

GAO

Accounting and Information
Management Division

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**CONGRESSIONAL
POLICIES &
PROCEDURES**

4 x 8 1/2



Congressional Policies & Procedures (Incorporates Changes From 7/29/99 CG, PACG Meeting)

The following policies and procedures govern GAO's congressional request work.

- **GAO's APPROACH:** To support the Congress most effectively, it is vital that GAO be professional, objective, fact-based, nonpartisan, non-ideological, fair, and balanced in all its work and be perceived as such. Also, all GAO services must conform to generally accepted auditing, accounting, and evaluation principles. GAO will only undertake work that is within its scope of authority and competency. GAO will strive to meet the Congress' needs and, at the same time, exercise the independence it needs to guarantee that all its work conforms to its core values (accountability, integrity, and reliability).
- **SOURCES OF GAO WORK:** GAO initiates work through three primary means: (1) the legislative process, (2) congressional requests, and (3) legal authority providing GAO the ability to initiate work.
- **RESOURCE ALLOCATION PRIORITIES:** GAO will allocate resources in the following priority order: (1) legislative requirements, senior leaders' requests, and committee requests, (2) committee member requests, and (3) individual member requests. Legislatively required work includes requirements specifically directed by statute, conference reports, or committee reports. Leaders requests include requests made by the senior leaders of either House of Congress (i.e. the President Pro Tempore, Senate

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Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

Majority Leader, Senate Minority Leader, Speaker of the House, House Majority Leader, or House Minority Leader). Committee requests refer to requests by the committee or subcommittee leadership—the Chair, Ranking Member, or both —on a program or activity within the committee’s jurisdiction. Committee member requests refers to requests involving a program or activity within his/her committee’s jurisdiction. Individual member requests are requests for work where the program or activity is not within the jurisdiction of his/her assigned committees.

GAO has a statutory obligation to fulfill requests from the Congress and its committees. To effectively accomplish this, GAO senior officials consult regularly with members and committee staff to ensure that the requests for GAO work are prioritized in accord with the committee’s agenda. GAO reserves a limited portion of its resources for research and development (i.e. R&D work). This work helps GAO position itself to meet future Congressional needs and to provide products of broad institutional interest to the Congress. This work includes compendiums of prior GAO work, such as periodic reports on high-risk areas and other major management challenges.

- **LEGISLATIVELY REQUIRED WORK:** GAO work that is initiated as a result of the legislative process (e.g., mandates) is treated differently from congressional requests. In cases where

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Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

the law does not specify, GAO will work with the majority and minority appropriations, budget, authorizing, and/or oversight committees to identify the committees of interest. In such cases, GAO will provide these committees (1) meeting(s) with GAO staff regarding the scope and timing of work in response to a legislative requirement, (2) periodic status reports of GAO's work, and (3) briefing(s) on the preliminary results of the work. Because work in response to legislative requirements is established by either the entire Congress or one or more committees, it is GAO's policy that legislatively required reports be released without any restrictions.

- **REQUESTS FOR GAO WORK:** Congressional requests for GAO services should be made by a member in writing. Requestors are encouraged to consult informally with GAO staff in developing requests for GAO services. GAO will do work without a written request if the work requested is for technical assistance or quick turnaround information requests requiring limited data gathering. GAO will direct any party who wants a copy of the request letter to the requestor.

It is GAO's policy that any congressional request for work involving internal congressional activities affecting both Houses of Congress be requested on a bipartisan basis by either (1) the senior leaders of the Senate and House or (2) committee(s) with jurisdiction over the congressional activity. If the congressional request involves internal

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

congressional activities affecting either House, the request must be made on a bipartisan basis by either the senior leaders of the affected House or committee(s) with jurisdiction over the congressional activity.

