



Office of Audits  
Office of Inspector General  
U.S. General Services Administration

# PBS Is Not Assessing High-Risk Uses of Space by Federal Law Enforcement Agencies, Raising Safety and Security Issues

Report Number A220077/P/6/R24002  
February 14, 2024

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## ***Executive Summary***

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### **PBS Is Not Assessing High-Risk Uses of Space by Federal Law Enforcement Agencies, Raising Safety and Security Issues**

Report Number A220077/P/6/R24002

February 14, 2024

#### **Why We Performed This Audit**

In March 2022, we issued an audit report on the GSA Public Buildings Service's (PBS's) fire, safety, and health space evaluation policy.<sup>1</sup> During that audit, we found that PBS had not set consistent expectations for federal law enforcement agencies regarding the transportation of detainees through GSA-controlled (both owned and leased) space, the possession and storage of seized drugs, and the storage of small arms and ammunition. As a result, we included this audit in our *Fiscal Year 2022 Audit Plan*.

We performed this audit to determine if PBS's safety assessments of GSA-controlled space for federal law enforcement agencies provide safe and secure environments in accordance with applicable laws, regulations, policies, and guidance. Specifically, we focused on federal law enforcement agencies' high-risk uses of space and how PBS addresses procedures for the transportation of detainees through GSA-controlled areas, the storage of seized drugs, and the storage of ammunition.

#### **What We Found**

PBS is not effectively managing high-risk uses of GSA-controlled space occupied by federal law enforcement agencies. We found that PBS does not define some federal law enforcement activities as high-risk activities. As a result, PBS is not always aware of the safety and security risks these activities pose to building tenants, visitors, and first responders and does not consistently take steps to mitigate these risks. During our inspections of 25 sampled buildings, we identified the following safety and security risks:

- Detainees were transported through unsecure public pathways;
- Seized drugs were stored in evidence vaults that lacked proper ventilation; and
- Fire and safety risks from the storage of ammunition in law enforcement armories were not mitigated.

We also found that PBS has not established clear lines of responsibility for notifying first responders of the location of armories during fire emergencies.

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<sup>1</sup> *PBS Has Not Identified All High-Risk Uses of Space, Resulting in Potential Safety Risks* (Report Number A210020/P/6/R22003, March 24, 2022).

## What We Recommend

We recommend that the PBS Commissioner:

1. Address the specific safety and security risks we identified by ensuring, in coordination with the federal law enforcement agencies, that:
  - a. Detainees are transported through secure pathways to minimize safety and security threats to building tenants and visitors;
  - b. Seized drugs are stored in an area that prevents the drug particles from becoming airborne; and
  - c. Roles and responsibilities are established for notifying emergency responders of the location of armories during fire emergencies.
2. Conduct a comprehensive assessment to identify and expedite actions to mitigate safety and security risks at each GSA-controlled space that federal law enforcement agencies occupy.
3. Expand GSA Order PBS 1000.4B, *High Risk Operations*, to identify, assess, and mitigate risks associated with transporting detainees, storing seized drugs, and storing ammunition in GSA-controlled space.

In his response to our report, the PBS Commissioner agreed with Recommendations 1 and 2, but partially agreed with Recommendation 3. PBS's response can be found in its entirety in **Appendix C**.

The PBS Commissioner acknowledges that transporting detainees, storing seized drugs, and storing ammunition in GSA-controlled space represent security or safety risks. However, he implies that these are not high-risk activities and concludes that PBS's *High Risk Operations* policy "is not the appropriate place to address these issues."

We disagree. For the reasons described in the report, the transportation of detainees, storage of seized drugs, and storage of ammunition are each inherently high-risk activities. Because these activities are not identified under PBS's *High Risk Operations* policy, PBS is not evaluating, assessing, and mitigating the associated safety and security risks. Accordingly, we reaffirm our recommendation.

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## ***Introduction***

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We performed an audit of the GSA Public Buildings Service's (PBS's) safety assessments of GSA-controlled (both owned and leased) space that federal law enforcement agencies occupy.

### **Purpose**

In March 2022, we issued an audit report on PBS's fire, safety, and health space evaluation policy.<sup>2</sup> During that audit, we found that PBS had not set consistent expectations for federal law enforcement agencies regarding the transportation of detainees through GSA-controlled space, the possession and storage of seized drugs, and the storage of small arms and ammunition. As a result, we included this audit in our *Fiscal Year 2022 Audit Plan*.

