



Office of Inspector General

U.S. Consumer Product Safety Commission

Audit of the Occupant Emergency Program for Fiscal Year 2017

June 7, 2018

Vision Statement

We are agents of positive change striving for continuous improvements in our agency's management and program operations.

Statement of Principles

We will:

Work with the Commission and Congress to improve program management;

Maximize the positive impact and ensure the independence and objectivity of our audits, investigations, and other reviews;

Use our investigations and other reviews to increase Government integrity and recommend improved systems to prevent fraud, waste, and abuse;

Be innovative, question existing procedures, and suggest improvements;

Build relationships with program managers based on a shared commitment to improving program operations and effectiveness;

Strive to continually improve the quality and usefulness of our products; and

Work together to address Government-wide issues.



Office of Inspector General
U. S. CONSUMER PRODUCT SAFETY COMMISSION

June 7, 2018

TO: Ann Marie Buerkle, Acting Chairman
Robert S. Adler, Commissioner
Elliot F. Kaye, Commissioner
Dana Baiocco, Commissioner

FROM: Christopher W. Dentel, Inspector General 

SUBJECT: Audit of CPSC's Occupant Emergency Program

This report contains the results of our audit of the U.S. Consumer Product Safety Commission's (CPSC) Occupant Emergency Program (OEP). The goal of an OEP is to safeguard federal personnel, visitors, property, and other assets.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards. The objectives of the audit were to ascertain if the CPSC had an OEP that was compliant with regulations, guidance, agency policy; effective to safeguard federal personnel, property, and visitors; and to determine if the agency had appropriately followed up on issues identified in prior audits. Overall, we found that the CPSC's OEP was neither compliant with government-wide guidance nor entirely effective. We also determined that the CPSC had not appropriately followed-up on all issues identified in a prior audit.

In our report we make twelve recommendations which when implemented will provide management tools to improve internal controls over the OEP and provide an effective program.

In the next 30 calendar days, in accordance with OMB A-50, the CPSC is required to provide me with management's Corrective Action Plan describing the specific actions they anticipate taking to implement each recommendation.

Thank you for the courtesy and cooperation extended to my staff during the audit.

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Audit of the Occupant Emergency Program

May 2018

Summary

Objectives	Findings
<p>The primary objectives of this audit were to determine if the U.S. Consumer Product Safety Commission (CPSC) has:</p> <ul style="list-style-type: none"> • an Occupant Emergency Program (OEP) that is compliant with regulations, guidance, and agency policy; • an effective OEP program in place to safeguard federal personnel, property, and visitors; and • appropriately followed up on issues identified in prior audits. <p>Background</p> <p>The CPSC is an independent federal regulatory agency with a public health and safety mission to protect the public from unreasonable risks of injury and death from consumer products.</p> <p>OEPs reduce the threat to personnel, property, and other assets in the event of an incident inside or immediately surrounding a facility. The OEP provides facility-specific response procedures for occupants to follow within an Occupant Emergency Plan. OEPs also establish the emergency response team, comprised of federal employees, designated to perform the requirements established by the Occupant Emergency Plan.</p> <p>The CPSC has an OEP which includes a program directive to assist CPSC management to maintain compliance with Department of Homeland Security's Occupant Emergency Programs: An Interagency Security Committee Guide (ISC Guide). The OEP procedures and guidelines were developed for safeguarding lives and property in and around CPSC facilities during emergencies.</p>	<p>Overall, we found that the CPSC's OEP is not compliant with government-wide guidance and is not entirely effective.</p> <p>The CPSC did not dedicate sufficient resources to the OEP. The OEP directive is not implemented in a way that effectively reduces the threat to personnel, property, and other assets. Lack of an effective OEP may create an unsafe workplace and increases the likelihood of injury or loss of life in an emergency situation.</p> <p>Further, the CPSC has not developed a directive that fully complies with government-wide guidance. For example, the CPSC directive does not contain an effective communication strategy or training program. Most importantly, the directive does not adequately address the needs of individuals requiring additional assistance.</p>
<p>The report addresses:</p> <p>CPSC Cross-Cutting Strategic Priority #1:</p> <p><i>Operational Excellence: Enable a high-performing workforce</i></p> <p>OIG Management Challenge #2:</p> <p><i>Adequacy of Internal Controls</i></p>	<p>Recommendations</p> <p>An effective emergency preparedness plan is essential to the welfare of federal facility occupants. To improve the safety of CPSC employees we make twelve recommendations.</p> <p>To summarize, management should clearly define all roles in the OEP and implement a communication strategy to include ongoing OEP awareness for all facility occupants and multiple notification channels for staff during drills and emergencies. Additionally, the needs of individuals requiring assistance should be addressed. The CPSC should implement accountability procedures and an annual training program, with drills and exercises for all team members. We further recommend CPSC management implement procedures to update OEP documents at least semi-annually. Lastly, we recommend the CPSC develop and implement effective coordination with the other federal tenants of the CPSC Bethesda Towers location.</p>

