

# GAO Report Finds Lack of Direction Impeding Progress of the Federal Government's E-Waste Initiatives

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The Government Accountability Office (GAO) recently released a report that offers a grim appraisal of the federal government's e-waste initiatives. The March 2012 report finds that these initiatives have made some progress towards ensuring the environmentally responsible management of used federal electronics, but that inconsistencies between initiatives and an overall lack of direction are impeding further progress. According to the report, the problems plaguing the initiatives are so significant that the ultimate disposition of used federal electronics through them is largely unknown. The GAO recommends a number of actions to improve federal electronics stewardship, including a uniform definition of "electronic products" across initiatives and a common, consistent mechanism across agencies for tracking and reporting on the disposition of used federal electronics.

## Overview of the GAO Report

The GAO prepared the report at the request of Elijah E. Cummings (D-MD), ranking member of the House Committee on Oversight and Government Reform. Representative Cummings asked the Agency to examine the effectiveness of key federal e-waste initiatives and to identify improvements resulting from them and challenges that are impeding progress in the environmentally responsible management of used federal electronics.

The GAO selected the following e-waste initiatives for examination:

- The Federal Electronics Challenge (FEC).
- Federal support of the R2 Standard for certification of e-waste recyclers.
- The *Personal Property Disposal Guide* issued by the General Services Administration (GSA).
- Executive Orders 13423 and 13514.
- The *National Strategy for Electronics Stewardship*.

To assess the effectiveness of these initiatives, the GAO audited the e-waste practices of five federal agencies—the Departments of Defense, Energy, Education, and Housing and Urban Development (HUD), and NASA—between October 2010 and January 2012.

### The Report's Findings

The GAO found that the federal government, which discards 10,000 computers each week, has improved its management of used electronics over the last decade. As evidence of this improvement, the report notes that participation in the FEC—an Environmental Protection Agency (EPA) program that encourages federal facilities and agencies to purchase environmentally friendly electronic products and manage used electronics in an environmentally safe way—has increased from 12 to 19 agencies since 2006, and now covers one-third of the federal workforce. The report also points to the increase in certified e-waste recycling facilities—the number of facilities certified to the R2 Standard increased from 15 to 122 between September 2010 and September 2011—as another sign of improvement.

These "improvements" are not what they appear, however. The GAO found that the level of participation in the FEC varied considerably across agencies. For example, only half of the agencies issued a report on their participation in 2010, making it impossible for the GAO to measure the initiative's effectiveness at those agencies. Other agencies chose not to participate in the FEC because they considered the registration process too rigorous and the reporting requirements too burdensome. Even more troubling, HUD did not understand the FEC's participation requirements and mistakenly believed it was part of the initiative.

The increase in the number of certified recyclers also is a misleading "improvement." According to the GAO, only one of the 25 recyclers used in 2010 by the agencies it audited was certified at the time to either the R2 Standard or the e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment®, the other existing certification program. The GAO also found that the agencies were able to correctly identify the certification status for only four of the 25 recyclers. The GAO attributed some of the confusion to a lack of clear guidance from executive branch agencies on whether R2- or e-Stewards-certified recyclers must be used to satisfy the requirements of key federal e-waste initiatives.

Some of the other challenges identified in the report as impeding progress in federal electronics stewardship include the following:

- Incomplete and inconsistent tracking and reporting of used federal electronics across agencies make it impossible to determine the ultimate disposition of these electronics.
- The auction procedures for used federal electronics do not contain sales terms aimed at ensuring that purchased electronics are exported only to countries that can legally accept them and that the materials are being safely handled throughout the recycling chain.
- The *National Strategy for Electronics Stewardship* aims to prohibit the sale of nonfunctional electronics through public auction except to third-party certified e-waste recyclers, yet the strategy provides no guidance for how to determine the functional status of an electronic product.

- Key terms, such as "electronic products" and "environmentally sound practices," lack a consistent definition across federal e-waste initiatives.

### **The GAO's Recommendations and Recent Agency Actions**

The GAO made three recommendations to improve the management of used federal electronics. Those recommendations are:

- The White House Council on Environmental Quality (CEQ), the Office of Management and Budget, and the GSA should collaborate on: developing definitions for key terms, such as "electronic products"; addressing inconsistencies between Executive Orders 13423 and 13514; providing clear direction on required agency actions under the *National Strategy for Electronics Stewardship*; and requiring consistent information tracking and reporting on the disposition of used electronics among agencies.
- The CEQ, EPA, and GSA should provide quarterly status updates on the actions identified in the *National Strategy for Electronics Stewardship* via a publicly accessible website.
- GSA should adopt measures that ensure all electronics sold through auction are appropriately managed once they reach the end of their useful lives, such as limiting sales of nonfunctional equipment to certified recyclers.

Perhaps prompted by the GAO report, the CEQ, EPA, and GSA recently took some actions that align closely with the report's recommendations. On February 21, 2012, the agencies posted a status update on the progress of the *National Strategy for Electronics Stewardship* to FedCenter.gov. A little more than a week later, the GSA issued a bulletin (GSA BULLETIN FMR B-34) containing guidance on how agencies to can meet the objectives of Executive Order 13514. Among other things, the bulletin directs agencies to reuse, donate, or sell used electronics to the greatest extent possible and, if those options are not available, to send the electronics to a recycler that is certified to either the R2 or e-Stewards Standard. The bulletin also bans agencies from disposing of used federal electronics in landfills.