### **Objective**

Our objective was to determine if PBS's safety assessments of GSA-controlled space for federal law enforcement agencies provide safe and secure environments in accordance with applicable laws, regulations, policies, and guidance.

See **Appendix A** – Objective, Scope, and Methodology for additional details.

### **Background**

PBS provides space for federal agencies in over 8,000 buildings, including space for federal law enforcement agencies. Federal law enforcement agencies protect the American people by combatting violent crime, protecting U.S. borders, apprehending federal fugitives, and seizing assets acquired by illegal actions. As a result, a federal law enforcement agency housed in GSA-controlled space could present numerous high-risk uses of the space it occupies, including transportation of detainees, storage of seized drugs, and storage of ammunition. These activities pose safety and security risks to building tenants and visitors.

### **GSA's Responsibility to Provide Safe and Secure Work Environments**

Federal agencies are required to provide safe and healthful work environments for federal employees and the visiting public.<sup>3</sup> As landlord for the federal government, GSA has an added responsibility to ensure that GSA-controlled space is constructed, operated, and maintained in

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<sup>2</sup> *PBS Has Not Identified All High-Risk Uses of Space, Resulting in Potential Safety Risks* (Report Number A210020/P/6/R22003, March 24, 2022).

<sup>3</sup> 41 CFR 102, *Federal Management Regulation*.

a safe, secure, and healthful manner.<sup>4</sup> This responsibility applies to both owned and leased space.

**PBS Policy to Identify High-Risk Operations.** GSA Order PBS 1000.4A, *High Risk Operations*, establishes an evaluation and authorization process designed to identify, assess, and mitigate potentially high-risk uses of GSA-controlled space.<sup>5</sup> This PBS policy requires tenants to fill out a high-risk operation form to ensure their operations do not pose a fire or safety risk within GSA-controlled space. PBS uses these forms to identify any high-risk operations, such as laboratories, firing ranges, and explosive material storage, and to evaluate any potential incompatible tenant groupings within GSA-controlled space.<sup>6</sup> PBS updated this policy to GSA Order PBS 1000.4B, which it issued on January 19, 2023.<sup>7</sup> Under GSA Order PBS 1000.4B, the transportation of detainees, storage of seized drugs, and use of armories are not identified as high-risk activities. Federal law enforcement tenants may elect to add more information about high-risk activities, including location, to the high-risk use form.

**Security Improvements to Federal Courthouses.** As part of the Judiciary Capital Security Program (JCSP), GSA initiated projects to improve security at federal courthouse locations nationwide. The JCSP, which is funded by GSA's Federal Buildings Fund, was endorsed by the Judicial Conference of the United States in September 2010.<sup>8</sup> The JCSP is dedicated to improving physical security in federal courthouses in accordance with the Judicial Conference of the United States' 2021 *U.S. Courts Design Guide*, which establishes the federal judiciary's requirements for court facilities. Since the JCSP was funded in 2012, Congress has approved \$165.2 million in Federal Buildings Fund spending for improvements to 13 federal courthouses nationwide. For Fiscal Year 2024, an additional \$29.3 million has been requested to improve security at two additional federal courthouses.

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<sup>4</sup> 40 USC 582, *Management of buildings by Administrator of General Services*; and 41 CFR 102.

<sup>5</sup> GSA Order PBS 1000.4A, *High Risk Operations* (October 6, 2021).

<sup>6</sup> Incompatible tenant groupings are those that potentially place building tenants at risk for harm, such as chemical or biological laboratories in office space or explosive material storage or laboratory space in the same building as child care centers.

<sup>7</sup> GSA Order PBS 1000.4B, *High Risk Operations* (January 19, 2023).

<sup>8</sup> The Federal Buildings Fund is a revolving fund used to finance GSA's property management. According to GSA's Fiscal Year 2022 *Agency Financial Report*, the Federal Buildings Fund had a balance of \$21.2 billion, of which \$8.3 billion was unobligated and available.

## Prior Office of Inspector General Audit Products Related to High-Risk Operations in GSA-Controlled Space

We issued the following audit products to alert PBS of issues we identified related to high-risk operations in GSA-controlled space:

- On June 26, 2015, in response to a hotline complaint, we issued an audit memorandum that reported incompatible tenant groupings, improper explosives storage, and unresolved safety issues in several federal buildings throughout GSA's Heartland Region.<sup>9</sup> As a result of this audit memorandum, on October 9, 2015, PBS issued its fire, safety, and health space evaluation policy.<sup>10</sup>

The fire, safety, and health space evaluation policy established a process within PBS designed to identify, assess, and mitigate potentially high-risk uses of GSA-controlled space. The primary goal of the policy was to ensure that any high-risk uses of space did not pose an unacceptable risk to human health and safety. The space evaluation policy required PBS to conduct fire protection reviews in GSA-controlled space.

