



June 17, 2022

The President
The White House
Washington, DC 20500

Dear Mr. President:

On behalf of Public Employees for Environmental Responsibility (PEER), I am writing to request that you immediately remove Ms. Katherine Lemos as Chairperson and/or as a Member of the U.S. Chemical Safety and Hazard Investigation Board (CSB) altogether. Last week, Ms. Lemos submitted a letter of resignation to you effective July 22nd. As explained below, her continued tenure in a leadership position extends a pattern of misconduct that would be ruinous to CSB operations.

Recently, Ms. Lemos surreptitiously changed her official duty station from the CSB's Washington, DC headquarters to her residence in San Diego, CA. She did this despite being informed by the U.S. Office of Personnel Management (OPM) that Presidential appointees may not change their duty station without the approval of the White House Office of Presidential Personnel.

Besides ignoring explicit instructions from OPM that duty station changes for Presidential appointees require White House approval, Ms. Lemos then directed CSB staff to change her official duty station, and not inform the Office of Presidential Personnel.

Ms. Lemos a Trump Administration appointee, is openly defying Administration direction. She should be immediately removed from her position per the CSB statute for either neglect of duty or malfeasance in office.

Since assuming her position at the CSB in April 2020, Ms. Lemos has charged the agency tens of thousands of dollars for trips she has made to the agency's headquarters office in Washington, DC. This includes airfare from San Diego, luxury hotel accommodations, per diem and local transportation costs. Ms. Lemos obviously prefers to live in San Diego where her home is, and regards that as her duty station rather than the agency's lawful headquarters in Washington, DC.

Since the start of the pandemic, Lemos has reportedly used various waiver authorities to continue charging taxpayers for her cross-country commuting costs, but these waivers are ending now that you have asked agency heads and other political appointees to return to their permanent offices.

Rather than comply with the President's direction, Lemos took the unprecedented step of simply changing her official duty station from the agency's headquarters in Washington, DC to her residence in San Diego. That a Washington, DC-based federal agency head



would do this without consulting with or seeking approval from the White House is outrageous and clearly indicates that Ms. Lemos should be removed from office. To that end, she budgeted \$50,000 for travel between her home and the agency's headquarters, charging her travel costs (airfare, hotels, meals and other expenses) to taxpayers

It appears that Ms. Lemos was desperate to find a way to continue to be paid for her commutes from San Diego. She also appears to be determined to avoid White House scrutiny. This level of duplicity should be firmly addressed.

In addition to her own duty station practices, she has also changed the duty station of her Senior Advisor, a former Trump political appointee, David LaCerte, to allow him to live in Louisiana and commute to the CSB's Washington, DC headquarters at taxpayer expense. Mr. LaCerte is also serving in a political appointment at the CSB, and his duty station change was subject to the same White House approval requirements as Ms. Lemos.

Since the confirmation of your two appointees to the CSB, Ms. Lemos has taken actions to marginalize and intimidate them. In refusing to work with the your new appointees, Ms. Lemos has asserted unique "authorities" flowing from her position as Board Chair in an attempt to manage the agency as a "quorum of one." This May, she refused to recognize a majority vote of the Board on governance that, among other things stripped, Ms. Lemos of her claimed authority to impose "disciplinary measures" on other Board Members.

In short, allowing Ms. Lemos to remain as CSB chair for another six weeks will only prolong this utterly unproductive state of affairs and prevent the CSB from moving forward under new leadership.

Thank you for your firm leadership in this matter.

Sincerely,

Tim Whitehouse
Executive Director