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The Honorable George V. Voinovich
Acting Ranking Member
Subcommittee on Oversight of Government Management,
the Federal Workforce, and the District of Columbia
Committee on Homeland Security and Governmental Affairs
United States Senate

The Honorable Edolphus Towns
Chairman
Committee on Oversight and Government Reform
House of Representatives

The Honorable Stephen F. Lynch
Chairman
Subcommittee on Federal Workforce, Postal Service, and the District of Columbia
Committee on Oversight and Government Reform
House of Representatives

The Honorable Danny Davis
House of Representatives

Subject: *Recovery Act: Consistent Policies Needed to Ensure Equal Consideration of Grant Applications*

Grants.gov is the central grant identification and application portal for the more than 1,000 federal grants programs offered by 26 federal grant-making agencies and organizations.¹ The Office of Management and Budget (OMB) created Grants.gov, to streamline administrative grant application requirements and reduce the burden on applicants, among other things. On March 6, 2009, Grants.gov began posting specific grant opportunities provided in the American Reinvestment and Recovery Act of 2009 (Recovery Act).² As a result, submissions have escalated to an unprecedented level.

¹All federal discretionary grant opportunities are required to be posted on the site, and many “grantor agencies” require applicants to submit most or all grant applications using the Grants.gov “apply” mechanism. We use the term grantor agencies throughout this report to mean the 26 grant-making agencies and their subcomponents that have distinctive application policies. For example, the Department of Health and Human Services is made up of agencies, each of which has its own policies on grant applications. We consider each operating division a grantor agency. In a survey we conducted of 80 grantor agencies, we found that 64 percent (47) of the 74 respondents required the use of Grants.gov for most to all of their grants.

²Pub. L. No. 111-5 (Feb. 17, 2009). For grant opportunity postings, see <http://www.grants.gov/applicants/recovery.jsp> (as of Apr. 28, 2009).

During the first week in April, Grants.gov processed almost 11,500 applications, or about three times the weekly average number of submissions in fiscal year 2008. One day that week Grants.gov accepted 3,555 applications—the largest 1-day total to date.

On March 9, 2009, OMB notified federal agencies that over the past several months Grants.gov had experienced increased activity beyond what was originally anticipated by the system, which had at times resulted in noticeably degraded performance. OMB further noted that given the expected increase in application volume because of the Recovery Act, the system was at significant risk of failure, thus potentially hampering Recovery Act implementation.³ To reduce demand on the Grants.gov system and to assist applicants in the short term, OMB instructed federal grant-making agencies to identify alternate methods for accepting grant applications during the peak period of the Recovery Act, with a focus on minimizing any disruption to the grants application processes. OMB and agencies estimate that this peak period will last from April through about August 2009. Alternate methods for applying include agency-specific electronic systems (i.e., non-Grants.gov electronic systems run by a grantor agency), e-mail, fax, and mail.⁴

On April 8, 2009, OMB issued another memorandum stating that the existing Grants.gov infrastructure will not be able to handle the influx of applications expected as key Recovery Act deadlines approach.⁵ OMB said that the Department of Health and Human Services (HHS), the federal agency that operates and maintains Grants.gov, and the General Services Administration (GSA), which serves as the facilitator of governmentwide solutions, are working together to initiate urgent improvements to the system, and that each grant-making agency is being asked to cover a proportionate share of these improvements.⁶

Based on our ongoing work for you on Grants.gov, you asked us to issue two reports: one immediately on our initial observations on improving grant submission policies that could help minimize disruptions to the grants application process during the Recovery Act's peak filing period, and the second in June 2009 addressing in more detail systemic issues with Grants.gov and implications of varying agency policies for processing application submissions.

Our initial observations are based on our review of policies and procedures related to grant applications submissions from the Grants.gov Program Management Office (PMO) and federal grant-making agencies. We also examined documentation from

³Office of Management and Budget, *Recovery Act Implementation—Improving Grants.gov and Other Critical Systems*, M-09-14 (Washington, D.C.: Mar. 9, 2009).

⁴OMB instructed agencies that applicants be provided an electronic alternative to Grants.gov; a paper-only alternative was not an approved option.

