

US EPA ARCHIVE DOCUMENT

**STATEMENT OF ARTHUR A. ELKINS, JR.
NOMINEE FOR INSPECTOR GENERAL
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE
FEBRUARY 9, 2010**

Madam Chairman and members of the Committee, thank you for this opportunity to appear before you today as the President's nominee for Inspector General (IG) of the Environmental Protection Agency (EPA). I am deeply honored and grateful for the President's nomination. I am also mindful of the important role that the Environment and Public Works Committee plays in matters related to the EPA, including its Office of Inspector General (OIG).

The mission of the EPA OIG, as defined by the Inspector General Act of 1978, as amended (IG Act), stated briefly, is to (1) conduct and supervise audits and investigations relating to EPA programs and operations; (2) provide leadership, coordination and recommend policies for activities designed to promote economy, efficiency and effectiveness in the administration of EPA programs; (3) prevent and detect fraud and abuse in EPA programs and operations; and (4) provide a means for keeping the head of the EPA and the Congress fully and currently informed about problems and deficiencies relating to the administration of EPA programs and operations and the necessity for and progress of corrective action.

The OIG is tasked with protecting the integrity of EPA programs, as well as human health and the environment. As with other federal agencies, the IG serves as the agency's chief

audit and law enforcement executive, with dual reporting responsibilities to the EPA Administrator and to the Congress. More specifically, the IG is tasked with providing the Administrator and EPA program managers with objective and independent findings and recommendations that are designed and intended to improve EPA program efficiency and effectiveness, and to initiate investigations to identify and hold accountable those who defraud EPA's programs. Moreover, the OIG, through its Hotline and other integrity awareness efforts, also supports other important public policy initiatives such as those articulated in the Ethics in Government Act, the Whistleblower Protection Act and other similar laws, rules, and policies.

I am familiar with these tasks, having served as the Counsel to the Inspector General for the National Science Foundation (NSF) for approximately five years. In that role, I worked closely with the NSF Inspector General, OIG senior managers, attorneys, auditors, investigators, and support staff in audit and investigations planning, general management, and OIG policy development. Moreover, over the past sixteen years, I have also served the public in the roles of Public Defender, Prosecutor, Department Counsel, Chief Legal Officer and General Counsel, and Associate General Counsel for federal and local agencies. In the General Counsel roles, I managed a staff of professional and support personnel in providing Agency management with legal counsel and guidance on numerous federal, state and administrative law legal issues. As a criminal prosecutor, public defender, and Department Counsel, my experience includes prosecuting, defending, and investigating criminal, civil, and administrative misconduct cases.

My vision and expectations, if confirmed as the EPA IG, can be summarized under the following four management principles:

(1) Exceed OIG customer expectations - I view the term “customer” in a broad sense. That is, OIG customers include Congress, EPA agency management and staff, other federal agencies and state employees, the court, the general public and OIG staffers. In my view, integrity, accountability, credibility, reputation, and effectiveness are all by-products of the delivery of consistent excellent customer service. If confirmed, I intend to establish, as an office-wide policy, that exceeding customer expectations will be an OIG priority. This means that customer inquiries will be responded to in an expeditious and meaningful way. It also means that OIG work products will be consistently delivered in a timely manner, be relevant, accurate, objective, understandable, focused on the most significant issues facing the EPA, be of the highest quality, and where applicable, include customer input;

(2) Maintain and expand OIG subject matter expertise - The most important OIG asset is its employees. In short, the OIG is only as good as the expertise and commitment to excellence of its staff. If confirmed, I will support staff development efforts and encourage staff to explore opportunities to grow personally and professionally;

(3) Ensure OIG organizational and information integrity and safeguard OIG independence - Beyond the human resource, organizational and information integrity are key factors in the success of any organization. Having an organizational structure that is flexible and responsive to the needs of its customers, without sacrifice to timeliness quality, and with

predictable and secure data access, is crucial to the success and health of any organization. In short, having a flexible but predictable organization allows the organization to react more quickly to non-standard events, be more creative problem solvers, proactive and manage scarce resources more efficiently and effectively. If confirmed, I will encourage the adoption or continuance of these management principles within the EPA OIG. Further, IG independence and nonpartisanship are critical to the OIG's success. In my view, a condition precedent to the acceptance of OIG's work products as credible and reliable is the extent to which its reputation for independence and nonpartisanship are unchallenged. As such, if confirmed, I will be vigilant in safeguarding the most important asset in the OIG's tool box, its independence; and,

(4) Operate the OIG in an ethical, professional and civil manner - The inclusion of this management principle affirms that should I be confirmed as the next EPA IG, I will continue the EPA OIG tradition of ensuring that the office operates to the highest standards of ethics, professionalism, and civility.

The role of the Inspector General in any federal agency is important and challenging. With the challenge comes the opportunity to make a positive difference in the lives of many. If confirmed, I will make a positive difference through my efforts to protect the taxpayers' investment from fraud, waste, and abuse, while assisting the Agency to exceed its goals. I will be personally committed to make the EPA OIG as successful in its mission as possible.

Thank you again for this opportunity to appear before you today. I look forward to answering your questions.