



July
2017

GAO's CONGRESSIONAL PROTOCOLS

GAO-17-767G



GAO's Mission

GAO exists to support the Congress in meeting its constitutional responsibilities and to help improve the performance and ensure the accountability of the federal government for the benefit of the American people.

Scope of Work

GAO performs a range of oversight, insight- and foresight-related work to support the Congress, including the following:

- evaluations of federal programs, policies, operations, and performance;
- management and financial audits to determine whether public funds are spent efficiently, effectively, and in accordance with applicable laws;
- investigations to assess whether illegal or improper activities are occurring;
- analyses of the financing for government activities;
- legal opinions to determine whether agencies are in compliance with applicable laws;
- policy analyses to assess needed actions and the implications of proposed actions; and
- additional assistance to the Congress in support of its oversight, appropriations, legislative, and other responsibilities.

Core Values

Accountability

Integrity

Reliability



July 17, 2017

This document describes protocols governing GAO's work for the Congress. Designed in consultation with Congress, the Protocols, as originally issued in 2000 and updated in 2004, have been effective in allowing GAO to work constructively with the Congress to conduct our work in accordance with congressional priorities. The Protocols established well-accepted principles and approaches for communicating with and making commitments to the Congress regarding mandates, requests, engagements, and reports.

This 2017 update retains these principles and approaches while making relevant updates. It incorporates name changes of relevant GAO entities; reflects changes to aspects of GAO's process for issuing products; provides the names of the most current GAO contacts; and updates methods for receiving information about GAO products.

Along with all members of the GAO team, I look forward to continuing our mission of supporting the Congress in meeting its constitutional responsibilities and helping improve the performance and ensure the accountability of the federal government for the benefit of the American people. We will continue to monitor the application of these protocols and, in consultation with the Congress, will consider what, if any, refinements should be made. I encourage you to contact our

Congressional Relations office on (202) 512-4400 if you have any questions or comments on these protocols.

A handwritten signature in black ink that reads "Gene L. Dodaro". The signature is written in a cursive style with a large, prominent "D" and a long horizontal stroke extending to the right.

Gene L. Dodaro
Comptroller General
of the United States

Making a Request



Send a **request letter** via e-mail to our Congressional Relations office. Requests from the chair or ranking member of a committee or subcommittee have priority.

Our Congressional Relations office will let you know we have **received your letter**.

If we **accept your request**, we will e-mail a letter telling you who you can contact and when we expect to start work.

The topic should fall within the jurisdiction of their committee or subcommittee.

Initiating the Audit



GAO **assembles the team** and initiates the work.

We will **contact you** within 20 days of initiating your job for additional information.

We will tell you when we think we can deliver a finished product, but the issuance date isn't set until after agency review.

The timing of initiation depends on staff availability.

This schedule is based on many factors, including the scope of the questions being asked.

Designing the Audit



The team meets with GAO experts, stakeholders, and management to **design an audit method**—one that is fact-based and can support our findings and potential recommendations.

After the team has **committed** to an audit method, we will contact you to explain how we plan to answer your request.

This process typically takes about 3 months.

Providing Briefings



You can **ask for a briefing** on the status of our work or for preliminary findings at any point during our audit.

The only information about your request that we will share with others are the **questions, scope, and methodology** of the audit.

If there is work we are doing that is of interest to you, you may ask to **become a co-requester**. Check Watchdog for ongoing work.

If you want others to have access to briefings, consider making them co-requesters.

Agency Review



We will send our draft report to the **agencies we audited** for comment.

Agencies get up to a month to **review and respond** to our findings and recommendations.

Agency review and **comments** do not affect the independence of our review or the report we release (although we may make technical corrections).

At this time, you will also receive an informational copy.

We will publish written agency comments, if provided, in an appendix to the report.

Issuing the Report



We typically issue the report **about 14 days** after receiving agency comments.

