EPA before a report of investigation could be presented to the agency.

**CASE 6:** Potential conflicts of interest were alleged to have resulted from the appointment of an EPA attorney as Chairman of an environmental quality board. The allegation noted that the employee claimed to speak for or represent the EPA in meetings with the local regulated community, and may have misused the dual positions for private gain. In addition, according to the allegation, the EPA employee may have sponsored and organized a fundraising event, and required board employees to make donations and attend the event for the re-election campaign of a governor. The investigation was unable to substantiate that the employee had used the EPA position for private gain or that the employee had made board employees contribute to a fundraising event. The employee resigned from the EPA during the investigation. This case was presented to the U.S. Office of Special Counsel and the USAO; both declined advancing the matter.

**CASE 9:** An EPA employee allegedly was cited for attempting to bring approximately three grams of marijuana and two marijuana pipes through the security checkpoint at an Internal Revenue Service facility in Denver, Colorado, and arrested on an active warrant for failure to appear. The investigation confirmed that the employee had appeared in the U.S. District Court for the District of Colorado and was found guilty of one count of possession of marijuana on federal property. The employee was sentenced to a 3-day suspended sentence, 12 months' unsupervised probation and 20 hours of community service, and was ordered to pay a \$2,500 fine. The employee was suspended from the EPA for 21 days.

**CASE 10:** An EPA employee allegedly failed to disclose criminal and financial indebtedness when completing form OF-306, *Declaration for Federal Employment*, and form SF-85P, *Questionnaire for Public Trust Positions*. The investigation revealed that, during an employment suitability background investigation of the EPA employee conducted by the Office of Personnel

Management, criminal and financial indebtedness information surfaced that previously had not been divulged on forms OF-306 and SF-85P. The EPA's Personnel Security Branch requested from the employee documentation of the paying down of accumulated debts. The documentation tendered did not appear authentic and was determined to be fraudulent. The employee provided false information to the EPA concerning criminal history and failed to pay accrued personal debts, which included an EPA travel card balance of \$10,226. The EPA presented the employee with a letter of proposed removal; however, the employee retired from the EPA prior to removal.

**CASE 11:** An EPA employee allegedly misused an EPA-issued travel credit card for personal expenses. During an interview, the employee admitted using the EPA-issued travel credit card for personal charges totaling \$625. The employee stated a belief that there was no loss to the government as the expenses were subsequently paid for with cash. The employee had not been candid with supervisors and the OIG when initially questioned about the personal charges. The employee was issued a 14-day suspension.

**CASE 16:** An EPA employee may have violated conflict of interest laws by representing two nonprofit organizations back to the federal government. The investigation did not substantiate the allegation but uncovered evidence of other violations. The employee had misused EPA resources, such as EPA email and an EPA-issued computer, to conduct business on behalf of the two nonprofit organizations. The employee had neglected to disclose involvement with the nonprofit organizations on the *Confidential Financial Disclosure Report* (OGE Form 450). The employee also had allowed biographical information to be posted on one nonprofit organization's website, and the biography gave more prominence to the employee's EPA position than to other details. After this discovery, the biography was removed from the organization's website. Additionally, the employee was acting in a "leader" capacity at the same nonprofit and previously had been a board member there (while concurrently working for the EPA). A report of investigation was presented to the EPA, which later notified the OIG that the employee was suspended for two days.

#### **List of Selected Closed Employee Integrity Cases: October 1, 2014, to March 31, 2015**

**CASE 5:** An EPA employee was alleged to have potential conflicts of interest and ethical violations. The investigation found that the employee had violated the Code of Federal Regulations and the EPA ethics code by submitting a letter of support to the EPA on EPA letterhead, resulting in a potential unfair competitive advantage to a prospective grant recipient and disqualification of the grantee's proposal from further consideration. The employee was issued a warning letter for assisting the prospective grant recipient with a proposal.

**CASE 13:** An EPA employee allegedly misused the employee's position by allowing two nonprofit organizations to use an EPA-leased trailer and surrounding property to conduct non-EPA related activities without authorization. The investigation supported and the employee admitted to allowing two nonprofit organizations unauthorized use of the trailer, free of charge, for non-project related activities. The employee was suspended for five days.

**CASE 18:** An EPA employee was arrested on felony charges of marijuana possession after local police discovered a marijuana growing operation in her residence. The employee was placed on

paid administrative leave in March 2014, and the employee signed a separation agreement in May 2014. She remained on paid administrative leave until her retirement on October 30, 2014. In as much as there was no violation of federal law, this case was not presented to the USAO.

#### **List of Selected Closed Employee Integrity Cases: April 1, 2014, to September 30, 2014**

**CASE 8:** An EPA employee allegedly misused an EPA-issued mobile device by placing personal international calls. The investigation disclosed that the employee had incurred more than \$4,500 in international roaming charges when the mobile device was used in a foreign country while the employee was on leave. The employee and all division staff were counseled by management on the appropriate use of EPA-issued mobile devices. The USAO-District of Columbia declined prosecution for violation of 18 USC 641 (theft of government funds).