⁵Office of Management and Budget, *Improving Grants.gov*, M-09-17 (Washington, D.C.: Apr. 8, 2009).

⁶Like many e-Government initiatives, Grants.gov is funded by voluntary agency contributions. OMB instructed the 26 grant-making agencies that together finance Grants.gov to immediately submit any fiscal year 2009 unpaid contributions to HHS and to provide the additional funding requested for Recovery Act-related improvements to Grants.gov. See Office of Management and Budget, *Improving Grants.gov*.

HHS, the Grants Executive Board (GEB), and OMB.⁷ As part of the audit work for our June 2009 report, we also conducted a Web-based survey in December 2008 and January 2009 of 80 agency officials representing the 26 federal grant-making agencies and organizations within those agencies that have distinctive grant application submission and processing policies. Throughout this report, we call these organizations grantor agencies. We received responses from 74 grantor agencies for a response rate of 92.5 percent.⁸ Our survey contained questions on agency policies and practices with respect to competitive grant application submissions, and questions on agency experiences assisting applicants that have had problems while using Grants.gov. To construct the questionnaire, we interviewed agency grant officials and pretested it with five grantor agencies to ensure that the questions were clear and unbiased and that the questionnaire could be completed in a reasonable amount of time. In addition, to encourage them to respond, we sent three follow-up e-mails. For those that did not respond, we made phone calls to encourage respondents to complete the questionnaire. We also conducted interviews with officials from the Grants.gov PMO, HHS, GEB, and OMB. To obtain more information from the grantee perspective on using Grants.gov and other application submission methods, we also reviewed documents from associations representing grant applicants and conducted interviews with officials from these organizations.

We conducted the performance audit for our ongoing work on Grants.gov from May 2008 to April 2009 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 the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

OMB created Grants.gov (initially known as e-Grants) in response to the Federal Financial Assistance Management Improvement Act of 1999, commonly referred to by the grants community and OMB as Public Law 106-107.⁹ Public Law 106-107 sought to improve coordination among federal grantor agencies and their nonfederal partners. It required federal grant-making agencies to streamline and simplify the application, administrative, and reporting procedures for their programs. The act also required OMB to direct, coordinate, and assist agencies in developing and implementing a common application and reporting system that included electronic processes with

⁷The Grants.gov PMO is in charge of the day-to-day management of Grants.gov. HHS is the designated managing partner of Grants.gov and has lead responsibility for the initiative. The GEB consists of representatives from the 26 grant-making agencies and provides strategic leadership and resources to Grants.gov. OMB provides oversight and guidance to the 24 e-Government initiatives of which Grants.gov is one.

⁸We worked with officials from the 26 grant-making agencies to determine if policies on submitting and reviewing grant applications are centralized at the agency level or if they differ within an agency by subagency or program office. We then administered the survey at the level where policies are established in order to capture differences between and within the 26 grant-making agencies. We identified 80 grantor agencies that have distinctive grant application policies. The 74 responses we received were from all of the 26 grant-making agencies.

⁹Pub. L. No. 106-107 (Nov. 20, 1999). Although we focus on grants and cooperative agreements in this report, the law covers all types of federal financial assistance.

which a nonfederal entity can apply for multiple grant programs that serve similar purposes but are administered by different federal agencies.¹⁰

In order to log in and submit an application, first-time applicants must register with Grants.gov—a complex process meant to ensure that only authorized applicants can apply on behalf of an organization.¹¹ According to Grants.gov, the registration process for an organization should take from 3 to 5 business days; however, for some applicants, this process can take 2 weeks or more.¹² Table 1 highlights key steps in the registration process and typical difficulties that can result in delay. In addition to registration difficulties, which may or may not be caused by Grants.gov system issues, applicants commonly encounter technical issues with Grants.gov, such as system slowness and unresponsiveness, which also delay applicants' ability to log in and submit applications in a timely manner.