- **COMMITMENT TO REQUESTORS:** GAO commits to provide the following to Congressional requestors:
 - An acknowledgement of the request, in writing, within 7 days of receipt. Consistent with past practice for requests by the Senate Governmental Affairs and the House Government Reform committees, GAO will send a copy of the acknowledgement letter to either the Chair or Ranking Member, depending on the source of the request.
 - Initiation of a substantive discussion with the requestor on the scope, methodology, and timing of the requested job within 30 days of receiving the request.
 - A letter confirming the terms of agreement on the work within 2 weeks after agreement is reached between GAO and the requestor.
 - An estimate of the staff days required (e.g. less than 50, 50 to 200, 201 to 500, 501 to 1,000, over 1,000) before committing to do a job. GAO will not publish this information but will provide this information to any party on request.
 - Periodic status reports as the job progresses; notification of any significant changed circumstances affecting the job; briefing(s) on the preliminary results of the work; and

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

- a written product, if requested, on the final results of the work.
- A copy of the draft report for informational purposes, if requested, once it is sent to the agency for comment. By law, the Senate Governmental Affairs and House Government Reform committees may request a copy of any draft reports generated under GAO's own audit authority (i.e. R&D work) when it is sent to agency for comment.
 - An option to restrict the release of a report for up to 30 days after the date the report is issued.
 - An option to allow an unlimited number of co-requestors to join onto the request. If the requestor exercises this option, GAO will send a letter to the requestors documenting this.
 - The opportunity to withdraw sponsorship of work that will not result in a written product (e.g. report) at any time. If a written product has been requested, the requestors or co-requestors must advise GAO before the product is submitted for printing (see bullet on termination of work).

GAO will treat requestors who send in requests on the same or similar issues contemporaneously (e.g. 2 weeks of receipt by GAO) as original requestors. GAO will work with the requestors to consolidate the requests and make the same commitments to all requestors.

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

- **COMMITMENT TO CO-REQUESTORS:** If any member is interested in becoming a co-requestor of a job, GAO will inform him or her of its policy on co-requests and refer the member to the initial requestor(s). If, and only if, the initial requestor(s) agree, the member can then become a co-requestor any time prior to a report's printing. GAO will provide the same commitments to co-requestors as the original requestor (see bullet on Commitments to Requestors). However, they cannot approve additional members as co-requestors nor have the option of holding the report for up to 30 days after the report is issued.
- **SUPPORTING CONGRESS' INSTITUTIONAL INTERESTS:** In limited circumstances, GAO may be unable to honor a member's request because it concerns an issue of widespread interest to Congress which GAO is addressing as research and development work for the benefit of the whole Congress. These circumstances involve situations where the request: (1) addresses an issue of broad interest to multiple committees or the entire Congress, (2) involves an issue that is a legislative priority or is on a fast legislative track, or (3) asks for a compilation of information which GAO has developed from a substantial body of prior work and/or work requested by others. GAO will advise the requestor that it cannot honor a request before making a commitment to do the job. On occasion, the results of ongoing congressional work may be essential to pending legislation (e.g

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

when GAO has information which could inform the legislative debate on the Senate or House floor) or other institutional interests. In such cases, GAO reserves the right to make the information or product generally available regardless of restrictions that would otherwise prevail (e.g. a requestor hold on any related report). In these cases, GAO will promptly notify the requestor in advance to advise them why, when, and to whom the information or product will be released.

- **NOTIFICATION OF OTHER COMMITTEES:** For any work that it undertakes, GAO will disclose, if asked (e.g. by members, congressional staff, agencies, the press), the source of the request and the project's objectives, scope, and methodology. GAO will provide senior leaders and committee leadership with monthly updates on all active work relating to issues under their jurisdiction. GAO will eventually provide this information electronically to the Congress.
- **OBTAINING AGENCY COMMENTS:** As required by generally accepted auditing standards, GAO will hold a conference with agency officials at the end of each assignment to:
(1) validate the factual accuracy of data gathered and (2) obtain their views on any conclusions and recommendations. GAO commits to provide requestors, if asked, copies of any written materials summarizing the assignment's preliminary results shared with agency officials during that conference. Also, GAO will give

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

agencies and other directly affected parties the opportunity to provide advance comments on GAO products (other than products that largely reflect prior GAO work). GAO prefers written comments; however, comments can be provided orally. As required by law, GAO may give an agency up to 30 days, depending on the timing needs of the requestors and the complexity of the issues involved, to comment. In rare cases, the Comptroller General may grant an extension beyond 30 days after the agency shows that that an extension is necessary and likely to result in a more accurate report.