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Abbreviations and Short Titles

CPSC	U.S. Consumer Product Safety Commission
GAO	U.S. Government Accountability Office
Green Book	GAO, <i>Standards of Internal Control in the Federal Government</i>
ISC Guide	Occupant Emergency Programs: An Interagency Security Committee Guide
OEP	Occupant Emergency Program
OIG	Office of Inspector General

Objectives

The objectives of our audit were to determine if the U.S. Consumer Product Safety Commission (CPSC) had an Occupant Emergency Program (OEP) that was compliant with regulations, guidance, and agency policy; whether the agency had an effective OEP program to safeguard federal personnel, property, and visitors; and to determine if the CPSC appropriately followed up on issues identified in prior audits.

Background

Federal departments and agencies were assigned national security emergency preparedness responsibilities in 1988 by Executive Order 12656. In order to “enhance the quality and effectiveness of security in and protection of buildings and facilities in the United States occupied by Federal employees,”¹ the Interagency Security Committee was established by Executive Order 12977 of October 19, 1995. The Interagency Security Committee included the Administrator of General Services and representatives from various agencies. With the enactment of the Homeland Security Act² of 2002, certain agencies and agency components were transferred to the newly created Department of Homeland Security. Executive Order 13286 of February 28, 2003, amended Executive Order 12977 to assign responsibility of the Interagency Security Committee to the Department of Homeland Security.

The Interagency Security Committee created the Occupant Emergency Programs: An Interagency Security Committee Guide (ISC Guide) to assist federal agencies with developing their OEPs. Having an OEP in place can reduce the threat to personnel, property, and other assets in the event of an emergency inside or immediately surrounding a facility. OEPs establish an occupancy emergency organization, the emergency response team, comprised of federal employees designated to perform the requirements established by the occupant emergency plan.

The CPSC established an OEP through the CPSC Directive 0880.2, “Occupant Emergency Program,” December 5, 2012. The directive includes an Occupant

¹ Executive Order 12977 of October 19, 1995, Interagency Security Committee, page 1.

² The Homeland Security Act (HSA) of 2002, (Public Law. 107–296, enacted November 25, 2002) was introduced in the aftermath of the September 11 attacks.

Emergency Plan in the form of program handbooks. The OEP handbooks provide guidance to CPSC personnel on what steps to take during emergency situations. Two CPSC locations are addressed in the program handbooks, Bethesda Towers in Bethesda, Maryland and 5 Research Place in Rockville, Maryland. The CPSC also has a Sample Storage Facility which does not have a handbook, but is briefly addressed in an appendix to the directive.

The CPSC is considered the primary federal tenant of Bethesda Towers, occupying the largest amount of rentable space. As the primary tenant, the CPSC's OEP must include the Marine Mammal Commission, also located in Bethesda Towers, in its OEP.