To submit an application, an applicant logs in and uploads a completed application to Grants.gov. Grants.gov notifies the applicant by e-mail that the application was received and provides a tracking number and submission time stamp. Grants.gov then attempts to “validate” the application by screening for technical errors, such as computer viruses. The validation checks are typically completed within 48 hours. If validation was successful, Grants.gov notifies the applicant by e-mail. If validation was not successful, Grants.gov notifies the applicant via e-mail that the application was “rejected due to errors” and the application must be resubmitted. Grants.gov makes the successfully validated application available to the grantor agency and notifies the applicant via e-mail when this occurs.¹³ Grantor agencies retrieve the validated applications from Grants.gov and review them and make determinations about grant awards. If a grantor agency determines that an application is late, the applicant can often appeal this determination. There is no standard set of criteria that agencies use to determine whether they will consider an appeal.

¹⁰OMB requires agencies to announce all discretionary grants opportunities on Grants.gov; it does not require agencies to accept applications through Grants.gov.

¹¹Applicants applying as individuals (not as part of an organization) must also register with Grants.gov before applying for grants; however, individuals are only able to apply for grant opportunities that are open to individuals. In our survey, only 32 percent (24) of the 74 respondents stated that they offer grants to individuals.

¹²As shown in table 1, obtaining an employer identification number from the Internal Revenue Service may take 2 weeks or more.

¹³The Grants.gov validation process is not designed to verify any agency-specific or grant-specific requirements; as such, an application that was validated by Grants.gov could be forwarded to the agency and still fail to meet criteria specified in a grant's application instructions.

Table 1: Key Steps and Time Frames in the Grants.gov Organization Registration Process

Steps	Estimated time required and considerations
Obtain DUNS number from Dun & Bradstreet (D&B) ^a	<p>Typically 1 business day.</p> <ul style="list-style-type: none"> ▪ Requires organization information to be submitted to D&B via phone or Internet.
GSA’s Central Contractor Registration (CCR) ^b	<p>Typically 1 to 2 business days. (Can take 2 weeks or more.)</p> <ul style="list-style-type: none"> ▪ Requires DUNS number. ▪ Requires an employer identification number (EIN) from the Internal Revenue Service (IRS). An EIN must be obtained from IRS if the organization does not already have one. It may take 2 to 5 weeks for a newly assigned EIN to become active for purposes of registering with CCR. ▪ Requires CCR to check the organization information provided against the IRS data on file; delays could result if there are inconsistencies. ▪ Establishes organization’s E-Business Point of Contact (POC) who creates a unique identification number for the organization called the marketing partner identification number (MPIN). Only the E-Business POC can authorize individuals to submit for the organizations as authorized organization representatives (AOR)^c
Obtain username and password	<p>Typically 1 day.</p> <ul style="list-style-type: none"> ▪ Requires DUNS number. ▪ Requires complete and active CCR registration.Requires CCR registration to be updated annually to be valid. ▪ Requires AOR to create profile on Grants.gov, which will serve as the electronic signature when submitting grants.
Register with Grants.gov to establish an AOR	<p>Typically 1 day. (Can vary because it depends on the E-Business POC.)</p> <ul style="list-style-type: none"> ▪ E-Business POC receives e-mail from Grants.gov asking him/her to log in using MPIN and confirm the AOR. ▪ This takes about 24 hours from when the E-Business POC responds to the Grants.gov request for authorization. AORs cannot submit an application until the E-Business POC responds to Grants.gov with a confirmation of their AOR status. ▪ Grants.gov advises the AOR to verify that the organization’s E-Business POC has confirmed them as authorized to submit grant applications for the organization through Grants.gov.

Source: GAO presentation of Grants.gov and CCR information.

Notes:

See http://grants.gov/applicants/get_registered.jsp for complete details of the registration process and links to the entities described here.

^aThe federal government uses DUNS numbers, which identify an organization to track how federal grant money is allocated.

^bCCR is operated by GSA.

^cAORs are the only people in an organization who can apply for grants on its behalf through Grants.gov.

