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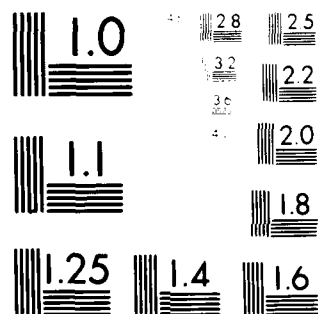
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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

ACCOUNTING AND FINANCIAL
MANAGEMENT DIVISION

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The Honorable L. H. Fountain
Chairman, Subcommittee on
Intergovernmental Relations
and Human Resources
House Committee on Government
Operations

Dear Mr. Chairman:

Subject: Allegations that a Political Appointee at the
Environmental Protection Agency was Exercising
Control over the Office of the Inspector General.
(AFMD-81-77).

This letter is in response to your February 5, 1981 request regarding a political appointee allegedly exercising control over the Environmental Protection Agency's (EPA's) Inspector General's Office. In this regard, your staff supplied us with a copy of an article from the February 6, 1981, Chicago Tribune indicating that a Mr. James F. Browne was the political appointee in question, and that he had ordered briefings on some of the most sensitive cases in the Inspector General's files.

In subsequent discussions with your office, we were advised that the Subcommittee wanted information on:

- the background and qualifications of Mr. Browne, including verification of statements in the Chicago Tribune that Mr. Browne's political background involved working as an advance man for the Reagan/Bush campaign;
- the background of Mr. Ernst Minor, who as Special Assistant to the Acting Administrator hired Mr. Browne;
- the impressions left with Office of Inspector General personnel as to Mr. Browne's role in their office;
- the type of documents Mr. Browne had access to and whether these documents are commonly disclosed during the Inspector General's work; and
- the date after which Mr. Browne was no longer working with personnel in the Inspector General's Office.

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ENCLOSURE

During our inquiry we interviewed officials in the Offices of the Administrator and the Inspector General to determine the extent of Mr. Browne's authority in the Inspector General's Office. We also examined relevant documents, including many of those supplied to Mr. Browne in the course of his work.

Our inquiry disclosed that Mr. Browne was hired on January 27, 1981, by Mr. Ernst Minor, Special Assistant to the then Acting Administrator, as a 120-day temporary Schedule C appointee. ^{1/} Mr. Browne's duties and responsibilities as stated in the Request for Personnel Action, Form 52, were:

"Provides personal and confidential assistance to the Administrator. Prepares or participates with policy level officials in preparing confidential proposals for the Administrator's attention. Represents the Administrator in meetings with officials of government, industry, public and private organizations, groups and individuals. Advises and assists superior in making recommendations concerning agency policy."

Mr. Browne's background includes copyright and patent law experience with several firms. He also served as an FBI agent from September 17, 1967, to October 31, 1970, where he attained the position of GS-11. His resume shows he participated in several political campaigns, most recently as an advance man for the Reagan/Bush campaign. He also worked on the inaugural committee.

According to Mr. Minor, the appointment of Mr. Browne was made to have him become familiar with the agency and to determine if his abilities would be appropriate for a position within the agency. Mr. Minor told us his own background includes about 8 years experience with EPA, primarily in the public information area. He resigned from EPA in August 1980 to participate in the Reagan campaign where he was Director for Scheduling Families. His duties in that job were to manage logistics, press arrangements, and public appearances for Reagan/Bush family members. He met Mr. Browne in October 1980 and Mr. Browne worked for him as an advance man until election day. Mr. Minor was a member of the transition team in EPA prior to being named Special Assistant to the Acting Administrator.

One of the first duties Mr. Minor assigned to Mr. Browne was to interview officials of the Office of the Inspector General to decide who should assume the role of Acting Inspector General. At

^{1/}The Federal Personnel Manual defines Schedule C positions as those of a confidential or policy determining character. These positions are noncareer and are commonly referred to as political appointments.

that time there was neither an Inspector General nor a Deputy Inspector General. 1/ EPA counsel had advised Mr. Minor that under the Inspector General Act of 1978 only the Deputy could automatically succeed to the position of Inspector General. Mr. Minor told us that both he and the Acting Administrator, Mr. Walter Barber, felt that to ensure continuity and accountability, someone from the Inspector General's Office should be informally designated to assume the duties.

Mr. Browne told us he devoted a total of 5 working days to matters pertaining to the Inspector General's Office. During this time he interviewed several of the staff in that Office and was briefed by them on ongoing audits and investigations. He then recommended that Mr. Ernest Bradley III, Assistant Inspector General for Audit, assume the duties of Inspector General until an Inspector General was appointed. Mr. Bradley was assigned those duties, effective February 2, by the Acting Administrator on January 30, 1981.

Mr. Browne also informed us that he met with members of the Inspector General staff to discuss travel fund shortages, since the staff would be unable to complete certain projects scheduled for the year due to lack of travel funds. Mr. Browne told us he believed he was performing duties as assigned and doing nothing more than helping the Inspector General's Office from day to day until the appointment of a new Inspector General.

Mr. Bradley and several other officials of the Office of the Inspector General told us that during Mr. Browne's interviews they were left with the impression that Mr. Browne would be the next Inspector General. Accordingly, Mr. Browne was given access to draft audit reports, travel budget information, investigative cases, and other pertinent data, some of which are not commonly provided to individuals outside the Inspector General's Office.

Mr. Browne told us he never said he would be the next Inspector General to officials in that Office, but he may have said that he would take the job if it were offered to him.

1/Effective January 20, 1981, President Reagan fired all 15 inspectors general. The EPA Inspector General had not appointed a Deputy Inspector General while in office.

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Prior to the beginning of our inquiry on February 10, 1981, Mr. Browne was reassigned to the Office of Enforcement and has not been involved in Inspector General matters since on or about that day. At your request we have not asked for written comments from EPA officials on this letter.

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We hope this gives you the information you need.

Sincerely yours,


W. D. Campbell
Deputy Director