STATE DEPARTMENT

Process to Track Responses to Congressional Correspondence Can Be Improved
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What GAO Did This Study

State receives about 2,200 pieces of correspondence each year from members of Congress seeking information. GAO was asked to review State’s procedures for responding to requests for information.

GAO examined (1) State’s process for responding to congressional correspondence and (2) the extent to which State tracks the timeliness of its responses to congressional correspondence. To do so, GAO reviewed information on 4,804 pieces of correspondence that State indicated it had received and responded to between April 2011—when State said it began using a database to track its response letters—and June 2013. GAO also interviewed cognizant State officials.

What GAO Found

The Department of State (State) uses a multistage process to respond to congressional correspondence. In April 2011, the Bureau of Legislative Affairs (the Bureau), which is responsible for tracking State’s response letters, began using a database to track State’s responses as they move through the stages of the process. The process includes the Bureau entering key information into a database, tasking other State bureaus or offices with subject matter expertise to draft response letters, and conducting reviews of draft response letters prior to mailing them. In some cases, the Bureau tasks other bureaus with drafting, reviewing, and mailing the letters themselves.

State did not track key information on the timeliness of nearly half of its responses to congressional correspondence. State’s timeliness goal is to provide the member, within 21 business days of receiving his or her correspondence, with either a response letter or an interim acknowledgment informing the member of the delay. State tracked the time it took to respond and also met its timeliness goal in 2,524 (53 percent) of the 4,804 cases that GAO reviewed. However, State did not track the timeliness of its responses in 1,544 (32 percent) of the cases GAO reviewed because the bureau tasked with mailing the response directly to constituents and members did not notify the Bureau when it did so, as required by State policy. In those cases, the Bureau recorded the date it tasked the other bureau as the date State sent its response letter, although it had no information as to if or when this actually occurred. In addition, because the Bureau did not systematically track State’s interim acknowledgments in cases that took more than 21 days, GAO could not determine whether State actually sent such acknowledgments in 736 (15 percent) of the cases GAO reviewed where the response time exceeded 21 days (see figure). Because its database lacks accurate and complete data, State is not in a position to identify elements of the process that may be most prone to delays and therefore cannot develop strategies to improve the timeliness of its response letters.

What GAO Recommends

GAO recommends that State (1) take steps to ensure that all response letters, including those tasked to bureaus to reply directly to constituents and members, are tracked; and (2) ensure that if and when interim acknowledgments to members of Congress are provided, they are tracked. State agreed with GAO’s recommendations and said it would begin to implement them immediately.
May 20, 2014

The Honorable Claire McCaskill
Chairman
Subcommittee on Financial and Contracting Oversight
Committee on Homeland Security and Governmental Affairs
United States Senate

Dear Madam Chairman:

Congressional oversight—in which the United States Congress reviews, monitors, and oversees the executive branch’s implementation of public policy—includes activities that range from formal congressional committee hearings to contacts between members of Congress and executive branch officials. As a part of their oversight over the Department of State (State), members of Congress send approximately 2,200 pieces of correspondence to State each year that seek information on topics that range from specific constituent concerns to broad issues regarding U.S. foreign policy. State’s Bureau of Legislative Affairs is responsible for tracking and managing State’s responses to this correspondence. Specifically, the bureau’s Congressional Correspondence Unit, which is responsible for tracking and coordinating State’s responses, receives the correspondence and enters information about it into a database that, according to State officials, it began fully using in April 2011.

You asked us to review State’s procedures for responding to congressional requests for information because of concerns about the timeliness of State’s responses to such requests. For this report, we examined (1) State’s process for responding to congressional correspondence and (2) the extent to which State tracks the timeliness of its responses to congressional correspondence. To do so, we reviewed documents describing State’s policies and procedures, including State’s Foreign Affairs Manual and Foreign Affairs Handbook. We also analyzed data extracted from State’s congressional correspondence database. We examined 4,804 records of congressional correspondence that the database indicated had been received and responded to by State from April 2011 through June 2013. We did not examine correspondence marked in the database as “For Your Information Only” because it did not require a response letter from State. We assessed the reliability of the data by observing a demonstration on the use of the database, reviewing the data we were given, and performing logic tests on it. We determined
that the data were sufficiently reliable for our purposes. We also interviewed cognizant State officials in Washington, D.C.