- On March 24, 2022, we issued an audit report on PBS's fire, safety, and health space evaluation policy.<sup>11</sup> We found that PBS did not consistently obtain high-risk use permits from tenant agencies or maintain complete and accurate information about the uses of its space. As a result, PBS had not: (1) taken measures to eliminate or mitigate potential fire, safety, and health hazards arising from high-risk uses of space; or (2) identified and addressed all incompatible occupant activities. Before we issued the audit report, PBS replaced the February 2, 2016, space evaluation policy with GSA Order PBS 1000.4A, which it issued on October 6, 2021.

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<sup>9</sup> *Review of Safety Issues in Lincoln, Nebraska, and St. Louis and Kansas City, Missouri* (Audit Memorandum Number A140134).

<sup>10</sup> PBS 1000.4, *Fire, Safety and Health (FSH) Space Evaluation Policy* (October 9, 2015). PBS later updated this space evaluation policy, PBS 1000.4 CHGE 1, *Fire, Safety and Health (FSH) Space Evaluation Policy* (February 2, 2016).

<sup>11</sup> *PBS Has Not Identified All High-Risk Uses of Space, Resulting in Potential Safety Risks* (Report Number A210020/P/6/R22003).

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## Results

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PBS is not effectively managing high-risk uses of GSA-controlled space occupied by federal law enforcement agencies. We found that PBS does not define some federal law enforcement activities as high-risk activities. As a result, PBS is not always aware of the safety and security risks these activities pose to building tenants, visitors, and first responders and does not consistently take steps to mitigate these risks. During our inspections of 25 sampled buildings, we identified the following safety and security risks:

- Detainees were transported through unsecure public pathways;
- Seized drugs were stored in evidence vaults that lacked proper ventilation; and
- Fire and safety risks from the storage of ammunition in law enforcement armories were not mitigated.

We also found that PBS has not established clear lines of responsibility for notifying first responders of the location of armories during fire emergencies.

**Finding 1 – PBS does not assess all high-risk uses of GSA-controlled space. As a result, PBS is not taking steps to mitigate the safety and security risks arising from these activities.**

PBS's *High Risk Operations* policy does not define some common federal law enforcement activities as high-risk uses of GSA-controlled space. As a result, PBS does not use its building safety evaluations to identify, assess, and address significant risks caused by:

- Transportation of detainees through unsecure public pathways;
- Storage of seized drugs in evidence vaults; and
- Storage of ammunition in armories.

Because it lacks complete information about these risks, PBS cannot consistently take appropriate steps to mitigate these risks in coordination with its federal law enforcement tenants.

### Safety and Security Risk When Transporting Detainees

Federal law enforcement agencies regularly move detainees through GSA-controlled space for court proceedings and other activities. When doing so, it is critical to minimize the risk to building tenants and visitors. Notwithstanding these risks, PBS does not define transportation of detainees as a high-risk activity, and its building safety evaluations do not include an assessment of these risks. As a result, PBS is not always aware of these risks and has not mitigated them.

Of the 25 buildings in our audit sample, we found that detainees are not transported through secure pathways in 14 buildings (56 percent of our audit sample). As a result, building tenants and visitors are at risk as detainees are transported through public spaces at federal courthouses and other buildings. These issues are discussed below.

**Federal Courthouses.** The Judicial Conference of the United States' 2021 *U.S. Courts Design Guide* is incorporated by reference into PBS-P100, *Facilities Standards for the Public Buildings Service*. The *U.S. Courts Design Guide* sets forth the federal judiciary's requirements for the design, construction, and renovation of federal courthouses. It provides that an essential element of security design is the physical separation of the public, judges, and prisoners into three separate paths of circulation so trial participants do not meet until they are in the courtroom during formal court proceedings. Additionally, federal law enforcement agency officials told us that they faced tension and confrontation from detainees' family members when transferring detainees through public space. Therefore, separate pathways for the public, judges, and detainees are critical for maintaining effective security.