When a report is issued, the original requester(s) (but not co-requesters) can **restrict public release** of the report for up to 30 days.

We will contact you to confirm this date.

To find your request on



HouseNet (House):

- hover over "Legislative" mega menu
- click on Congressional Websites
- scroll down to GAO Watchdog

Webster (Senate):

- under the Legislative Branch Sites links
- click Government Accountability Office (Congressional Site)

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GAO's Congressional Protocols

The following protocols are general principles governing GAO's audits, program reviews and evaluations, policy analyses, and investigations for the Congress.

GAO's Approach

To effectively support the Congress, GAO must be professional, objective, fact-based, nonpartisan, and nonideological in all its work. All GAO products and services must also conform to generally accepted and applicable auditing, accounting, investigative, and evaluation principles and standards. GAO will efficiently use available resources to maximize its ability to meet the Congress' needs and exercise the independence necessary to ensure that its products and work conform to applicable professional standards and the agency's core values of accountability, integrity, and reliability.

GAO's Statutory Authority and Responsibilities

GAO, under various statutory authorities, examines the use of federal funds; evaluates federal programs and activities; and provides information, analyses, options, recommendations, and other assistance to help the Congress make effective policy, funding, and oversight decisions. GAO frequently relies on two general statutory authorities to support its work. The Budget and Accounting Act of 1921 authorized GAO to "investigate all matters related to the receipt, disbursement, and use of public money."¹ The Legislative Reorganization Act of 1970 authorized GAO to "evaluate the results of a program or activity the Government carries out under existing law" when ordered by either House of Congress, when requested by a committee of jurisdiction, or on the initiative of the Comptroller General.² To assist GAO in performing its work, the

¹31 U.S.C. §712 (1).

²31 U.S.C. §717 (b).

Congress provided GAO broad rights of access to a wide range of agency information.

Specifically, the Budget and Accounting Act of 1921 directs each agency to give GAO the information the Comptroller General requires about the duties, powers, activities, organization, and financial transactions of the agency.³

Priorities for Undertaking Work

In striving to meet the Congress' needs, GAO senior officials consult regularly with senior congressional leaders and committees to ensure that GAO's work is prioritized in accordance with their informational and timing needs. GAO also consults with these congressional leaders regarding demands on GAO's resources by subject matter to help manage and minimize supply and demand imbalances.

To ensure adherence to GAO's core values, effective management practices, and efficient use of resources, GAO will initiate work according to the following priorities:

1. Congressional mandates.
2. Senior congressional leader and committee leader requests.
3. Individual Member requests.

Congressional mandates include requirements directed by statutes, congressional resolutions, conference reports, and committee reports. Senior congressional leaders include the President Pro Tempore, Senate Majority Leader, Senate Minority Leader, Speaker of the

³31 U.S.C. §716 (a).

House, House Majority Leader, and House Minority Leader. Committee leaders include the Chair and Ranking Member of a committee or subcommittee with jurisdiction over a program or activity.

GAO reserves a limited portion of its resources for work initiated under the Comptroller General's authority to (1) invest in significant current or emerging issues that may affect the nation's future, and (2) address issues of broad interest to the Congress, with an emphasis on longer-range, crosscutting, and transformational issues.

With respect to setting priorities, GAO also considers the subject matter of the requested work in light of Senate and House rules governing the committees' jurisdiction over a program or activity, including their authorization, appropriation, budgetary, and oversight jurisdiction. When jurisdictional issues arise, GAO will encourage Members and staff to consult with each other to resolve any related issues through established Senate or House procedures.

Considerations for Accepting Requests

GAO can only undertake work that is within the scope of its authority and competency. In determining whether to accept congressional requests, along with the scope and timing of any related work, a range of factors will be considered, including but not limited to:

- the subject matter of the request;
- GAO's statutory audit and access authority, including but not limited to, whether the entity, program, or activity to be evaluated receives federal funds or is carried out under existing federal law;
- GAO's professional standards and core values;

- the amount of resources involved, including any related cost-benefit considerations;
- the extent of backlog within any applicable GAO team that would be responsible for the work;
- other work being conducted for the requester;
- whether any related audit or investigation, including a criminal investigation, is ongoing or imminent by another governmental entity including, but not limited to, agency Inspectors General; and
- whether the matter is pending before administrative or judicial forums.

