



Statement of the Honorable Carol Fortine Ochoa
Inspector General, General Services Administration

Firearms Lost: GSA's Administration of the Surplus
Firearm Donation Program

Hearing before the
Subcommittee on Government Operations
Committee on Oversight and Government Reform
United States House of Representatives

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Chairman Meadows, Ranking Member Connolly, and Members of the Subcommittee: Thank you for inviting me here today. I appreciate the opportunity to testify about the Office of Inspector General's (OIG) evaluation of the General Services Administration's (GSA) Surplus Firearm Donation Program. The OIG found that GSA's database records of firearm donations were incomplete and inaccurate, and that inventory controls were not sufficient to monitor firearms donated to state and local law enforcement agencies.

Background

Federal agencies are required to report to GSA when they have excess property, including firearms, available for transfer to other federal agencies. Excess property that is not needed by other federal agencies then becomes available for use by state and local agencies. Donations of federal firearms to eligible state and local law enforcement agencies are for exclusive use by that agency and only for law enforcement purposes.

Since 1999, GSA's surplus firearms donation program has coordinated the donation of surplus firearms from federal agencies to state and local law enforcement agencies, working with State Agency for Surplus Property (SASP) representatives. To request surplus firearms, a state and local law enforcement agency must first submit a donation request to SASP officials. SASP officials then initiate the donation transfer process using GSA's web-based property transfer system (GSAXcess), and submit the donation requests to GSA for approval. Once GSA approves the request, the donating federal agency transfers the firearms directly to the state or local law enforcement agency.

Certain terms and conditions apply to firearms which are donated to state and local law enforcement agencies, because the title to the firearms remains with the federal government: law enforcement agencies must use the firearms solely for authorized law enforcement purposes; may not sell or trade the firearms; must report annual inventory to the SASP; and must immediately report lost or stolen weapons. Once law enforcement agencies no longer have

use for their donated firearms, they must notify GSA through their SASP. GSA can then give permission for the destruction or transfer of the firearms.

The OIG Evaluation

The OIG started an evaluation of GSA's surplus firearm donation program in October 2014. This evaluation sought to determine whether firearm donations were made in compliance with federal regulations and GSA guidance, whether they were adequately monitored and reported, and to what extent donated firearms were missing or stolen.

OIG Findings

The OIG found that GSA's database records of firearms donations were incomplete and inaccurate, and that inventory controls were not sufficient to monitor firearms donated to state and local law enforcement agencies.

- Information in GSAXcess used to record the initial transfer was incomplete, often missing critical data such as the names and addresses of the state/local law enforcement agencies receiving the donated firearms.
- Other GSAXcess information was entered incompletely or placed in the wrong data fields, including the serial number, make, and model of the donated firearms.
- GSAXcess was not designed to record activity after the initial donation of the firearms, such as information about reports of missing or stolen weapons. The program officer for GSA kept paper records of the initial donations, and used spreadsheets to manually track subsequent activity. These records, however, could not be sorted or searched electronically, contained inaccuracies, and were disorganized.
- GSA has not provided states with uniform guidance for annual inventories procedures. Inventory controls were weak with quality varying from state to state.

- There has been a general lack of oversight from GSA. Issues of data reliability have affected inventory results and caused donated firearms to be overlooked in the inventory process, increasing risk of theft or unauthorized use.

OIG Recommendations

The OIG's recommendations focused on improving data management and inventory controls. We recommended that GSA:

- implement a data management system to facilitate program reporting and oversight;
- implement a program-wide inventory review process;
- periodically provide SASPs with complete and accurate inventories of donated firearms for their reconciliation with law enforcement-reported inventories; and
- implement standardized procedures for conducting and reporting inventories of donated firearms.

Thank you for the opportunity to testify and for the Subcommittee's support of Inspectors General. I ask that my testimony and the OIG's report be made part of the record.

Carol Fortine Ochoa, GSA Inspector General - Biography

The U.S. Senate confirmed Carol Fortine Ochoa as the Inspector General of the U.S. General Services Administration on July 29, 2015. As Inspector General, Ms. Ochoa leads a nationwide workforce of more than 300 auditors, special agents, inspectors, attorneys, and other staff whose mission is to detect and deter waste, fraud, abuse, and misconduct and to promote economy and efficiency in GSA operations.

Ms. Ochoa's prior career experience includes over 25 years' service as a federal prosecutor and manager in the U.S. Department of Justice (DOJ). Most recently, she served as the Assistant Inspector General of the Oversight and Review Division in DOJ's Office of the Inspector General, where she oversaw complex, sensitive, and broad-ranging investigations of Department of Justice operations and personnel.

From 1989 to 2002, she served as an Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia. During her tenure in that office, she prosecuted more than 40 cases before federal and local juries and specialized in federal public corruption and fraud matters.

Ms. Ochoa received numerous awards during her career with DOJ, including the Attorney General's Award for Distinguished Service in 2007 and 2009.

Before joining the DOJ, Ms. Ochoa was an associate at Covington & Burling. She also served as an associate counsel for Independent Counsel James C. McKay and clerked for Chief Judge Charles Clark of the United States Court of Appeals for the Fifth Circuit.

Ms. Ochoa received her Juris Doctor, summa cum laude, from the George Washington University Law Center in Washington, D.C., and her Bachelor of Arts, magna cum laude, from Miami University in Oxford, Ohio.