- **TERMINATION OF WORK:** If requestors or co-requestors decide to withdraw their support of a GAO job that will not result in a written product (e.g. a report), they may do so at any time. If a written product has been requested, the requestors or co-requestors must advise GAO before the product is submitted for printing. Their withdrawal will not result in the termination of a report if (1) significant expenditures have been incurred, (2) the completion of the report meets a cost/benefit test, and/or (3) the report is otherwise in the public interest. GAO will, under these circumstances, issue a report as if it were undertaken on its own authority or address the report to the head of the affected agency. Copies of such reports will be sent to the appropriate committees of jurisdiction.
- **REPORT RELEASE:** All congressionally requested reports will have a targeted release date. GAO will notify requestors 30 days before they

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

are to receive the report and accommodate their requests for restrictions of up to 30 days. GAO will grant extensions beyond the 30 days only in limited cases (e.g., a change in the hearing schedule). GAO also reserves the right to release drafts of reports that have leaked to the public. In such cases, GAO will advise requestors of the release.

- **WORKPAPER ACCESS:** GAO will grant members of Congress, upon their written request, access to its workpapers (at the GAO site), subject to legal and privacy considerations, only after a report has been issued. Also, GAO will provide to Members, upon their written request, copies of selected workpapers, subject to legal and privacy considerations, after a report has been issued.
- **REQUESTS FOR TESTIMONY:** Requests for GAO testimony should be in writing. GAO will strive to respond to all congressional requests for testimony. A rare exception to this includes situations where GAO has done insufficient work to prepare a quality testimony. In cases of multiple requests for testimony involving the same subject matter, GAO will testify on the date of the first scheduled hearing and will be available to testify at any subsequent hearings. GAO will deliver its testimony and distribute it in accordance with the rules of the committee. It is GAO's policy that the majority, the minority, and the affected agency witnesses should be made aware of material facts, major findings, and recommendations in advance.

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

- **DETAILEES TO CONGRESS:** By law, GAO staff can be assigned on detail to congressional committees only, not to leadership or personal offices. GAO staff are not to engage in partisan activities and discussions. Committee requests for GAO details should be for specific purposes and for a period not to exceed a year. All details should be approved by the Comptroller General in a manner consistent with the rules and policies of the Senate and House, as applicable.
- **PRESS POLICY:** GAO does not answer questions from the media about ongoing assignments except to provide information, when asked, about the objectives, scope, and methodology of an assignment, the names of the requestors, and the expected date of completion of an ongoing job. Once a report or other product is publicly released, GAO staff with expertise in the completed report will answer questions from the media when asked. On-camera interviews of television news programs are done only on request and only when GAO deems them to be appropriate to public understanding of the facts, findings, and conclusions of GAO reports. GAO's policy is that senior executives with the broadest knowledge of a completed assignment do such interviews. If asked to participate in press briefings sponsored by requestors, GAO will provide support if the press briefing is held in Washington, D.C. In such instances, GAO will provide knowledgeable staff with the understanding that GAO representatives

**Confidential Draft
Congressional Policies &
Procedures (Incorporates
Changes From 7/29/99 CG, PACG
Meeting)**

are present only to answer questions about the specifics of released GAO reports. GAO itself does not hold press conferences or issue press releases about reports, but it does advise the media and the public of the release of GAO reports and other products via the World Wide Web and other venues.