Congressional Mandates

GAO treats work that is directed by congressional mandates differently from congressional requests. Because congressional mandates are established by either the Congress or one or more of its committees, it is GAO's policy that products prepared in response to congressional mandates are immediately available to the Congress and the public. When mandates direct GAO to report to a specific committee, GAO will work with the majority and minority of the designated committee to clarify the scope of work, reporting objectives, and time frames. If the mandate does not specify a committee, GAO will work with the committees of jurisdiction (majority and minority) as set forth in Senate and House rules and any other committees and/or Members identified by the committees of jurisdiction. While the work is ongoing, GAO will provide the committees (1) periodic status briefings, (2) briefings on the preliminary and final results of the work, and (3) notification of when the draft product will be sent to the agency for comment. GAO will offer a copy of the draft for informational purposes.

Congressional Requests

Congressional requests for GAO work should be made in writing by a Member and addressed to the Comptroller General. Members and their staffs are encouraged to consult with GAO officials in developing requests for GAO work. GAO will do work without a written request only if the work involves limited technical assistance that can be completed within 5 staff days, such as providing briefings on prior work or readily available information. GAO does not generally provide others with copies of request letters. Rather, GAO will refer any person who wants a copy of a request letter to the Member who submitted the request. However, in cases where the request letter includes authorization for an agency to release to GAO otherwise restricted information, for example, taxpayer return information, GAO may provide the agency with a copy of the request letter.

For requests that involve work on programs or activities relating to the internal operations of the Congress—the Senate, House, or both—GAO will work with the requester to seek bipartisan and/or bicameral support for such requests from either (1) the senior leaders of the Senate and/or House or (2) the Chairs and Ranking Members of the Senate and/or House committee(s) of jurisdiction over the congressional program or activity. When it is not possible to obtain bicameral or bipartisan support, GAO will work with the requester to notify the other House or party of the request before it commits to do the work.

Given relevant legal and other considerations often involved in work involving multilateral organizations, GAO may need the signatures of a Chair or Ranking Member of a committee or subcommittee of jurisdiction. These organizations include the United Nations, the World Bank, and the International Monetary Fund.

GAO does not conduct studies, reviews, evaluations, or audits of state or local programs or activities that are solely within the purview of states or local governments where there is no connection to federal matters. GAO does review certain state and local activities and programs that are (1) carried out in furtherance of federal law, such as environmental programs or insurance regulation or (2) funded by federal programs, such as Medicaid, transportation, or education. When appropriate, GAO may consult with state and local auditors regarding their work on these matters. In addition, to assist the Congress and its committees in developing federal legislation, reexamining the federal role, or gauging federal performance, GAO sometimes reviews the practices of the states to ascertain “best practices” or lessons learned in dealing with particular issues.

When GAO receives a request from a Member of Congress that focuses on a major activity or program that is solely or largely centered in a specific geographic area that is represented by Members beyond those requesting the work, GAO may advise the Members representing that geographic area of the timing, scope, and methodology of the work. After advising the requester, GAO may brief such Members shortly before the final report is publicly released on the findings, conclusions, and recommendations, without providing a copy of the report before its public release.

GAO provides comments on legislative bills when (1) requested to do so by a committee or Member of Congress, (2) GAO's authority or responsibilities would be affected by the bill's passage, or (3) GAO has information that would be useful to committees or Members in considering or modifying the bill. In commenting on proposed legislation, GAO's objective is to identify likely program changes if the bill is enacted or the impact of such changes on a specific program.

