Message

From: O'Connor, John [OConnor.John@epa.gov]
Sent: 8/28/2018 9:08:56 PM
To: Terris, Carol [Terris.Carol@epa.gov]
CC: Conklin, Jeanne [Conklin.Jeanne@epa.gov]; Williams, Maria [Williams.Maria@epa.gov]
Subject: RE: Holly Request: draft ADAs for FY 18 Fin Statements - Draft to Holly by Sept 11

Thank you.

From: Terris, Carol
Sent: Tuesday, August 28, 2018 4:12 PM
To: O'Connor, John <OConnor.John@epa.gov>
Cc: Conklin, Jeanne <Conklin.Jeanne@epa.gov>; Williams, Maria <Williams.Maria@epa.gov>
Subject: RE: Holly Request: draft ADAs for FY 18 Fin Statements - Draft to Holly by Sept 11

Hi John,

Yes that should be fine.

From: O'Connor, John
Sent: Tuesday, August 28, 2018 1:51 PM
To: Terris, Carol <Terris.Carol@epa.gov>; Williams, Maria <Williams.Maria@epa.gov>
Cc: Conklin, Jeanne <Conklin.Jeanne@epa.gov>
Subject: Holly Request: draft ADAs for FY 18 Fin Statements - Draft to Holly by Sept 11
Importance: High

Carol and Maria:
Below is a request from Holly as to when we can get the draft FY 18 Anti deficiency Act footnote to her for review.

I plan to give Holly a date of NLT Tuesday, Sept 11th. Please let me know if you are OK with this date. I would like to get back to Holly today with this NLT Sep 11th date.

Hamilton provides the input for this footnote to OC and OC drafts the footnote. Then, it typically goes back to you for review/ concurrence.

I just spoke with Hamilton and he is fine with NLT Sept 11th.

Below and attached is additional info related to Holly's current request.
Regards,
John

John T. O'Connor
Director, Accounting and Cost Analysis Division
Room 81219 RRB Mail Code 2733R
OCFO/Office of the Controller
U.S. Environmental Protection Agency
1200 Pennsylvania Ave
Washington, DC 20460

(202) 564-0989 (O)
(202) 870-0655 (M)

From: Greaves, Holly
Sent: Monday, August 27, 2018 10:16 PM
To: O'Connor, John <OConnor.John@epa.gov>
Cc: Conklin, Jeanne <Conklin.Jeanne@epa.gov>
Subject: Re: ADA in AFR

Thanks so much John. When might you have the pro forma note disclosure for 2018 for review?

Best,
Holly
Sent from my iPhone

On Aug 27, 2018, at 5:18 PM, O'Connor, John <OConnor.John@epa.gov> wrote:

> Holly:
> Jeanne asked me to respond to you on your questions regarding Anti-Deficiency Act violations in the Annual Financial Report.
> Please see below and attached.
>
> Please let me know if you have questions or would like additional information.
> Regards,
> John

Ex. 5 AC/AWP/DP

Potential Anti-Deficiency Act Violations

In FY 2016 the EPA determined that the Agency had experienced two separate Anti-Deficiency Act Voluntary Services Prohibition violations. 31 U.S.C. § 1342 prohibits the EPA from accepting voluntary services for the United States, or employing personal services not authorized by law, except in the cases of emergency involving the safety of human life or the protection of property.

The first violation occurred from January through April 2014 when the EPA accepted unpaid peer reviews for environmental education grants. At least one of the peer reviewers did not sign a written agreement in advance that states that the services are offered without the expectation of payment, and expressly waives any future pay claims against the government which constitutes a violation of the Voluntary Services Prohibition. The Agency was also unable to determine if there were any more peer reviewers who only had oral agreements.

The second violations occurred in the Honors Law Clerk Program where at least seven post-graduates provided services to the Agency at varying points between 2011 and 2015. Written and signed waivers were unable to be located but are ineffective under 5 U.S.C. §§ 5331-5338 which the principle of equal pay for substantially equal work applies.

In FY 2017, the Agency reviewed whether other voluntary and intern programs might also have had similar issues and included language in its budgetary and supervisory guidance reminding Agency managers to pay close attention to all Federal requirements when accepting voluntary services on behalf of the Agency.

As of the date of the audit report, the EPA is reviewing the proposed transmission of, as required by OMB circular A-11, Section 145, written notifications to the (1) President, (2) President of the Senate, (3) Speaker of the House of Representatives, (4) Comptroller General, and (5) the Director of OMB for Anti-Deficiency Act violation related to the Voluntary Services Provision.

John T. O'Connor, CPA, CGFM, PMP
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Accounting and Cost Analysis Division Sharepoint Site

From: Conklin, Jeanne
Sent: Monday, August 27, 2018 1:11 PM
To: O'Connor, John <OConnor.John@epa.gov>
Subject: ADA in AFR

John can you answer the below for Holly please. Cc me on the response.

Jeanne Conklin
Controller, Office of the Controller
OCFO
202-564-5342

Begin forwarded message:

> **From:** "Conklin, Jeanne" <Conklin.Jeanne@epa.gov>
> **Date:** August 24, 2018 at 11:03:33 AM EDT
> **To:** "Greaves, Holly" <greaves.holly@epa.gov>
> **Cc:** "Jones-Peeler, Meshell" <Jones-Peeler.Meshell@epa.gov>, "Bloom, David" <Bloom.David@epa.gov>, "Osborne, Howard" <Osborne.Howard@epa.gov>
> **Subject: Re: ADA in AFR**
>
> We will check.
>
> Jeanne Conklin
> Controller, Office of the Controller
> OCFO
> 202-564-5342
>
> On Aug 24, 2018, at 11:02 AM, Greaves, Holly <greaves.holly@epa.gov> wrote:
>
>> Hi Jeanne/Meshell,
>>
>> How and which potential ADAs does the OIG plan to include in its audit report? Will there be any separate reporting other than in their report?
>>
>> Thanks,
>>
>> Holly W. Greaves
>> Chief Financial Officer
>> Office of the Chief Financial Officer
>> Environmental Protection Agency
>> (202) 564-1151

<excerpt Note 37 - EPA FY2017 AFR.PDF>