Of the 10 federal courthouses in our sample, 4 do not have secure pathways for transporting detainees, forcing federal law enforcement agencies to use public hallways, elevators, and stairways. In fact, during our 1-day site visit to one federal courthouse, we observed law enforcement agents transporting detainees through public hallways and elevators on four separate occasions.<sup>12</sup> This federal courthouse is undergoing improvements made available through the JCSP. However, a law enforcement official told us that unsecure pathways will still exist for some of the courtrooms in the building even after PBS completes the improvements. The other three federal courthouses are not undergoing improvements to add secure pathways.

In addition, detainees were not always transported through secure pathways in the three other federal courthouses. We found the following issues at two of the three federal courthouses:

- At one federal courthouse, non-tenant law enforcement agencies use unsecured public pathways to transport detainees because they do not have access to the building's secure pathways.
- At another federal courthouse, the secure elevators used to transport detainees have been inoperable for 5 years. PBS and the tenant agency have been unable to obtain the funding needed to repair the elevators even though the building is undergoing major capital improvements.

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<sup>12</sup> Our findings were consistent with a January 2022 report issued by the U.S. Government Accountability Office (GAO), *Federal Courthouse Construction: Judiciary Should Refine Its Methods for Determining Which Projects Are Most Urgent* (GAO-22-104034). This GAO report referenced the *U.S. Courts Design Guide* for its evaluations of federal courthouses and found that many federal courthouses lacked fully separate circulation paths for the public, judges, and prisoners in all hallways, elevators, and stairways. GAO further reported that this resulted in increased safety and security concerns, adding that judges and detainees entered the courthouse through the same door at the same time, and one judge faced confrontation from an unhappy litigant when walking through public space.

**Other Sampled Buildings.** Seven of the remaining buildings in our sample had similar deficiencies. Three of the seven buildings lacked secure pathways for physical separation of the public and detainees. At the other four buildings, law enforcement agencies do not always use the established secure pathways to transport detainees for temporary holding. For example, one building has a sally port (i.e., a secured entryway) and secure pathways to bring in detainees. However, one of the law enforcement agencies in the building uses public elevators and hallways to transport detainees to their detention area instead of the secure pathways. PBS officials in this building told us that they did not know the location of the law enforcement agency's detention area and were not aware that detainees were transported through public space.

### **Evidence Vaults Lack Proper Ventilation for Seized Drug Storage**

Many federal law enforcement agencies seize drugs during their day-to-day operations. These agencies then store the seized drugs in evidence vaults within the GSA-controlled space they occupy. Because exposure to even trace amounts of some of these drugs—particularly fentanyl—can cause significant health risks or death through inhalation of the airborne powder, it is imperative that the drugs are stored with proper ventilation. Doing so is consistent with guidance issued by the Occupational Safety and Health Administration, which provides that hazardous drugs should be stored in an area with sufficient general exhaust ventilation to dilute and remove any airborne contaminants.<sup>13</sup>

However, we found that 20 of the 23 evidence vaults we inspected (87 percent) do not have external exhaust ventilation. Because PBS's *High Risk Operations* policy does not consider the storage of seized drugs as a high-risk activity, PBS does not assess the risks arising from the storage of these drugs. In fact, PBS building managers we interviewed were generally unaware of the substances federal law enforcement agencies seize and store in evidence vaults in their respective buildings.

As a result, PBS cannot coordinate with its federal law enforcement tenants to address the risks arising from seized drug storage by ensuring that adequate ventilation is in place or taking other appropriate mitigating actions. Among other things, these mitigating actions could include measures taken by federal law enforcement tenants at some of the buildings we visited, including:

- Storage of seized drugs at local law enforcement facilities that are better equipped for drug storage;
- Installation of drug filter containment hoods in evidence vaults to pull harmful particulates away from the operator's breathing zone; and

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<sup>13</sup> Occupational Safety and Health Administration, *Controlling Occupational Exposure to Hazardous Drugs*, <https://www.osha.gov/hazardous-drugs/controlling-occex#intro>.

- Installation of narcotics cabinets in evidence vaults to keep seized drugs separate from other evidence in the vault.

### Fire and Safety Risks of Law Enforcement Armories

Armories may pose an inherently high risk due to the fire and safety hazards associated with the storage of ammunition. Accordingly, PBS safety guidance requires that ammunition storage rooms must be protected by fire sprinklers in accordance with the National Fire Protection Association Code.<sup>14</sup> However, PBS's *High Risk Operations* policy excludes the storage of ammunition from its high-risk activities. As a result, PBS does not use its building safety evaluations to identify, assess, and address these risks.