When GAO receives a request that could include analysis of a legislative proposal introduced by other Members, in the resulting report, it may notify the key bill sponsors. GAO may meet with the key sponsors during the fact-finding phase to obtain a better understanding of the purpose and objectives of the bill. After advising the requester, GAO may brief key sponsors shortly before the final report is publicly released on the results of its analysis, including its findings, conclusions, and recommendations as they relate to the legislative proposal. In these instances, GAO will not provide a copy of the report before it is publicly available.

In limited circumstances, GAO may be unable to do the requested work solely on behalf of a single congressional requester. These circumstances involve situations in which the request addresses an important issue that has broad interest to multiple committees or the Congress as a whole.

Commitment to Congressional Requesters

GAO will provide to all Members who request work, generally within 10 business days of receipt, a letter acknowledging the receipt of the request and either accepting or declining it. This letter may be augmented by a verbal communication. When a request is accepted, GAO will provide the requester an estimate of when the job is likely to be staffed (e.g., immediately, within a few weeks, within several months, or at a future date to be determined). When a request is declined, GAO will provide the requester the rationale for declining the work (e.g., the requested work is outside GAO's scope of authority, GAO already has ongoing work requested by another Member addressing the issue, or resource constraints limit GAO's ability to respond to a Member's request). GAO will, where appropriate, suggest alternatives to meet the requester's needs. In consideration of its past practice

for requests from GAO's oversight committees—Senate Homeland Security and Governmental Affairs and House Oversight and Government Reform—GAO will send a copy of the acceptance letter to either the Chair (if the Ranking Member submitted the request), or the Ranking Member (if the Chair submitted the request), of those committees.

Congressional requesters should not expect GAO to proceed with the request or provide additional services until GAO has informed each requester that it will accept the request. When Members submit independent requests on the same issue and GAO has not accepted the requests, GAO will consult with the Members and their staffs and will merge requests only if the requesters agree. Otherwise, GAO will conduct one body of work and issue separate products. In limited circumstances, however, GAO will work with the requesters to merge multiple requests it receives relating to a major event, such as a natural disaster or accident.

After accepting the request, GAO will initiate a meeting with the requester's staff generally within 20 business days after the engagement is initiated to gain a better understanding of the requester's need for information and the nature of the research questions. During this meeting, GAO will discuss its ability to respond within the desired time frame. GAO will advise the requester that, as the original requester, only he or she can approve co-requesters.

Once the requester and GAO have agreed to proceed with the request, GAO will provide the following to the requester:

- A letter, after the engagement design is completed, confirming agreements reached. The letter will

include an estimated timeframe for when the draft product will be sent to the agency for comment.

- Periodic status briefings; notification of any significant changed circumstances affecting the scope of work or related time frames for completing the work (e.g., availability, reliability, or access to records, data, or sources of information); and briefing(s) on the preliminary and final results of the work. GAO officials will make every effort to schedule its briefings to accommodate the schedules of the Congress and their staff. For mandates, GAO prefers, but does not require, bipartisan briefings, whenever possible and practicable.

If GAO plans to produce a written product, it will do the following:

- GAO will notify the requester of the date it will send the draft product to the agency for comment and offer the requester an opportunity to receive a copy of the draft for informational purposes when the agency receives the draft. For products that contain national security or sensitive information, GAO will also advise the requester when the agency has completed its classification or sensitivity review.
- By law, when a draft product generated under GAO's legislative authority and not begun because of a request is sent to the agency, the Senate Homeland Security and Governmental Affairs and House Oversight and Government Reform Committees may request a copy. GAO will advise these committees when such drafts are sent to the agency for comment.⁴

⁴31 U.S.C. § 718 (b)(2)(B).

- Allow the requester an option to restrict the public release of a product for up to 30 calendar days after the date the product is issued. This restriction does not preclude the requester from sharing the product with other Members.

Restricting a report can make its contents unavailable before a hearing where the requester plans to use the report's contents.

