



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

SEP 20 2022

The Honorable Katie Porter, Chair
Subcommittee on Oversight and Investigations
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chair Porter,

Thank you again for the opportunity to testify at the Subcommittee's hearing on July 28, 2022, "Preventing Polluters from Getting Government Contracts: Bureau of Land Management's Corporate Exclusions Lists." Today, I am enclosing a response to the Question for the Record directed to me after the hearing.

I look forward to a continued dialogue with you about our office's oversight of the Department of the Interior's bureaus and programs. If you have questions, please feel free to contact me at 202-208-5745, or your staff may contact Erica Paulson at 202-208-4357.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Lee Greenblatt".

Mark Lee Greenblatt
Inspector General

Enclosure

Question for the Record by Democratic Member

Question from Representative Porter

1. Given BLM's new policies instructing leasing agents to refer corporate malfeasance to the OIG for potential suspension or debarment, does the OIG have the resources needed to assess all cases in a timely manner if the rate of referrals increases?

The Bureau of Land Management (BLM)'s July 2022 instruction memorandum, *Guidance on Reviewing the Federal Exclusion List and Verifying Eligibility*, IM2022-042, provides “[i]n situations where the BLM identifies bad actors, the BLM should make a referral to the Office of Inspector General (OIG) Administrative Remedies Division (ARD) . . . and provide evidence of the entity’s offense or serious poor performance. Even in the absence of an indictment or conviction, ARD may consider and refer cases to the Suspending and Debarring Official for a suspension, when immediate action is necessary to protect the Government’s interest, or a debarment, with a preponderance of evidence.”

If the BLM's new instruction memorandum does in fact result in increased referrals to the OIG's ARD, our office anticipates the need for additional resources. Currently, ARD is staffed by three attorneys and an analyst who already carry a robust caseload; therefore, if the caseload were to increase substantially, we would likely need to retain additional personnel to handle such an increase and meet those new demands in a timely manner.

As I stated during the hearing, the Department of the Interior (DOI) should also consider increasing resources for its own Suspension and Debarment Program. We acknowledge that the OIG is authorized under the relevant regulations and the DOI's newly enacted policy to receive these referrals. That being said, we also believe that issues associated with the Suspension and Debarment Program have a programmatic execution component. We are accordingly carefully considering the appropriate balance of our involvement in this work compared to the DOI's own role. We stand ready to work with this Committee, as well as our other stakeholders in Congress and the DOI, to move forward on this important topic.