Although PBS's current *High Risk Operations* policy excludes ammunition storage as a high-risk activity, we found that PBS's past high-risk use permits often included information about federal law enforcement agencies' storage of ammunition. In some cases, the high-risk use permits even included the armory locations and quantity of ammunition.

However, this information is not always conveyed to the PBS building managers. The 25 buildings in our sample contained 32 armories. PBS building managers did not know the location of 18 of the 32 armories (56 percent) in the space federal law enforcement agencies occupy.

This is problematic because, without this knowledge, PBS cannot mitigate the fire and safety risks related to the armories. For example, PBS should ensure that all armories meet basic requirements for fire and life safety. However, during our fieldwork, we identified three armories without fire sprinklers. Further, it is critical that first responders know where all hazardous materials are stored so they can take proper safety precautions in the event of a fire emergency. However, because PBS building managers do not always know where the ammunition is stored, they cannot provide this information to first responders in emergency situations.<sup>15</sup>

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<sup>14</sup> National Fire Protection Association Code 13, *Standard for the Installation of Sprinkler Systems*; and PBS Safety Guidance Bulletin, *Storage Requirements for Small Arms Ammunition & Small Arms Ammunition Components*.

<sup>15</sup> National Fire Protection Association Code 4.1.2, *Fire Department Notification*, states that emergency responders should be notified of the location of ammunition and explosives storage.

## Summary

PBS does not have a complete understanding of significant safety and security risks arising from federal law enforcement agencies' high-risk operations in GSA-controlled space. PBS officials told us throughout the audit that GSA is not responsible for federal law enforcement operations in its buildings. For example, the then-PBS Assistant Commissioner for the Office of Facilities Management told us that tenant health and safety issues are not GSA's responsibility. Similarly, multiple PBS building managers stated that they do not assess safety in space occupied by federal law enforcement agencies because PBS is not responsible for these agencies' operations.

Subsequent to the completion of our audit work, PBS officials acknowledged the risks arising from law enforcement operations in GSA-controlled space. They added that safety and security requirements have evolved since many GSA buildings were constructed, which has contributed to the increased safety and security risks at some of these buildings. PBS officials also asserted that they face challenges with making the improvements needed to address the safety and security risks in these buildings because of competing funding priorities.<sup>16</sup>

However, as described in the finding above, federal law enforcement agencies' high-risk operations expose tenants of, and visitors to, GSA-controlled space to numerous risks. Accordingly, GSA has a responsibility to recognize and assess these risks and take appropriate measures to mitigate them.

### **Finding 2 – PBS has not established clear lines of responsibility for notifying first responders of the location of armories in GSA-controlled space during fire emergencies.**

As noted in *Finding 1*, in the event of a fire emergency, it is critical that first responders know where ammunition is stored so they can take appropriate safety precautions. However, for 23 of the 32 armories in the buildings we inspected (72 percent), neither PBS building managers nor the respective federal law enforcement agency tenants know who is responsible for notifying first responders of the location of the armories in the event of an emergency. This situation has occurred because PBS has not established clear lines of responsibility for notifying first responders of the location of armories in GSA-controlled space during emergency situations.

Of the five PBS regions we visited, only two had notification procedures for first responders in place. Some Pacific Rim Region building managers maintain an inventory of high-risk-use space in their respective buildings. For one building, the information is stored in a security office for first responders. Additionally, some Heartland Region building managers told us that they hold

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<sup>16</sup> GSA may request appropriations from Congress through the Federal Buildings Fund for maintenance and repairs. The funds in the Federal Buildings Fund are only available in the amounts specified by Congress in its annual appropriations laws.

annual walk-throughs with the local fire department to point out hazardous areas in their buildings. However, these procedures were neither formal, nor consistent, for both regions.

PBS should develop consistent procedures to notify first responders of the location of armories in GSA-controlled space occupied by federal law enforcement agencies during emergencies and ensure that the procedures are implemented consistently across all PBS regions.

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## Conclusion

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PBS is not effectively managing high-risk uses of GSA-controlled space occupied by federal law enforcement agencies. We found that PBS does not define some federal law enforcement activities as high-risk activities. As a result, PBS is not always aware of the safety and security risks these activities pose to building tenants, visitors, and first responders and does not consistently take steps to mitigate these risks. During our inspections of 25 sampled buildings, we identified the following safety and security risks:

- Detainees were transported through unsecure public pathways;
- Seized drugs were stored in evidence vaults that lacked proper ventilation; and
- Fire and safety risks from the storage of ammunition in law enforcement armories were not mitigated.