- In these cases, after consulting with the requester, GAO will reserve the right to allow committee members who are part of the hearing to review a physical copy of the report but not keep it, provided the information reviewed is not shared publicly until it is otherwise released.
- GAO will also release a restricted report, after notifying the requester, if its contents are released or made available to the public or if either body of the Congress is considering related legislation.

Commitment to Co-Requesters

If any Member is interested in becoming a co-requester of GAO work, GAO will refer the Member to the original requester. If the original requester agrees, the Member can then become a co-requester any time prior to a product's issuance. GAO will extend the same commitments to co-requesters as the original requester (see Commitment to Congressional Requesters). However, the co-requester cannot approve additional co-requesters or restrict the timing of the public release of the product.

Notification of Ongoing Work

For any ongoing work—except for classified work and investigations—GAO will disclose, if asked (e.g., by Members, congressional staff, agencies, or the press) the source of the request and the project's objectives,

scope, and methodology. Additionally, all congressional offices have, through the Senate and House intranet connections to GAO, access to the background and key research questions for active GAO assignments, except for those cases where the reporting of such work would result in disclosing classified or other sensitive information. Active assignments are those that have been staffed.

Agency Comments

As required by generally accepted government auditing standards, GAO will give agencies and other directly affected parties the opportunity to comment on a draft product to which they are a party. The substance of those comments will be published in the product along with GAO's assessment. Also, at the end of data collection and analysis, GAO will hold an exit conference with agency officials to (1) validate the factual accuracy of data gathered and (2) discuss the implications that flow from the data.

GAO prefers written comments on its products but will accept oral comments. Although GAO may give an agency or other affected party up to 30 calendar days to comment, GAO may attempt to obtain comments in shorter time frames, depending on the needs of the requester and the complexity of the issues involved. In rare cases, the Comptroller General may grant an extension beyond 30 calendar days if the agency shows that an extension is necessary and will likely result in a more accurate product.⁵

GAO will not provide an opportunity to comment in cases where: (1) disclosure of an investigation's results could pose risks to individuals and their confidentiality; (2) premature disclosure of information could

⁵31 U.S.C. §718 (b)(1).

compromise the results of the work; or (3) products largely reflect prior GAO work.

Withdrawal of Requester Sponsorship

If requesters or co-requesters decide to withdraw their support of GAO work that will not result in a written product, they may do so at any time. If a written product has been planned, the requesters or co-requesters must advise GAO of their withdrawal before the product is issued. Their withdrawal will not result in the termination of a product if GAO has expended significant resources and/or the product is in the public interest. GAO will, under these circumstances, issue a product as if it were undertaken on the Comptroller General's initiative. The product may be addressed to committees of jurisdiction or the affected agency. These products will be publicly released like all others.

Product Release

All products will have a targeted issuance date that will be set after GAO has received all agency comments.⁶ GAO will then communicate this targeted issuance date to the requester and keep the requester apprised of any potential changes. GAO will accommodate requests for restrictions on the release of congressionally requested work for up to 30 days after the issuance date. GAO will grant extensions beyond the agreed upon release date only in limited cases (e.g., a change in the date of a hearing related to the product). GAO, after consulting with the requester, will reserve the right to brief interested committees and subcommittees on the thrust of the report if they are holding a hearing or marking up legislation relating to the subject matter of the report. After consultation with the requester, GAO may publicly release restricted reports, draft reports, or, on rare

⁶ Agencies typically take four weeks to provide comments in response to a GAO report.

occasions, the results of ongoing congressionally requested work if the contents of the work or product are released or made available to the public (i.e., leaked) or if either body of Congress is considering related, pending legislation.