We conducted this performance audit from April 2013 to May 2014 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.

Background

State receives correspondence from members of Congress that includes requests for specific information, requests for documents, and requests that the Secretary of State direct his or her attention to various matters. More than half of the correspondence that State received and responded to from April 2011 through June 2013 involved what State refers to as constituent concerns. According to State officials, this correspondence covered a variety of topics of interest to members' constituents, ranging from the status of visa applications to employment possibilities with State. We hereafter refer to such correspondence as constituent-related correspondence. The remaining correspondence involved what State refers to as substantive concerns. State officials said this correspondence sought information concerning foreign policy matters, such as human rights in Vietnam; the attack on the U.S. Consulate in Benghazi, Libya; arms sales to foreign nations; State management issues; and bilateral relations with other governments. We hereafter refer to such correspondence as substantive correspondence.

State Uses a Multistage Process to Respond to Congressional Correspondence

State uses a multistage process to respond to both constituent-related and substantive correspondence. Congressional Correspondence Unit officials said that they began using the congressional correspondence database in April 2011 to help manage the process of drafting, reviewing, and mailing State’s responses to congressional correspondence. Specifically, they said that they use the database to track the status of State’s response letters as they move through the following stages of State’s process:

- Congressional Correspondence Unit initiates case in database: When State receives a piece of congressional correspondence, the Congressional Correspondence Unit scans a copy of the correspondence and records information about it—such as the date
received, the member’s name, and subject—into the database. The Congressional Correspondence Unit then prepares a tasking slip, tasks the State bureau or office with the appropriate subject matter expertise to draft the response letter, and establishes an interim deadline for that bureau or office to prepare the draft response letter (2 days for substantive correspondence, 7 days for constituent-related correspondence). It also inputs the tasking information into the database. When it has done so, the Congressional Correspondence Unit transmits the tasking slip and congressional correspondence to a point of contact in the tasked bureau or office.

- **Tasked bureau or office drafts response letter:** The tasked bureau or office drafts the response letter and obtains appropriate clearances within the department and other agencies as applicable by the designated interim deadline. The tasked bureau or office may request an extension from the Congressional Correspondence Unit if the interim deadline cannot be met. In addition, if the tasked bureau or office foresees a prolonged delay, it may provide the member with an interim acknowledgment notifying him or her of the reason for the delay. Based on the member’s request, in cases involving constituent-related correspondence, the Congressional Correspondence Unit may delegate to the tasked bureau or office the responsibility of drafting, signing, and mailing the response letter directly to the constituent and the member. State policy requires bureaus and offices to notify the Bureau of Legislative Affairs before they mail such response letters.\(^1\) In such cases, the process ends at this stage and the Congressional Correspondence Unit closes the case in the database. For all other cases, the process includes the following stages.

- **Bureau of Legislative Affairs reviews draft response letter:** The tasked bureau or office transmits its draft response letter to the Congressional Correspondence Unit, which conducts an initial review of the draft response letter. During this stage, other officials in the Bureau of Legislative Affairs conduct their own review of the draft response letter and may edit it as needed. In some cases, draft response letters to constituent-related correspondence may not require any further review and the Congressional Correspondence Unit may move the draft response letter to the final stage of the

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\(^1\)See the Department of State’s *Foreign Affairs Manual Volume 5 Handbook 1, 5 FAH-1 H-515.3, “Reply Direct to Constituent.”*
process, where the unit, among other things, mails the letter and closes the case in the database.

- **Bureau of Legislative Affairs senior officials review draft response letter:** Senior officials in the Bureau of Legislative Affairs may review, edit, and add additional information to the draft response letter. These officials then transmit the draft response letter to the Assistant Secretary for Legislative Affairs.