We also found that PBS has not established clear lines of responsibility for notifying first responders of the location of armories during fire emergencies.

PBS is responsible for ensuring that GSA-controlled space is operated and maintained in a safe and healthful manner. Accordingly, in coordination with its federal law enforcement tenant agencies, PBS should address the specific safety and security risks identified during our audit. PBS should also conduct comprehensive assessments to identify other safety and security risks in GSA-controlled space occupied by federal law enforcement agencies and take appropriate steps to mitigate any identified risks.

## Recommendations

We recommend that the PBS Commissioner:

1. Address the specific safety and security risks we identified by ensuring, in coordination with the federal law enforcement agencies, that:
  - a. Detainees are transported through secure pathways to minimize safety and security threats to building tenants and visitors;
  - b. Seized drugs are stored in an area that prevents the drug particles from becoming airborne; and
  - c. Roles and responsibilities are established for notifying emergency responders of the location of armories during emergencies.
2. Conduct a comprehensive assessment to identify and expedite actions to mitigate safety and security risks at each GSA-controlled space that federal law enforcement agencies occupy.
3. Expand GSA Order PBS 1000.4B, *High Risk Operations*, to identify, assess, and mitigate risks associated with transporting detainees, storing seized drugs, and storing ammunition in GSA-controlled space.

## GSA Comments

In his response to our report, the PBS Commissioner agreed with Recommendations 1 and 2, but partially agreed with Recommendation 3. PBS’s response can be found in its entirety in **Appendix C**.

The PBS Commissioner acknowledges that transporting detainees, storing seized drugs, and storing ammunition in GSA-controlled space represent security or safety risks. However, he implies that these are not high-risk activities and concludes that PBS’s *High Risk Operations* policy “is not the appropriate place to address these issues.”

We disagree. For the reasons described in the report, the transportation of detainees, storage of seized drugs, and storage of ammunition are each inherently high-risk activities. Because these activities are not identified under PBS’s *High Risk Operations* policy, PBS is not evaluating, assessing, and mitigating the associated safety and security risks, including the prevention of incompatible tenant groupings—the very thing the PBS Commissioner asserts PBS’s *High Risk Operations* policy is intended to prevent.

The PBS Commissioner writes that PBS will take several actions to address the risks identified in our report. While this is a positive step, updates to PBS’s *High Risk Operations* policy are necessary to ensure that GSA consistently identifies high-risk activities and takes corresponding measures to place law enforcement agency tenants in space that safely accommodates their operations. This in turn will reduce the potential harm to other building tenants, visitors, and first responders. Therefore, we reaffirm our recommendation.

## Audit Team

This audit was managed out of the Heartland Region Audit Office and conducted by the individuals listed below:

Michelle Westrup	Regional Inspector General for Auditing
David Garcia	Audit Manager
Melanie Tsai	Auditor-In-Charge
Kyle Clay	Auditor
Terrace Brown	Auditor

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## Appendix A – Objective, Scope, and Methodology

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### Objective

We performed an audit of PBS's safety assessments of GSA-controlled space that federal law enforcement agencies occupy. This audit was included in our *Fiscal Year 2022 Audit Plan*. The objective of the audit was to determine if PBS's safety assessments of GSA-controlled space for federal law enforcement agencies provide safe and secure environments in accordance with applicable laws, regulations, policies, and guidance.

### Scope and Methodology

We evaluated laws, regulations, policies, and guidance related to how PBS assesses safety in GSA-controlled space that federal law enforcement agencies occupy. We conducted site visits and physically inspected 25 buildings.

To accomplish our objective, we:

- Reviewed GSA policies, procedures, and guidance related to safety assessments in GSA-controlled space, including, but not limited to, GSA Order PBS 1000.4A, *High Risk Operations*, October 6, 2021; GSA Order PBS 1000.4B, *High Risk Operations*, January 19, 2023; *Standard Operating Procedure for Risk Management Surveys*; PBS Safety Guidance Bulletin, *Storage Requirements for Small Arms Ammunition & Small Arms Ammunition Components*; and PBS-P100, *Facilities Standards for the Public Buildings Service*;
- Analyzed prior GSA Office of Inspector General and GAO reports and corrective actions related to the audited areas;
- Reviewed PBS-provided data for GSA's inventory of 8,140 GSA-controlled buildings as of November 2022;
- Reviewed facility security assessments, occupancy emergency plans, high-risk use permits, and fire protection and safety health surveys for the 25 sampled buildings;
- Interviewed PBS personnel and law enforcement agency tenants;
- Inspected the detention centers, evidence vaults, and armories for 50 law enforcement agency tenants in the 25 sampled buildings; and
- Examined 40 USC 582; 41 CFR 102; Occupational Safety and Health Administration guidance; the Judicial Conference of the United States' 2021 *U.S. Courts Design Guide*; *National Fire Protection Association Codes and Standards*; and other guidance related to safety and security requirements in GSA-controlled space.