Applicants Lack a Central Source of Information on Recovery Act Alternatives to Grants.gov

Federal agencies must post all discretionary grant opportunities on Grants.gov; many also require applicants to apply for most or all grant applications through Grants.gov. Given the growing pressure on Grants.gov caused by increased volume from the Recovery Act, OMB required grantor agencies to identify by March 13, 2009, alternate ways for applicants to submit grant applications during the Recovery Act peak filing period and submit them to OMB for review and approval. These alternatives include electronic systems run by a grantor agency, e-mail, fax, and mail. Recovery.gov, the Web site established to provide information on the Recovery Act,¹⁴ directs people to

¹⁴Pub. L. No. 111-5, div. A, title XV, § 1526.

use Grants.gov to search for federal grant opportunities but, as of April 28, 2009, lacked information on the alternate submission methods agencies have identified. On April 22, 2009, Grants.gov prominently posted an announcement stating that all opportunities announced on Grants.gov will include specific application instructions, as appropriate, for submitting applications.¹⁵ The notice directs applicants to carefully read the instructions for all grant opportunities—even if they have applied before—to ensure that they are following proper submission procedures for the programs.

As noted in the April 22 Grants.gov announcement, at least 10 agencies will accept some or all applications outside of Grants.gov during the Recovery Act peak filing period. For example, the National Science Foundation and National Aeronautics and Space Administration are only accepting applications through their own existing electronic systems for some grants, and two Department of Justice program offices are requiring applicants to use an internal electronic system to apply for grants for the remainder of fiscal year 2009. Many agencies lack alternate electronic systems and instead plan to rely on alternatives such as e-mail, fax, or mail.¹⁶ For example, as stated in the Environmental Protection Agency’s (EPA) Recovery Act Request for Applications Under the Clean Diesel Emerging Technologies Program (released March 19, 2009), EPA will generally provide applicants the option of submitting application materials by hard copy or through e-mail.¹⁷

On the other hand, the National Institutes of Health (NIH), which will be competing at least an additional \$400 million of Recovery Act grants,¹⁸ has no viable alternative to Grants.gov. While it is the largest federal grant-making entity, with over 90 percent of its applications (101,000 submissions) coming in through Grants.gov in fiscal year 2008, NIH does not have its own electronic system for receiving applications. NIH officials told us that given the size and structure of NIH applications, printing and mailing hard copies or receiving applications via e-mail is “incredibly impractical” for both applicants and NIH. These officials said that applicants will continue to apply through Grants.gov but that NIH will accept late applications in the event of Grants.gov system problems as it has done in the past.¹⁹ These officials also said that they believe this work-around will address most issues, but that since Recovery Act grants have shorter time frames than most other NIH grants, decisions about grant awards could be adversely affected by a lengthy Grants.gov system problem or outage.

¹⁵See <http://www.grants.gov/applicants/bulletin.jsp> (as of Apr. 28, 2009).

¹⁶In some cases, agencies already allowed applicants to submit using these alternative methods.

¹⁷The other 6 agencies are: Corporation for National and Community Service, and the Departments of Defense, Education, Energy, Housing and Urban Development, and Transportation.

¹⁸NIH plans to compete approximately \$9.9 billion in Recovery Act grants and Recovery Act contracts. At the time of our review, NIH officials estimated that of the \$9.9 billion, a minimum of \$400 million would be awarded through grants. The Web portal for all federal government contracting opportunities is www.FedBizOpps.gov.

¹⁹Even before the Recovery Act became law, some agencies recognized the need to amend their application submission policies to better meet applicants’ needs. For example, NIH reported that it has changed its policies to accommodate applicants that encounter technical problems with Grants.gov or NIH systems, and that it works with applicants in need of assistance even if it means granting an extension beyond the grant closing date.

Disparate Agency Policies for Processing Grant Applications Could Result in Different Treatment for Applications Submitted Electronically versus through Other Means

Agencies have disparate policies on several important aspects of processing applications, specifically, (1) closing times for submitting an application, (2) how to determine whether an application was submitted timely, (3) when and whether to notify applicants that an application has been successfully submitted, and (4) criteria for considering an appeal when an application has been deemed late.