- **Assistant Secretary reviews and signs draft response letter:** The Assistant Secretary for Legislative Affairs conducts a final review of the draft response letter, makes edits as needed, and signs and transmits it to the Congressional Correspondence Unit. According to Congressional Correspondence Unit officials, almost all responses to substantive correspondence are reviewed and signed by the Assistant Secretary.

- **Congressional Correspondence Unit closes case in database:** The Congressional Correspondence Unit reviews the signed response letter, scans it into the database, indicates that the case is closed in the database, prepares the response letter for mailing, and notifies the tasked bureau or office that it has mailed the response letter to the member.

Congressional Correspondence Unit officials told us they use information from the database to generate (1) a weekly status report sent to each tasked bureau or office that identifies overdue response letters, and (2) a separate weekly status report that identifies all overdue response letters across the Department of State for Bureau of Legislative Affairs officials—including the Bureau’s Executive Director, Principal Deputy Assistant Secretary, and Assistant Secretary. Bureau of Legislative Affairs officials said that they use their report to identify actions that they can take to ensure that overdue responses are completed. In addition, the database system sends automated e-mails to bureaus and offices when their draft responses are overdue.
We found that State did not track key information about the timeliness of nearly half of its responses to congressional correspondence. Under State policy, if State cannot provide a response to congressional correspondence within 21 business days of receiving such correspondence, State must provide an interim acknowledgment informing the member of the reason for the delay.2 We reviewed data concerning 4,804 pieces of correspondence and identified 2,524 (53 percent) cases in which State tracked the time it took to respond and also met its timeliness goal of responding to congressional correspondence within 21 days. However, we found that the Bureau of Legislative Affairs did not track the time State took to respond to 1,544 (32 percent) of the 4,804 cases that we reviewed because the Bureau of Consular Affairs—which was tasked with drafting and mailing these responses directly to constituents and members—did not notify the Bureau of Legislative Affairs when it did so, as required by State policy. We also found that the Bureau of Legislative Affairs did not systematically track if and when State sent interim acknowledgments to members in cases that took more than 21 days. Therefore, we could not determine whether State had actually sent such acknowledgments in the 736 cases where the response time exceeded 21 days, which constituted 15 percent of the 4,804 cases we reviewed.

State tracked and met its timeliness goal for more than half of its responses to congressional correspondence. According to State policy, within 21 business days of receiving congressional correspondence, State must provide the member with either (1) a response letter or (2) an interim acknowledgment informing the member that State’s response will take more than 21 days and explaining why. We reviewed data concerning the 4,804 pieces of correspondence that State’s database indicated had been received and responded to between April 2011 and June 2013. We identified 2,524 (53 percent) in which State met its timeliness goal of responding to congressional correspondence within 21 days. Specifically, we found that State took 10 days or less to respond in 1,336 cases and between 11 and 21 days in 1,188 of those cases. For these cases, the Bureau of Legislative Affairs tracked the response letters through the multistage process and told us that its staff closed the case in

2See the Department of State’s Foreign Affairs Manual Volume 5 Handbook 1, 5 FAH-1 H-513.1, “Responding from the Department.”
We found that State did not track if and when the Bureau of Consular Affairs replied directly to constituents and sent copies of the replies to members of Congress because the Bureau of Consular Affairs did not notify the Bureau of Legislative Affairs when sending those response letters, as required by State policy. From April 2011 through June 2013, the Bureau of Consular Affairs was the bureau that the Congressional Correspondence Unit tasked with drafting the highest number of State’s response letters. During that period, the Congressional Correspondence Unit tasked the Bureau of Consular Affairs with replying directly to constituents and sending copies to members in 1,544 cases, which constituted 32 percent of the 4,804 pieces of congressional correspondence we reviewed. For those cases, therefore, the Bureau of Consular Affairs was responsible for drafting, reviewing, signing, and mailing the response letters directly to constituents and members, and was also required by State policy to notify the Bureau of Legislative Affairs before doing so. However, the Bureau of Consular Affairs did not notify the Bureau of Legislative Affairs if and when it mailed the response letters. In addition, Congressional Correspondence Unit officials told us that they did not follow up with the Bureau of Consular Affairs to confirm if and when the Bureau of Consular Affairs replied directly to constituents and members. As a result, the Congressional Correspondence Unit’s database contains incomplete data regarding those response letters.

