



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

**OFFICE OF
INSPECTOR GENERAL**

March 1, 2012

MEMORANDUM

SUBJECT: Follow-up on a Framework for Developing Tribal Capacity
Assignment No. OA-FY12-0333

FROM: Patrick Gilbride /s/
Director, Risk Assessment and Program Performance Audits
Office of Audit

TO: Michelle J. DePass
Assistant Administrator
Office of International and Tribal Affairs

On February 19, 2008, the Office of Inspector General (OIG) issued the report, "*Framework for Developing Tribal Capacity Needed in the Indian General Assistance Program.*" The report contained three recommendations related to the Indian General Assistance Program (GAP). The Agency agreed to take corrective actions to address all three recommendations.

We plan to follow-up on the 2008 report and the Agency's corrective actions. We plan to focus our review on EPA Regions 5, 6, 9, and 10 because they were part of the 2008 audit and are also the four regions with the largest number of tribes. The objectives of our follow-up audit are to:

1. Determine what corrective actions the Agency has implemented to address the findings from the prior audit report.
2. Determine if the corrective actions have been effective in addressing the findings from the previous report.

We will arrange a mutually agreeable time to discuss our objectives and planned work, ideally within the next 14 days. We will answer any questions you have about the review process, reporting procedures, methods used to gather and analyze data, and products you should expect. To expedite our review, we request that you provide us the information contained in the attachment to this memorandum by March 15, 2012.

Erin Barnes-Weaver is the Project Manager for this assignment and can be reached at (303) 312-6871 or Barnes-Weaver.Erin@epa.gov. Please do not hesitate to contact me at (303) 312-6969 (or via email to Gilbride.Patrick@epa.gov) if you or your staff has any questions.

cc: Michael Stahl, Deputy Assistant Administrator, Office of International and Tribal Affairs
JoAnn K. Chase, Director, American Indian Environmental Office
Susan Hedman, Regional Administrator, Region 5
Al Armendariz, Regional Administrator, Region 6
Jared Blumenfeld, Regional Administrator, Region 9
Dennis McLerran, Regional Administrator, Region 10
Willie H. Harris, Acting Director, Indian Environmental Office, Region 5
Jeannine Hale, Director, Office of Environmental Justice and Tribal Affairs, Region 6
Randy Gee, Tribal Affairs Team Leader and Regional Indian Coordinator, Region 6
Nathan W. Lau, Associate Director, Communities & Ecosystems Division, Region 9
Sally Thomas, Manager, Tribal Trust and Assistance Unit, Region 10
Eric Levy, Audit Liaison, Region 5
Susan Jenkins, Audit Liaison, Region 6
Magdalen Mak, Audit Liaison, Region 9
Bob Phillips, Audit Liaison, Region 10
Arthur A. Elkins, Jr. Inspector General, Office of Inspector General
Melissa Heist, Assistant Inspector General, Office of Inspector General
Richard Eyermann, Deputy Assistant Inspector General, Office of Inspector General
Aracely Nunez-Mattocks, Chief of Staff, Office of Inspector General
Eric Hanger, Counsel, Office of Inspector General
Elizabeth Grossman, Acting Assistant Inspector General, Office of Inspector General
Eileen McMahon, Assistant Inspector General, Office of Inspector General

OIG Document Request

We located many documents online and excluded those from our request. If there is a version of any document, including drafts, that is more current than the document posted online please provide it.

1. EPA's definition of "Tribal Capacity."
2. Final version of the *Guidebook for Building Tribal Environmental Capacity (GAP Guidebook)*.
3. The updated GAP funding allocation methodology.
4. A list of EPA's GAP performance goals and performance metrics.
5. The names of the data system(s) EPA uses to capture and measure GAP program performance.
6. The amount of GAP funding provided to all Tribes during Fiscal Years 2009-2011.
7. The most recent annual report from the Administrator to Congress describing which Indian tribes or intertribal consortia have been granted approval by the Administrator pursuant to law to enforce certain environmental laws and the effectiveness of any such enforcement [*note: this wording is from the Indian Environmental General Assistance Program Act of 1992*].
8. We request the following from each Region (5, 6, 9 and 10):
 - Funding Opportunity Notices for Fiscal Years 2009-2011.
 - Description of regional actions taken to address recommendations in OIG's 2008 audit report.
 - Any region-specific tribal policies/procedures related to GAP and/or tribal capacity.