The CPSC's OEP directive assigned the Office of Facilities Services with overall program responsibility. Key program officials have the responsibility to implement and maintain the OEP, train staff, and initiate appropriate action in accordance with the program handbooks. The Office of Facilities Services is currently in the process of restructuring. Multiple members of the OEP team, including the prior Director and Deputy Director of the Office of Facilities Services, retired between September 2017 and January 2018. The current Director of Facilities Services joined the CPSC in December 2017.

Findings

The Office of Inspector General (OIG) last audited the CPSC OEP in fiscal year 2003. The CPSC took actions to improve its OEP handbooks by outlining a variety of emergency scenarios and procedures for federal facility occupants³ to follow; however, not all recommendations from the prior audit were fully addressed. The CPSC can further clarify guidance by adding more detailed steps to the existing procedures. The recommendations issued in the fiscal year 2003 OIG audit will be replaced by the recommendations provided by the current audit.

Overall, we found that the CPSC has implemented an OEP; however, the program could be improved. The CPSC has neither an effective OEP nor an OEP that fully complies with government-wide guidance, increasing the probability of injury or fatalities if an emergency occurred. The CPSC has not experienced any actual emergency situations to date.

³ Federal facility occupants refer to the employees, visitors, and contractors within the CPSC and Marine Mammal Commission offices.

Finding 1: OEP Directive Is Not Compliant with Government-wide Guidance

CPSC management has not updated its OEP directive, CPSC Directive 0880.2, "Occupant Emergency Program," December 5, 2012, and related appendices to fully reflect current guidance. The current OEP directive does not include:

- Clearly defined roles and responsibilities for all of the roles identified in the ISC Guide and assigned to CPSC team members
- Up-to-date contact information for both the OEP teams and facility occupants
- An effective communication strategy including emergency notification procedures
- Detailed evacuation procedures for all emergency situations and for all building occupants
- A process to account for all employees following an emergency
- A testing, training, and exercising program
- A corrective actions process
- Procedures to address the needs of individuals requiring additional assistance to evacuate the facility

Executive Order 12977 of October 19, 1995, established the Interagency Security Committee, and directed the Committee to "take such actions as may be necessary to enhance the quality and effectiveness of security and protection of federal facilities."⁴

The Department of Homeland Security's Interagency Security Committee developed the ISC Guide to assist federal agencies with developing their OEP in 2013. The ISC Guide outlines the components of an effective OEP. This guide should be used in conjunction with all applicable federal, state, and local laws. Key program officials are responsible for developing, implementing, and maintaining an OEP.

Key components of a compliant OEP include:

- Clearly defined roles and responsibilities of the OEP team
- Up-to-date team contact information and roster of facility occupants readily available for review
- An effective communication strategy providing timely and accurate information to all members of the OEP team and facility occupants.

⁴ Executive Order 12977 of October 19, 1995, *Interagency Security Committee*, page 2.

- Evacuation procedures detailing how occupants are alerted to an emergency and addressing the process of how employees will evacuate their area, floor, and facility
- A process to account for all facility occupants to ensure their safety and to help the agency reconstitute during or after an emergency
- A testing, training, and exercising program to assure the readiness of all OEP team members and federal facility occupants
- A corrective actions process, including regular plan updates, program revision, and training. Corrective actions and plan updates also may be necessary following an exercise or incident; a change in occupant status; or, other facility or occupant related activities that reveal or create deficiencies in the program
- An effective plan to meet the needs of individuals requiring additional assistance. The needs of individuals with disabilities must be considered and adequately addressed in all aspects of occupant emergency plan development, implementation, and practical application

Key OEP program officials did not make the OEP a priority and were not aware that key elements of an effective program had not been implemented. As a result, management has not dedicated sufficient resources to the OEP. The CPSC is not in compliance with government-wide best practices as outlined in the ISC Guide. This non-compliance with guidance resulted in an ineffective program.

Recommendations:

We recommend CPSC management:

1. Clearly define all the roles to be used in the agency's OEP.
2. Develop and implement a process to keep OEP team member and occupant lists up-to-date.
3. Develop and implement an effective communication strategy to include ongoing awareness and general information for all facility occupants about the OEP and expectations.
4. Develop and implement policies employing multiple communication channels for notifying staff during drills and emergency situations.
5. Develop and implement occupant accountability procedures to be practiced during drills and used during emergencies.