We also found that the Bureau of Consular Affairs itself does not have a centralized process by which it tracks if and when it responds to such correspondence. Bureau of Consular Affairs officials stated each of the bureau’s individual directorates—which are tasked with drafting, reviewing, signing, and mailing the bureau’s response letters directly to constituents and members—has its own mechanism to track the status of its response letters. Further, these directorates did not notify the Bureau of Legislative Affairs when they mailed the response letters. In addition, Congressional Correspondence Unit officials told us that they did not

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3See the Department of State’s *Foreign Affairs Manual Volume 5 Handbook 1*, 5 FAH-1 H-515.3, “Reply Direct to Constituent.”
follow up with the directorates to confirm if and when they replied directly to constituents and members.

Congressional Correspondence Unit officials told us that the Bureau of Consular Affairs does not notify the Bureau of Legislative Affairs before sending such response letters because of a longstanding memorandum of understanding between the bureaus. State officials said that this memorandum effectively exempts the Bureau of Consular Affairs from State’s policy of notifying the Bureau of Legislative Affairs prior to sending response letters. We were unable to confirm the existence of the memorandum because officials from the Bureau of Legislative Affairs, the Bureau of Consular Affairs, and the Office of the Secretary told us that they were unable to locate it. State officials explained that the congressional correspondence for which the Bureau of Consular Affairs is tasked to respond directly to constituents and members covers routine matters, such as inquiries about the status of passport or visa applications, and that the response letters do not require further review by the Congressional Correspondence Unit or Bureau of Legislative Affairs.

Lacking complete data from the Bureau of Consular Affairs regarding if and when it replied directly to constituents and members, Congressional Correspondence Unit officials said that they instead closed those cases by recording the date that they tasked the Bureau of Consular Affairs with drafting the response as the date that the signed response letter was sent. As a result, the database does not contain accurate data regarding if and when the Bureau of Consular Affairs actually responded to constituents and members. Congressional Correspondence Unit officials said that, on two occasions, they prepared reports on response times for senior Bureau of Legislative Affairs officials that incorporated these inaccurate data and therefore inaccurately reported State’s response times for congressional correspondence.

**State Did Not Systematically Track If and When It Provided Interim Acknowledgments for Responses That Took More Than 21 Days**

State did not systematically track if and when it provided interim acknowledgments in cases for which it took more than 21 business days to prepare a response letter. Of the 4,804 cases we reviewed, we identified 736 cases (15 percent) in which State took more than 21 business days to mail a response letter to the member. Specifically, we found that State took between 30 and 59 days to respond in 347 of those cases and over 60 days to respond in 122 of those cases. We then attempted to determine whether State sent members interim acknowledgments for the cases that took more than 21 business days. We found that State did not systematically track if and when it sent
members interim acknowledgments in these cases. Congressional Correspondence Unit officials told us they did not routinely gather information regarding interim acknowledgments and did not include a specific field in the database for such information.4

According to GAO’s *Internal Control Management and Evaluation Tool*, agencies should ensure accuracy and completeness of information.5 Because State’s database lacks accurate data for almost a third of the cases we reviewed and does not have complete data on interim acknowledgments for the 15 percent of cases where the response time exceeded 21 business days, State cannot readily determine the extent to which it is meeting its timeliness goal for these cases (see fig. 1). Furthermore, without accurate and complete data, State is not in a position to identify elements of the process that may be most prone to delays and develop strategies to improve the timeliness of its response letters.

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4State officials told us that interim responses may be recorded in a comments field in the database. However, we found limited examples from the database in support of this statement.