- **Grants.gov accepts applications after the closing time of some grant opportunities.** Grants.gov accepts applications until midnight eastern time on a grant's closing date, but about one-third of the responding grantor agencies we surveyed had application deadlines before midnight—sometimes as early as noon eastern time.²⁰ NIH, the largest grantor agency, has a 5:00 p.m. local time deadline for all its grants. This presents problems for applicants using Grants.gov for two reasons. First, applicants could receive confirmation that an application was successfully submitted to Grants.gov, but the application can still be deemed late by the grantor agency. Second, Grants.gov officials have told applicants to submit applications during off-peak hours, (i.e., before 11:00 a.m. and after 8:00 p.m. eastern time) to help resolve ongoing Grants.gov system overload issues.²¹
- **Agencies have different policies for determining the timeliness of Grants.gov applications as well as for submissions through other methods.** Of the 74 grantor agencies responding to our survey, more than 60 percent (47) said that they determine whether an application is timely based on the time the application was submitted to Grants.gov; 16 percent (12) said they determine whether an application is timely based on the time the application was validated by Grants.gov.²² However, validation can take up to 48 hours after a grant is successfully submitted; this has resulted in late submissions.²³ In contrast, applications submitted by e-mail or mailed in hard copy—two of the options agencies have made available as alternate means of submitting applications during the Recovery Act peak filing period—are not subject to Grants.gov validation. Instead, agencies use other means to establish the timeliness of these submissions. For example, the

²⁰Grants.gov officials told us that in rare cases application deadline times are written into a grant's authorizing legislation.

²¹For example, on April 6, 2009, the day Grants.gov received its largest numbers of submissions to date, almost one-third of the 3,555 applications received were submitted from 3:00 p.m. through 6:00 p.m. eastern time.

²²Six respondents said that they used another indicator to determine timeliness, and nine did not answer the question.

²³Although it was beyond the scope of our work to fully examine other agency-specific electronic systems, we found evidence that some of those systems have a registration process similar to the Grants.gov registration process; we could not determine if any had a similar validation process.

postmark²⁴ or the arrival date is often used to determine the timeliness of paper applications.

- **Agencies differ in notifying applicants when and whether applications have been successfully submitted.** There are no common requirements for notifying applicants of the status of their applications; as such, these policies vary across grant-making agencies. More than half of the agencies responding to our survey (39 respondents) said that they notify an applicant “immediately or almost immediately” when an application is late and will not be forwarded for content review. In contrast, 13 respondents said that they either wait until the time that the grant is awarded to notify applicants or do not notify applicants at all.²⁵ Further, an applicant’s ability to determine the status of an application varies depending on how the application was submitted. For example, applicants that mail hard copies of applications can choose to track their applications through the U.S. Postal Service or commercial delivery service; applicants that submit their applications via e-mail or an electronic system have no way of knowing if their applications were successfully submitted unless the grantor agencies or electronic systems notify them. Lack of notice, or untimely notice, can eliminate an applicant’s chance to appeal a late determination.
- **Agencies have different criteria for considering appeals when an application is late and do not always consider the most common reasons for late submissions.** If a grantor agency determines that an application is late, applicants can often appeal this determination; however, the criteria agencies use to determine whether they will consider an appeal vary. Our survey results and interviews indicate that being unable to register with Grants.gov is one of the most common problems experienced by applicants. However, more than half of the 23 survey respondents that provided data about appeals based on registration difficulties said that appeals on this basis were more likely to be denied than approved. Registering with Grants.gov in a timely manner—which should take from 3 to 5 business days but can take 2 weeks or more if applicants encounter problems—may be even more difficult during the Recovery Act period given the number of applicants trying to register. On the other hand, most of the 27 survey respondents who provided data on appeals based on technical issues with Grants.gov, such as system slowness or unresponsiveness, said that these appeals were approved most to all of the time. To provide evidence of technical issues, agencies may ask applicants to provide case numbers from the Grants.gov contact center so the agencies can obtain the details of the cases and confirm the technical problems.²⁶

²⁴Agencies may specify the requirement of a U.S. Postal Service postmark or a dated receipt from a commercial carrier in their application instructions.