6. Develop and implement an effective OEP team training program with drills and exercises to include all team members at least annually.
7. Develop and implement a corrective action process that reviews the results of all drills, exercises, and actual emergencies and documents whether to update OEP guidance, including showing the updated guidance.
8. Develop and implement procedures to address the needs of individuals requiring additional assistance. These procedures should include a process to routinely update the list of persons requiring assistance.

Finding 2: The CPSC's OEP Is Not Operating Effectively

The OEP directive, including its appendices, is not implemented in a way that effectively reduces the threat to personnel, property, and other assets within the CPSC's facilities in the event of an incident inside or immediately surrounding them. There is no evidence of:

- Semi-annual review or updates accounting for personnel changes within the OEP team and for facility occupants
- Annual round table discussions with the OEP coordinators and OEP teams
- Procedures as outlined in Appendix A addressing the unique needs of each CPSC location
- Ongoing coordination with other federal tenants at Bethesda Towers

The CPSC OEP directive requires OEP coordinators for CPSC Bethesda Towers, 5 Research Place, and the Sample Storage Facility, to review and update the applicable OEP plans semi-annually. The OEP coordinators must conduct a roundtable discussion with the OEP teams annually. All members of OEP teams are directed to follow the guidelines and procedures set forth in Appendix A, titled, "Occupant Emergency Program Handbook for Bethesda Towers." Finally, this directive covers all federal tenants at Bethesda Towers.

The Government Accountability Office (GAO), "Standards for Internal Control in the Federal Government," (Green Book) requires management to establish and monitor the internal control system, evaluate the results, and remediate deficiencies on a timely basis.

The agency has not routinely provided resources to implement required elements of the OEP. This has resulted in ineffective control over its OEP program as

documented in its current directive. Lack of an effective OEP creates an unsafe workplace and increases the likelihood of injury or loss of life in an emergency situation.

Recommendations:

We recommend CPSC management:

9. Develop and implement procedures to maintain, retain, and update OEP program documents at least semi-annually.
10. Develop and implement an annual round-table discussion with OEP coordinators and teams.
11. Develop and implement facility-specific policies and procedures.
12. Develop and implement effective coordination with other federal tenants in Bethesda Towers.

Consolidated List of Recommendations

We recommend CPSC management:

1. Clearly define all the roles to be used in the agency's OEP.
2. Develop and implement a process to keep OEP team member and occupant lists up-to-date.
3. Develop and implement an effective communication strategy to include ongoing awareness and general information for all facility occupants about the OEP and expectations.
4. Develop and implement policies employing multiple communication channels for notifying staff during drills and emergency situations.
5. Develop and implement occupant accountability procedures to be practiced during drills and used during emergencies.
6. Develop and implement an effective OEP team training program with drills and exercises to include all team members at least annually.
7. Develop and implement a corrective action process that reviews the results of all drills, exercises, and actual emergencies and documents whether to update OEP guidance, including showing the updated guidance.
8. Develop and implement procedures to address the needs of individuals requiring additional assistance. These procedures should include a process to routinely update the list of persons requiring assistance.
9. Develop and implement procedures to maintain, retain, and update OEP program documents at least semi-annually.
10. Develop and implement an annual round-table discussion with OEP coordinators and teams.
11. Develop and implement facility-specific policies and procedures.
12. Develop and implement effective coordination with other federal tenants in Bethesda Towers.

Appendix A: Scope and Methodology

Scope

The scope of this audit is fiscal year 2017 OEP program activities and any applicable procedures, certifications, documentation, and controls utilized to implement the program at the CPSC. Fieldwork for this audit was performed from January 2018 to March 2018 at the CPSC facilities in Bethesda, Rockville, and Gaithersburg, Maryland. Throughout the audit, auditors were aware of the possibility or existence of fraud, waste, or abuse in the program under review.