Congressional correspondence sent to State is an important means by which members of Congress may obtain information and exercise oversight over the department. In its policies, State has acknowledged the importance of providing timely responses to congressional correspondence. In 2011, State took an important step toward ensuring that it is doing so by employing a database to help track and manage the process of drafting and mailing its response letters. However, State has undermined its ability to track the timeliness of its responses by (1) not tracking if and when the Bureau of Consular Affairs directly replied to constituents and members and (2) not tracking if and when State officials provided interim acknowledgments in response to congressional correspondence. Without accurate and complete data, State is not in a position to identify elements of the process that may be most prone to delays and develop strategies to improve the timeliness of its response letters.
To improve State’s ability to provide timely responses to congressional correspondence, we recommend that the Secretary of State take the following two actions:

- Take appropriate steps to ensure that State tracks all response letters, including those tasked to the Bureau of Consular Affairs to reply directly to constituents and members.
- Ensure that State tracks if and when it provides interim acknowledgments to members of Congress.

We provided a draft of this report to State for comment. In its written comments, reproduced in appendix II, State agreed with our recommendations and said it would begin to implement them immediately.

We are sending copies of this report to the Department of State and other interested parties. In addition, the report is available at no charge on the GAO website at http://www.gao.gov.

If you or your staff have any questions about this report, please contact me at (202) 512-8980 or courtsm@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.

Sincerely yours,

Michael J. Courts
Director, International Affairs and Trade
Appendix I: Objectives, Scope, and Methodology

For this report, we examined (1) State’s process for responding to congressional correspondence and (2) the extent to which State tracks the timeliness of its responses to congressional correspondence.

To address our first objective, we examined documents describing State’s policies and procedures, including State’s Foreign Affairs Manual, Foreign Affairs Handbook, and memoranda circulated in the department. We also interviewed cognizant State officials in Washington, D.C., including officials in the Congressional Correspondence Unit, as well as officials in bureaus that draft responses to congressional correspondence.

To address our second objective, we reviewed GAO’s Internal Control Management and Evaluation Tool\(^1\) and an extract of the database that the Congressional Correspondence Unit uses to track and manage State’s responses to congressional correspondence. The scope of our engagement included records of congressional correspondence that the database indicated had been received and responded to by State from April 2011—when, according to State officials, they began fully using the database—through June 2013. In August 2013 we requested an extract of the entire database that contained specific information from several fields in the database. In March 2014, State provided us with an extract containing information on 6,942 pieces of correspondence, including the following fields for each piece of correspondence: Control Number, Document Type (Substantive or Constituent), Classification, Current Stage, Type of Reply, Date Received, Date on Letter, Date Processed, Date Due, Multi-Signer Letter (Yes or No), Bureau Assigned, Member, Comments field, entry and exit date for each stage the correspondence passed through, and the date the task was closed. We assessed the reliability of the data by interviewing cognizant officials in Washington, D.C., observing a demonstration on using the database, reviewing the data we were given, and performing logic tests on it. We determined that the data were sufficiently reliable for our purposes.

We analyzed the database extract containing information on 6,942 pieces of correspondence. Because the scope of our engagement included information on all congressional correspondence that the database indicated had been received and responded to by State from April 2011

Appendix I: Objectives, Scope, and Methodology

through June 2013, we deleted records on correspondence that met the following criteria:

- were received outside of the stated time frame (April 1, 2011, to June 30, 2013);
- were marked as “For Your Information Only” in the database, because these pieces of correspondence did not require a response from State; and
- did not have a “task closed” date as of the end of June 2013.

As a result of these deletions, we examined information on 4,804 pieces of correspondence for our analysis. While reviewing the database records, we found a portion of the constituent-related correspondence was not marked in the database as passing through the Bureau of Legislative Affairs prior to the task being closed and we were told by State that such correspondence is tasked to bureaus to respond directly to the constituent with a copy of the response letter sent directly to the member. State officials said that the “task closed” dates in the database were inaccurate for constituent-related correspondence tasked to the Bureau of Consular Affairs for direct reply to the constituents and members. Specifically for those cases, State officials said the “task closed” date reflected the date that the Congressional Correspondence Unit tasked the Bureau of Consular Affairs with responding to the correspondence, rather than the date the response letter was mailed and the case was closed. We found that there were 1,544 such cases in the database.

