Note 37. Potential Anti-Deficiency Act Violations

In FY 2016, EPA determined that the Agency had violated the Anti-Deficiency Act's voluntary services prohibition on two separate occasions. 31 U.S.C. § 1342 prohibits agencies from accepting voluntary services except where otherwise authorized by law. In FY 2017, EPA began taking corrective actions, including issuing budgetary and supervisory guidance reminding agency employees of legal and policy requirements when accepting voluntary services on behalf of the agency. EPA is also updating its policies regarding volunteers, as well as designing an agency-wide training on appropriations law issues with emphasis on the Anti-Deficiency Act. As of the date of the audit report, as required by OMB circular A-11, Section 145, EPA is preparing the required written notifications for these violations.

In FY 2018, the Government Accountability Office (GAO) opined that EPA failed to notify congressional committees prior to obligating more than $5,000 to furnish, redecorate, purchase furniture for, or make improvements for the office of a presidential appointee as required by section 710 of the Financial Services and General Government Appropriations Act, 2017. See B-329603, Apr. 16, 2018 ([HYPERLINK "https://www.gao.gov/products/B-329603"]). As of the date of the audit report, EPA is investigating the issues raised by GAO's opinion and establishing guidance and procedures for expenses subject to section 710.