Methodology

To accomplish the objectives of this audit, we reviewed and gained an understanding of the following criteria:

- Executive Order 12977 of October 19, 1995, Interagency Security Committee
- Occupant Emergency Programs: An Interagency Security Committee Guide
- 41 CFR 102-71 Subchapter C - *Real Property*
- Government Accountability Office, *Standards for Internal Control in the Federal Government*
- CPSC Directive 0880.2, "Occupant Emergency Program," December 5, 2012

We interviewed agency personnel to gain their understanding of the program, roles, and responsibilities, as well as policies and practices. We inspected the CPSC facilities covered in the OEP to confirm the existence of emergency equipment and appropriate signage. Additionally, we reviewed past OEP audits at the CPSC and any resulting corrective actions taken. We did not assess the continuity of operations plan for the CPSC.

We conducted this audit 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 objectives.

Appendix B: Internal Controls Summary

The GAO Green Book is the primary criteria used for internal control testing purposes. These are the standards federal agencies must follow to maintain effective internal controls for both financial and non-financial programs. Internal control is a process used by management to help a program achieve its goals. There are five internal control components and 17 principles.

Table 1: Results of Internal Control Review

	Internal Control Components and Principles	Met	Partially Met	Not Met
	<i>Control Environment</i>			
1	The oversight body and management should demonstrate a commitment to integrity and ethical values.	X		
2	The oversight body should oversee the entity's internal control system.		X	
3	Management should establish an organizational structure, assign responsibilities, and delegate authority to achieve the entity's objectives.		X	
4	Management should demonstrate a commitment to recruit, develop and retain competent individuals.	X		
5	Management should evaluate performance and hold individuals accountable for their internal control responsibilities.			X
	<i>Risk Assessment</i>			
6	Management should define objectives clearly to enable the identification of risks and define risk tolerances.	X		
7	Management should identify, analyze and respond to risks related to achieving the defined objectives.			X
8	Management should consider the potential for fraud when identifying, analyzing and responding to risks.		X	
9	Management should identify, analyze and respond to significant changes that could impact the internal control system.		X	
	<i>Control Activities</i>			
10	Management should design control activities to achieve objectives and respond to risks.	X		
11	Management should design the entity's information system and related control activities to achieve objectives and respond to risks.		X	
12	Management should implement control activities through policies.		X	
	<i>Information and Communication</i>			
13	Management should use quality information to achieve the entity's objectives.		X	
14	Management should internally communicate the necessary quality information to achieve the entity's objectives.			X
15	Management should externally communicate the necessary quality information to achieve the entity's objectives.			X
	<i>Monitoring</i>			
16	Management should establish and operate monitoring activities to monitor the internal control system and evaluate the results.			X
17	Management should remediate identified internal control deficiencies on a timely basis.			X
	Totals	4	7	6

Source: CPSC OIG analysis based on interviews and document reviews.

Appendix C: Agency Response

The OIG presented agency management with the Notice of Findings and Recommendations on April 25, 2018. Management stated their agreement with each of these in their response on May 2, 2018. An exit conference was held with the agency on June 6, 2018 where a draft was discussed. The management-provided comments were incorporated into this report, as appropriate.

Finding 1: OEP Directive Is Not Compliant with Government-wide Guidance

Management concurs with the eight recommendations. The Office of Facilities Services will develop a corrective action plan for developing and implementing the policies and procedures identified by the OIG. The plan will be provided to the Inspector General.

Finding 2: The CPSC's Occupant Emergency Program Is Not Operating Effectively

Management concurs with the four recommendations. The Office of Facilities Services will develop a corrective action plan for developing and implementing the policies and procedures identified by the OIG. The plan will be provided to the Inspector General.

CONTACT US

If you want to confidentially report or discuss any instance of misconduct, fraud, waste, abuse, or mismanagement involving CPSC's programs and operations, please contact the CPSC Office of Inspector General.



Call:

Inspector General's HOTLINE: 301-504-7906

Or: 1-866-230-6229



Click [here](#) for complaint form.

Click [here](#) for CPSC OIG website.



Or Write:

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