## Data Reliability

We assessed the reliability of data by reconciling the data in the Occupancy Agreement list, which PBS provided, to the Asset Business Plan on the PBS Portal; reviewing the PBS Occupancy Agreements; and comparing those assessments with our physical inspections of the sampled buildings. We determined that the data was sufficiently reliable for the purposes of this audit.

## Sampling

We examined a nonstatistical (judgmental) sample of buildings from a listing of 8,140 GSA-controlled buildings that PBS provided to us on November 17, 2022. Our nationwide sample included 25 buildings from five PBS regions, as outlined below.

PBS Region	Number of Sampled Buildings (per PBS Region)
2 – Northeast and Caribbean	4
4 – Southeast Sunbelt	4
5 – Great Lakes	4
6 – Heartland	7
9 – Pacific Rim	6
<b>Total</b>	<b>25</b>

To ensure adequate coverage and consideration of risk, while also limiting travel time and cost, we considered the following factors when selecting the sample:

- Building population;
- Mix of law enforcement tenant agencies and other tenant agencies in the building;
- Distribution between government-owned buildings and leased space within each metropolitan area; and
- Proximity to and between buildings.

While our judgmental sample does not allow for projection to the population, it did allow us to adequately address our audit objective.

## Internal Controls

We assessed internal controls significant within the context of our audit objective against GAO-14-704G, *Standards for Internal Control in the Federal Government*. The methodology above describes the scope of our assessment, and the report findings include any internal control deficiencies we identified. Our assessment is not intended to provide assurance on GSA's internal control structure as a whole. GSA management is responsible for establishing and maintaining internal controls.

## **Compliance Statement**

We conducted the audit between September 2022 and June 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

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## ***Appendix B – Building Inspection Details***

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We omitted this table because it contains sensitive information related to federal building security.

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## Appendix C – GSA Comments

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Public Buildings Service

December 27, 2023

MEMORANDUM FOR: MICHELLE L. WESTRUP  
REGIONAL INSPECTOR GENERAL FOR AUDITING  
HEARTLAND REGION AUDIT OFFICE (JA-6)

FROM: ELLIOT DOOMES *Elliot Doomes*  
COMMISSIONER  
PUBLIC BUILDINGS SERVICE (P)

SUBJECT: Response to the GSA Office of Inspector General's Draft  
Report, *PBS Is Not Assessing High-Risk Uses of Space by  
Federal Law Enforcement Agencies, Raising Safety and  
Security Issues (A220077)*

Thank you for the opportunity to comment on the Office of Inspector General (OIG) draft report, *PBS Is Not Assessing High-Risk Uses of Space by Federal Law Enforcement Agencies, Raising Safety and Security Issues*. The safety and security of our employees and tenants is of utmost importance to the Public Buildings Service (PBS).

The draft report mentioned the challenges PBS faces in making necessary improvements to address safety and security risks in PBS facilities because of competing funding priorities. PBS believes it is important to note the average age of the federally owned facilities under the U.S. General Services Administration's (GSA's) jurisdiction, custody and control is approximately 51 years. Under standard building code practices, facilities remain under the code they were originally designed and constructed for, unless there is a significant change in use or a major renovation. In fiscal year 2023, PBS requested funding for \$1.75 billion for reinvestment in facilities and only received Congressional approval for \$662 million in funding. In its fiscal year 2024 budget request, GSA proposed 17 Major Repair and Alteration (R&A) projects; 13 of these projects were requested in previous budgets, but left unfunded by Congress.

PBS maintains an inventory of outstanding upgrades to facilities. It is important to note this inventory does not include cost estimates for all renovations necessary to update facilities to current building codes. Our current estimated inventory of repairs is \$11.62 billion. Without full access to the Federal Buildings Fund, PBS is unable to make significant enhancements to update our buildings to align with current code and design requirements, such as those listed in the report.

Please find responses to the specific recommendations included in the draft report below.