²⁵Of the remaining responses, 12 answered “other,” and 10 did not respond or answered “no response.”

²⁶The Grants.gov contact center is a help desk that applicants can call or e-mail when they need assistance. The contact center assigns case numbers and attempts to resolve callers’ issues. The

However, applicants report that obtaining a case number from the contact center in a timely fashion has become more challenging in recent months. Grants.gov officials and applicants have reported long wait times—sometimes 30 minutes or more—when calling the contact center, because of the large numbers of applicants seeking assistance. These delays could hamper an applicant’s ability to obtain the necessary data to support a request for an appeal.

Conclusions

OMB has acknowledged the importance of Grants.gov in successfully implementing the Recovery Act. By working with agencies to initiate immediate improvements to Grants.gov and requiring agencies to identify alternate methods for accepting grant applications, OMB has played a critical role in minimizing disruptions to the grants application process. OMB and the Grants.gov staff have worked quickly to mitigate an impending system failure and protect the flow of Recovery Act grant funds to struggling communities around the country.

However, applicants lack a centralized source of information on how and when to use these alternatives, rendering them less effective than they otherwise might be in reducing the strain on a system already suffering from seriously degraded performance. Moreover, inconsistent agency policies for grant closing times, what constitutes a timely application, when and whether applicants are notified of the status of their applications, and the basis on which applicants can appeal a late application create confusion and uncertainty for applicants and could result in an application being treated differently depending on how it is submitted—results that are contrary to OMB’s stated purposes for recent efforts to improve Grants.gov and to the streamlining goals of Public Law 106-107 in general.

Recommendations for Executive Action

We are making the following two recommendations to the Director of OMB to increase the likelihood that applicants can successfully apply for grants during the Recovery Act’s peak application filing period.

We recommend that the Director of OMB ensure that an announcement discussing agency alternate submission methods similar to that recently posted on Grants.gov is posted in a prominent location on Recovery.gov and on all federal Web sites or in all documents where instructions for applying to Recovery Act grants are presented. Such announcements, including the one on Grants.gov, should also include guidance for applicants that try to submit through Grants.gov but cannot successfully register and are therefore unable to submit timely applications.

We recommend that the Director of OMB implement and prominently post the following governmentwide policies, effective immediately, for all grant applications submitted during the peak filing period for Recovery Act grants:

grantor agency can contact the call center and use the case number to obtain the case notes. Grantor agencies may also allow the applicants to provide additional evidence.

- To the extent permissible by law, applications received at any point on the stated grant opportunity closing date should be considered timely.
- Agencies must notify an applicant when an application submission has been received and if the application has been deemed late. An applicant that submits electronically (including by e-mail or fax) should receive automatic confirmation, including a date and time stamp.
- Applicants whose applications have been deemed late should be given an opportunity to provide supporting documentation to demonstrate that they attempted to submit an application on time. Proof of timely submission could include (1) e-mail confirmation of receipt from the electronic system used to submit the application, (2) system time stamps from the electronic system used to submit the application, or (3) a dated postmark or receipt from the U.S. Postal Service or a commercial delivery service.

Agency Comments

In commenting on a draft of this report, OMB concurred with our findings and the overall objectives of our recommendations. OMB staff also provided technical comments, which we have incorporated as appropriate. OMB said that it plans to work with the Grants Policy Committee and with other stakeholders as appropriate to define the best path forward in addressing our recommendations. HHS provided technical comments which have been incorporated as appropriate.

We are sending copies of this report to the Director of OMB, the Secretary of Health and Human Services, and other interested parties. The report also is available at no charge on the GAO Web site at <http://www.gao.gov>.

Should you wish to discuss these matters, please contact me at (202) 512-6806 or czerwinski@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Major contributors to this report were Thomas James, Assistant Director; Jacqueline M. Nowicki, Assistant Director; Jennifer Ashford; Carolyn Boyce; James J. Burns; David Fox; and James R. Sweetman, Jr. Cynthia Grant, Chelsa Gurkin, Luann Moy, and Carol Patey also made key contributions.

Sincerely Yours,



Stanley J. Czerwinski
Director
Strategic Issues

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