



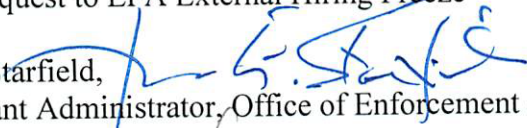
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460


JUN 19 2017

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Exemption Request to EPA External Hiring Freeze

FROM: Lawrence E. Starfield, 
Acting Assistant Administrator, Office of Enforcement and Compliance Assurance

THRU: Donna J. Vizian, 
Acting Assistant Administrator, Office of Administration and Resource Management

TO: Michael P. Flynn,
Acting Deputy Administrator, Office of the Administrator

The purpose of this memorandum is to request an exception to the external hiring freeze and permission to allow the Office of Criminal Enforcement, Forensics and Training (OCEFT) to externally hire up to **(b) (7)(E), (b) (7)(F)** to provide protection services for the EPA Administrator.

BACKGROUND

On January 23, 2017, the President issued a Presidential Memorandum to all executive departments and agencies entitled "Hiring Freeze." While this memorandum directed that the heads of executive departments and agencies freeze hiring within their organizations, the memorandum did allow exceptions in certain limited circumstances. The memorandum specifically stated that "... (t)he head of any executive department or agency may exempt from the hiring freeze any positions that it deems necessary to meet national security or public safety responsibilities."

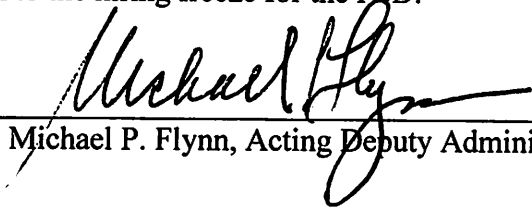
Traditionally the EPA has listed criminal investigators under the category of public safety responsibilities referenced in that guidance. Protection Services Detail (PSD) agents, like all other federal agents, are law enforcement officers charged with protecting public safety. More specifically though, the cornerstone of PSD work is focused on the safety and security of the EPA Administrator as he/she goes about their mission. This puts PSD agents in direct contact with other government employees and the general public on a daily basis. In this environment, the potential exists for incidents to arise that place the Administrator in harm's way. This can be caused by threats directed towards the Administrator or by issues that occur in locations in which the Administrator would be attending. Such incidents might involve fire, natural disasters, active shooters, medical emergencies, and disorders caused by civil disobedience. In any of these cases, the potential exists for the Administrator and those in his proximity to be affected by whatever issues are at play. A critical element of PSD work is to plan in advance for each of these scenarios in order to be able to react in such a way that ensures the safety of the Administrator and those around him in the event that any of these incidents arise.

ACTION REQUESTED

On April 12, 2017, OMB issued a follow up memorandum that lifted the federal-wide freeze and provided guidance to departments and agencies for reforming the federal government and reducing the size of the federal workforce. On April 17, 2017, you issued a memorandum clarifying the April 12, 2017 OMB memorandum and stated that “given our resource situation EPA will continue a freeze on external hiring.”

Because of the critical needs to fill positions on the PSD, we are asking for an exception to the external hiring freeze and permission to allow exemption to hire up (b) (7)(E), (b) (7)(F) to staff this protection detail because we are unable to provide the level of support described above with the current PSD staff. Hiring additional agents will bring PSD staffing to the level required to provide necessary protection services. Continuing to utilize other OCEFT criminal investigators to help manage this work load is pulling them away from their core mission of investigating environmental crimes in furtherance of the Agency’s mission to protect public health and the environment.

If you determine that this request meets the required criteria, please exercise your authority to approve this exemption to the hiring freeze for the PSD.

Approved: 
Michael P. Flynn, Acting Deputy Administrator

Disapproved: _____
Michael P. Flynn, Acting Deputy Administrator

cc: Mark Badalamente, Director, Office of Administration and Policy
Henry Barnet, Director, Office of Criminal Enforcement, Forensics and Training