**CASE 11:** A GS-15-level employee viewed pornographic material on an EPA-issued computer while in duty status. The employee admitted to the allegation, and a forensic analysis of the hard drive substantiated that the employee had watched pornography regularly at work for the past several years. The employee was suspended for 5 working days, is no longer allowed to telework, and is not allowed to attach any unauthorized external drive devices to a government computer.

**CASE 13:** There was an alleged conflict of interest between an EPA employee and a contractor when the employee became involved with an initial contract task order. The investigation substantiated the allegation, but the case was declined for criminal prosecution by the U.S. Attorney's office. The EPA's administrative proposal recommended removal of the employee, but the employee retired before the proposal was finalized.

**CASE 15:** An EPA employee allegedly misused his EPA-issued travel card for services unrelated to government travel and attempted to mislead EPA officials regarding how the travel card had been used. Management initiated removal of the employee; however, the employee resigned prior to being formally served with a notice of proposed removal. The USAO-Northern District of California, declined prosecution for violation of 18 USC 1001 (false statements). There was no dollar loss to the government.

**CASE 16:** An EPA employee and a contractor allegedly exchanged emails containing procurement-sensitive information relative to the EPA's Central Data Exchange support contract valued at \$220 million. The emails allegedly constituted a violation of the Procurement Integrity Act, which prohibits the disclosure of contractor bid or proposal information and source selection information. The investigation confirmed that the employee had engaged in conversation, via email, with the contractor, revealing sensitive procurement information. The email exchange took place during the open procurement period for the contract. The allegation regarding violation of the act was proven. The EPA issued a warning to and counseled the employee concerning improper communications. The employee was relieved of the role of Contracting Officer's Technical Representative and instructed to take interpersonal skills training.

**CASE 17:** An EPA employee allegedly used an office purchase card to pay off a personal debt to a university in the amount of \$1,678. This case was prosecuted by the USAO-District of

Columbia. The employee pleaded guilty to one count of first degree fraud misdemeanor and entered into a deferred sentencing agreement. The conditions of the agreement were for the employee to perform 48 hours of community service and not be rearrested in the next 6 months with any incident where probable cause could be established. No restitution was ordered by the court. The employee resigned following her conviction.

**CASE 18:** An EPA employee allegedly incurred improper international roaming charges on an EPA-issued mobile device. The employee agreed to pay back \$1,725. The employee also was orally reprimanded and counseled on the appropriate use of government-issued equipment and the EPA's international travel policies. The employee's manager indicated that all staff would be made aware of the EPA's policy on government equipment and international travel.

### **Conclusion**

The OIG takes very seriously its overall responsibility for investigations into allegations of employee misconduct at the EPA. To that end, we will continue to work closely with the agency, U.S. Department of Justice, our law enforcement partners and Congress to ensure that allegations of employee misconduct are quickly and properly addressed. We appreciate your continued interest in the work of the OIG.

Mr. Chairman, this concludes my prepared statement. I will be happy to answer any questions that you, the Ranking Member and the committee members may have.



### **Biography of Assistant Inspector General for Investigations Patrick Sullivan**

Patrick Sullivan is the Assistant Inspector General for Investigations, Office of the Inspector General of the U.S. Environmental Protection Agency (EPA). He supervises the OIG's criminal investigative activities, including allegations of grant fraud, contract fraud, employee misconduct, threats directed against EPA officials and facilities, and other violations of federal law within the OIG's jurisdiction. He has more than 30 years of service in federal law enforcement with significant supervisory, administrative, intelligence, counter-terrorism and criminal investigative experience.

Prior to his appointment at the EPA-OIG, Mr. Sullivan served as a Deputy Assistant Director with the Transportation Security Administration's (TSA's) Federal Air Marshal Service. He supervised TSA's participation in the Joint Terrorism Task Force program, the Federal Air Marshals' intelligence program and the imbedding of Federal Air Marshals with the Federal Bureau of Investigation, the Central Intelligence Agency, Immigration and Customs Enforcement, and Customs and Border Protection. He also was responsible for supervising TSA's domestic and foreign law enforcement liaison activity.

Previously, Mr. Sullivan was an Assistant Director with the Government Accountability Office, Office of Special Investigations, where he worked on cases involving allegations of misconduct by high-level government officials as well as special investigations requested by congressional committees.

He spent more than 20 years in the U.S. Secret Service, where his last assignment was the worldwide supervision of counterfeiting investigations. He also was assigned to the U.S. Department of Justice, Organized Crime Strike Force, in Brooklyn, NY, where he worked cases targeting the traditional mafia crime families in New York City. Furthermore, he spent four years assigned to the Presidential Protection Division under Presidents Ronald Reagan and George H.W. Bush.

Early in his career, Mr. Sullivan worked for the FBI as an Investigative Assistant assigned to the surveillance of foreign intelligence officers engaged in suspected espionage and other intelligence activities directed against the United States.

He is a graduate of the John Jay College of Criminal Justice with a B.S. degree in Police Science and Criminal Justice. He is also a graduate of the Naval Postgraduate School, Center for Homeland Defense and Security, Executive Leadership Program and a member of the federal Senior Executive Service.