



Highlights of GAO-03-92, a report to the Honorable Diana DeGette, House of Representatives

### Why GAO Did This Study

Federal ombudsmen help their agencies be more responsive to the public through impartial investigation of citizens' complaints. Professional standards for ombudsmen incorporate certain core principles, such as independence. In July 2001, GAO reported that aspects of EPA's national ombudsman were not consistent with professional standards, particularly for independence. (See GAO-01-813.) Partly in response to GAO's report, EPA reorganized its ombudsman function. GAO made preliminary observations on these changes in testimony in June and July 2002. (See GAO-02-859T and GAO-02-947T). This report provides information on (1) the status of the reorganization and (2) issues identified in our report or testimonies that have not yet been addressed.

### What GAO Recommends

GAO recommends that EPA reconsider placement of the national ombudsman in the OIG. EPA and the OIG disagreed with GAO's conclusion that the ombudsman function still is not consistent with the position's typical definition, which includes informally resolving disagreements. GAO continues to believe that the ombudsman and OIG functions are fundamentally different and should not be housed together.

[www.gao.gov/cgi-bin/getrpt?GAO-03-92](http://www.gao.gov/cgi-bin/getrpt?GAO-03-92).

To view the full report, including the scope and methodology, click on the link above. For more information, contact John Stephenson (202) 512-3841.

## ENVIRONMENTAL PROTECTION

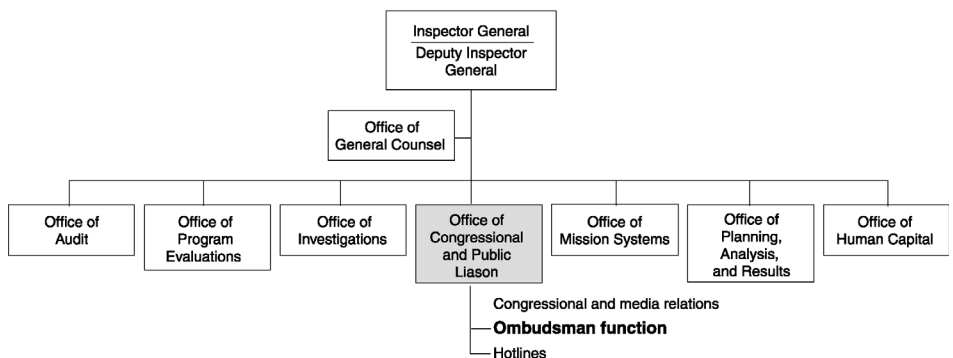
### Issues Raised by the Reorganization of EPA's Ombudsman Function

#### What GAO Found

EPA moved the national ombudsman from the Office of Solid Waste and Emergency Response, whose decisions the ombudsman was responsible for investigating, to the Office of Inspector General (OIG). In the OIG, the ombudsman reports to a newly created Assistant Inspector General for Congressional and Public Liaison, unlike in other federal agencies where the ombudsmen report to the highest levels of the agency. Moreover, the Assistant Inspector General and not the ombudsman controls the ombudsman's budget and staff. In addition, the ombudsman no longer has authority to decide which complaints warrant further review, as was the case prior to the reorganization. The OIG's draft operating procedures indicate that many of the office's existing procedures for tracking, documenting, and reporting the results of investigations will apply to the ombudsman.

While EPA's reorganization addresses some of the concerns raised in GAO's July 2001 report and subsequent testimonies, other issues remain. For example, the ombudsman's independence is constrained because he does not control his own budget, staff, or workload. Relocating the ombudsman to the OIG also raises some issues regarding (1) the extent to which the function will serve as a "true" ombudsman in interactions with the public and (2) the potential impact of the reorganization on the OIG's role. Although the role of an ombudsman typically includes program operating responsibilities, such as helping to informally resolve disagreements between the agency and the public, such responsibilities have been omitted from the ombudsman's role within the OIG for legal reasons. In addition, with the ombudsman function a part of the OIG, the Inspector General can no longer independently audit and investigate that function, as the OIG can at other federal agencies where the ombudsman and the OIG are separate.

EPA OIG Organizational Chart



Source: GAO presentation of information provided by EPA's Office of Inspector General.