U.S. General Services Administration  
1800 F Street NW  
Washington DC 20405-0002  
[www.gsa.gov](http://www.gsa.gov)

## OIG Recommendations

**1a. OIG recommends that the PBS Commissioner address the specific safety and security risks identified by ensuring, in coordination with the federal law enforcement agencies, that detainees are transported through secure pathways to minimize safety and security threats to building tenants and visitors.**

PBS agrees with the recommendation and will work with the appropriate law enforcement program that manages the safe transport of detainees.

**1b. OIG recommends that the PBS Commissioner address the specific safety and security risks identified by ensuring, in coordination with the federal law enforcement agencies, that seized drugs are stored in an area that prevents the drug particles from becoming airborne.**

PBS agrees with the recommendation and will work with the appropriate law enforcement program that manages the safety of seized drugs.

**1c. OIG recommends that the PBS Commissioner address the specific safety and security risks identified by ensuring, in coordination with the federal law enforcement agencies, that roles and responsibilities are established for notifying emergency responders of the location of armories during fire emergencies.**

PBS agrees with this recommendation and will provide additional training to facility managers in furtherance of the requirements found in GSA Order 5921.1 PBS, Public Buildings Service Fire Protection Program Policy (1/02/2020). In particular PBS will provide specific training on section 3.3.3.10, which directs the GSA Facility Manager to consult and coordinate with the Regional Fire Protection Program Office on the coordination of pre-fire planning activities with the local fire department. This includes informing the fire department of safety and security risks as described in this audit.

**2. OIG recommends that the PBS Commissioner conduct a comprehensive assessment to identify and expedite actions to mitigate safety and security risks at each GSA-controlled space that federal law enforcement agencies occupy.**

PBS agrees with this recommendation and will develop a process to address these concerns.

**3. OIG recommends that the PBS Commissioner expand GSA Order PBS 1000.4B, *High Risk Operations*, to identify, assess, and mitigate risks**

**associated with transporting detainees, storing seized drugs, and storing ammunition in GSA-controlled space.**

PBS partially agrees with this recommendation. While PBS agrees that all three of these items represent security or safety risks to varying degrees, modification of the High Risk Policy is not the appropriate place to address these issues. PBS will address these issues as outlined below.

The High Risk Policy does not address all potential hazards in a facility but is intended to prevent Incompatible Groupings between occupancies within a particular facility under the jurisdiction, custody or control of GSA, through screening of new Federal Agency Space Requests and review of existing Federal agency space during environmental, health and safety, and fire protection (EHSF) facility surveys.

As small arms ammunition is stable, can be stored for long periods of time, and is readily available to the general public on store shelves with no specific storage requirement, it does not rise to the level of being a "high-risk" within PBS. Small arms ammunition can be stored in any GSA-controlled space as it creates no incompatible grouping with other occupancies which is the main qualifier for something to be "high risk" per policy. It should be secured to protect against theft and is handled with the same precautions used for fuels, chemicals and similar items. PBS will reiterate the existing requirements for small arms ammunition and storage to facility managers and as mentioned above will provide additional training regarding pre-fire planning activities.

With regard to the storage of seized drugs, PBS believes that this is best dealt with per Recommendations 1b and 1c above. PBS will work with the appropriate law enforcement agencies that manage the storage of seized drugs in our buildings to ensure storage is done in the appropriate manner.

With regard to the transportation of detainees, PBS believes that this is best dealt with per Recommendation #1a above. The transportation of detainees varies dramatically depending on a variety of operational factors including agency mission, location and detainee type. These important security issues are more appropriately dealt with on an agency basis and not through the High Risk policy.

Thank you again for the opportunity to review and comment on the draft report. If you have any questions, please contact Martin Gusky, Facility Risk Management Director, Office of Facilities Management at 202-527-2149.

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## ***Appendix D – Report Distribution***

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GSA Administrator (A)

GSA Deputy Administrator (AD)

PBS Commissioner (P)

PBS Deputy Commissioner (PD)

Deputy Commissioner of Enterprise Strategy (PD)

Chief of Staff (PB)

Deputy Chief of Staff (PB)

Assistant Commissioner for Facilities Management (PM)

Chief Financial Officer (B)

Deputy Chief Financial Officer (B)

Office of Audit Management and Accountability (BA)

Assistant Inspector General for Auditing (JA)

Deputy Assistant Inspector General for Acquisition Audits (JA)

Deputy Assistant Inspector General for Real Property Audits (JA)

Director, Audit Planning, Policy, and Operations Staff (JAO)