Requests for Testimony

Requests for GAO testimony should be made by a committee or subcommittee Chair in writing. GAO will strive to respond to all congressional requests for testimony. However, GAO will decline an invitation to testify when (1) it cannot produce a testimony that conforms to its core values and standards or (2) the substance of the GAO testimony would be new information developed for another requester who wants to restrict the information until its public release. In cases of multiple requests for testimony involving the same subject matter, GAO will testify on the date of the first hearing held and will be available to testify at any subsequent hearings. For testimony based on new work, regardless of whether it is a preliminary or final product, GAO will, consistent with professional auditing standards, obtain the views of agency officials before the written testimony is completed to (1) validate the accuracy of data gathered and (2) discuss the implications that flow from the data. GAO will distribute its written testimony in accordance with the rules of the Senate or House, including the committees' rules, and be available to brief the majority and the minority on material facts, major findings, and conclusions included in the testimony.

Access to Audit Documentation

GAO will grant Members, upon their written request, access to its audit documentation at GAO offices or will provide copies of selected audit documentation after a product has been made publicly available. Specifically, if a member has placed a hold on an issued product, upon the requesting Member(s)' written request, GAO

may grant requesting Members access to specific, selected audit documentation. Until the product has been made publicly available, GAO will not provide copies of the audit documentation. After a product has been made publicly available, upon a Member's written request, GAO will grant Members access to its audit documentation at GAO's offices or will provide copies of selected documentation. In both cases, this access is subject to legal and privacy considerations, such as those concerning taxpayer return information and protected banking information.

Detailees to the Congress

By law,⁷ GAO staff can be assigned on detail only to congressional committees, not to leadership or personal offices. GAO staff may not engage in partisan activities or discussions. Committee requests for GAO detailees should be made in writing and be for specific purposes for a period not to exceed 1 year. All detailees must be approved by the Comptroller General in a manner consistent with the applicable rules and policies of the Senate or House.

Press Policy

In response to media inquiries about ongoing work, GAO will provide information only about the objectives, scope, and methodology of an assignment; the name of the requester; and the expected completion date. GAO will refer inquiries for any additional information to the requester. As a professional courtesy, GAO will inform the requester of substantive media inquiries during an ongoing assignment. Once a product is publicly released, GAO staff with expertise in the subject matter will answer questions from the media. On-camera interviews for television news programs are done only on request and only when GAO deems them

⁷31 U.S.C. §734.

appropriate for public understanding of the facts, findings, conclusions, and recommendations of GAO products. 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 the requester, 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 they are present only to answer questions about the specifics of released GAO products. Although GAO does not generally hold press conferences or issue press releases about products, it does advise the media and the public of the release of GAO products via the Internet and other venues.

Investigations

GAO's Forensic Audits and Investigative Service team (1) investigates referrals and congressional requests concerning specific allegations of federal fraud, waste, abuse, or misconduct and (2) conducts specific projects that require special investigative techniques. It is GAO's policy to conduct investigations according to investigative standards established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE) as adapted for GAO's work. CIGIE standards place upon GAO and its investigators the responsibility to ensure that (1) investigations are conducted by personnel who collectively possess the required knowledge, skills, and abilities to perform the investigations; (2) judgments made in collecting and analyzing evidence and communicating results are impartial; and (3) due professional care (e.g., thoroughness, appropriate use of investigative techniques, impartiality, objectivity, due respect for individual rights and privacy, and timeliness) is exercised. GAO's congressional policies and protocols apply to investigative work conducted by GAO's Forensic Audits and Investigative Service team unless an exception is specified herein or noted in advance.

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

Obtaining Copies of GAO Reports and Testimony

The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO's Web site (www.gao.gov). Each weekday afternoon, GAO posts on its Web site newly released reports, testimony, and correspondence. To have GAO e mail you a list of newly posted products, go to www.gao.gov and select "E-mail Updates."

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E-mail: fraudnet@gao.gov
Automated answering system: (800) 424-5454 or (202) 512-7470

Congressional Relations

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For Members of Congress and Congressional Staff

Watchdog.gao.gov provides GAO points of contact, reports, recommendations, and ongoing work and is available on House and Senate Intranets.

Following GAO's Work:

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