To assess the timeliness of State’s responses, we used State’s Foreign Affairs Handbook’s timeliness goal of 21 business days and analyzed data on 4,804 cases. We defined business days as every official working day of the week for the U.S. federal government (we excluded weekend days and federal holidays). For constituent-related correspondence, we could not calculate timeliness for the 1,544 cases discussed above because the “task closed” dates in the database were inaccurate. For the remaining constituent-related correspondence, we used “date processed” as the start date and the “task closed” date as the end date because Congressional Correspondence Unit officials told us that the Bureau of Archives processes and archives these letters prior to the Congressional Correspondence Unit uploading and designating letters to bureaus to draft responses. For substantive correspondence, we used the “date received” as the start date and the “task closed” date as the end date.
Appendix II: Comments from the Department of State

United States Department of State
Comptroller
P.O. Box 150008
Charleston, SC 29415-5008

MAY 6 2014

Dear Dr. Yager:

We appreciate the opportunity to review your draft report, “STATE DEPARTMENT: Process to Track Responses to Congressional Correspondence Can Be Improved” GAO Job Code 320915.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact Cynthia Andrews, Congressional Correspondence Chief, Bureau of Legislative Affairs at (202) 647-1882.

Sincerely,

Christopher H. Flaggs, Acting

Enclosure: as stated.

cc: GAO – Michael Courts
H – Julia Frifield
State/OIG – Norman Brown
Appendix II: Comments from the Department of State

Department of State Comments on GAO Draft Report

STATE DEPARTMENT: Process to Track Responses to Congressional Correspondence Can Be Improved
(GAO-14-424, GAO Code 320915)

The Department of State appreciates the opportunity to review and comment on the GAO’s draft report “State Department: Process to Track Responses to Congressional Correspondence Can Be Improved.” We agree the recommendations in this report are prudent and will begin implementation immediately.

GAO Recommendations:

1.) Take appropriate steps to ensure that State tracks all response letters, including those tasked to the Bureau of Consular Affairs (CA) to reply directly to constituents and members.

2.) Ensure that State tracks if and when it provides interim acknowledgments to members of Congress.

Department Response:

Improving the Department’s responsiveness to congressional requests for information is a critical component of our mission. Allocating resources for the creation of a new Congressional Correspondence Unit (CCU) database was an essential first step in this process. While the CCU database was launched in April of 2011, we continue to review and revise our operations. Recommendations by GAO regarding tracking constituent correspondence by CCU for the Bureau of Consular Affairs (CA) and instituting measures for CCU to track interim responses will ensure that we have complete visibility on all congressional responses and ensure that we have valid metrics.

Implementing GAO recommendations will require the expenditure of unbudgeted additional resources. Modifications to the CCU database to track CA constituent correspondence and to automate and record interim responses will take time and will likely cost the Bureau of Legislative Affairs in excess of $10,000. Additional CCU staffing (1 new FTE) will also be required to handle the increase in workload associated with the processing of CA inquiries and interim responses and will cost approximately $150,000 to fund. We anticipate that all recommendations will be fully implemented by January of 2015.
The Bureau of Legislative Affairs has met with CA counterparts to review next steps. CA Directorates have a tracking system for ensuring timely responses to all congressional inquiries, including interim responses. Consular Affairs will notify the CCU when direct-reply constituent correspondence has been completed. This will ensure that the CCU has accurate information on all correspondence.
## Appendix III: GAO Contact and Staff Acknowledgments

### GAO Contact

Michael J. Courts, (202) 512-8980 or courtsm@gao.gov

### Staff

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<td>In addition to the contact named above, Pierre Toureille (Assistant Director), Ashley Alley, Debbie Chung, Martin De Alteriis, Leah DeWolf, Tim DiNapoli, Etana Finkler, Rhonda Horried, Jeff Isaacs, Mark Needham, Jerry Sandau, Sushmita Srikanth, and Michelle Wong made key contributions to this report.</td>
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Katherine Siggerud, Managing Director, siggerudk@gao.gov, (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548

Congressional Relations

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800
U.S. Government Accountability Office, 441 G Street NW, Room 7149
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