Testimony
Before the Subcommittee on Oversight and Investigations, Committee on Financial Services, House of Representatives

DISASTER RECOVERY
Better Data Are Needed to Ensure Equitable Delivery of HUD Block Grant Funds to Vulnerable Populations

Statement of Daniel Garcia-Diaz, Managing Director, Financial Markets and Community Investment

Accessible Version
DISASTER RECOVERY

Better Data Are Needed to Ensure Equitable Delivery of HUD Block Grant Funds to Vulnerable Populations

What GAO Found

Recent Federal Register notices for the Department of Housing and Urban Development’s (HUD) Community Development Block Grant Disaster Recovery (CDBG-DR) funds direct grantees to demonstrate how their programs will promote housing for vulnerable populations. Grantees generally have been required to spend 70 percent of their funds on low- and moderate-income people. Draft action plans that grantees submit to HUD are to describe how grant funds will be used and the populations to be served, including vulnerable populations such as racial minorities, the elderly, or persons with disabilities. HUD provides tools, such as strategies for reaching people with limited English proficiency, to help grantees serve these populations.

When reviewing grantees’ draft plans, HUD officials told GAO they typically require revisions to clarify the populations defined as vulnerable, how funds will help them, and how grantees will reach out to traditionally underserved populations. HUD officials also noted that vulnerable populations can be difficult to define because they may vary locally and regionally based on factors such as geography, housing stock, and policy. They described plans to define vulnerable populations in upcoming Federal Register notices.

Grantees we reviewed seek to assist vulnerable populations, but HUD does not collect and analyze key demographic data needed to fully assess the extent of CDBG-DR assistance to these populations.

- HUD requires grantees to collect selected data (race and ethnicity and the gender of single-headed households) on activities that directly benefit households or individuals (such as housing).
- However, HUD requires grantees to report these data only for those actually served and not for all applicants.
- The six grantees GAO reviewed gather additional demographic information on both applicants and those served, including age, disability status, and primary language.

A 2021 Executive Order cited the need for better data and transparency on assistance to vulnerable populations, noting that a lack of data impedes efforts to measure and advance equity. By collecting, analyzing, and publicly reporting these additional demographic data, HUD and grantees could better assess whether they effectively reach the populations CDBG-DR activities are intended to serve.

Vulnerable populations may experience several challenges accessing CDBG-DR assistance, according to grantees and organizations GAO interviewed and studies GAO reviewed. These include language barriers (individuals with limited English proficiency may need translation services), limited access to transportation (to get to assistance centers), and program requirements (individuals may not be able to produce or complete the documentation required). Some grantees said they addressed these challenges by acquiring translation services and developing outreach plans for vulnerable populations.

Why GAO Did This Study

Large-scale disasters, such as the 2017 hurricanes, have resulted in catastrophic damage, and vulnerable populations can face particular challenges in recovering from a disaster. Since 1993, Congress has provided over $90 billion in supplemental appropriations through CDBG-DR to help affected areas recover.

This testimony discusses (1) HUD’s approach to assisting vulnerable populations, (2) grantees’ actions to assist vulnerable populations, and (3) challenges grantees and vulnerable populations face in implementing and using CDBG-DR. It is based on a report GAO issued in November 2021 (GAO-22-104452). For that report, GAO reviewed documentation from HUD and six grantees (the four largest 2017 CDBG-DR grantees—Florida, Puerto Rico, Texas, and the U.S. Virgin Islands—and Louisiana and New Jersey, which are further along in implementation). GAO also interviewed HUD officials, grantees, and organizations representing vulnerable populations.

What GAO Recommends

GAO recommended in November 2021 that HUD collect, analyze, and publish demographic data from CDBG-DR grantees on vulnerable populations who apply for and receive assistance. HUD did not agree or disagree with the recommendation but identified potential ways to collect data to assess how vulnerable populations are being served and the associated challenges. GAO continues to believe the recommendation would assist in assessing outcomes.

View GAO-22-105548. For more information, contact Daniel Garcia-Diaz at (202) 512-8676 or garciadiazd@gao.gov.
Chairman Green, Ranking Member Emmer, and Members of the Subcommittee:

Thank you for the opportunity to discuss our work on the delivery of Community Development Block Grant Disaster Recovery (CDBG-DR) assistance to vulnerable populations. As you know, large-scale disasters—such as Hurricanes Harvey, Irma, and Maria in 2017—cause catastrophic damage to homes, businesses, and communities. Since 1993, Congress has provided over $90 billion in CDBG-DR funds, administered by the Department of Housing and Urban Development (HUD), to help affected areas recover. Grantees (state, territorial, and local governments) may use their CDBG-DR funding to address unmet recovery needs—losses not covered by insurance or other forms of federal assistance.

Vulnerable populations can face particular challenges in recovering from a disaster. HUD regulations and CDBG-DR guidance generally do not define vulnerable populations (apart from low- and moderate-income persons). For this testimony, we focus on low- and moderate-income persons and other potentially vulnerable populations such as, but not limited to, the elderly, people with disabilities and limited English proficiency, racial minorities, and lesbian, gay, bisexual, transgender, and queer (LGBTQ) individuals.¹

This statement discusses (1) HUD’s approach to assisting vulnerable populations, (2) grantees’ actions to assist vulnerable populations, and (3) challenges grantees and vulnerable populations face in implementing and using CDBG-DR. In preparing this statement, we relied primarily on our November 2021 report.²

For the November 2021 report, we reviewed documentation from HUD and a nongeneralizable sample of six grantees (the four largest 2017 CDBG-DR grantees—Florida, Puerto Rico, Texas, and the U.S. Virgin

¹Low- and moderate-income persons are those with up to 80 percent of the area median income. 42 U.S.C. § 5302(a)(20)(A). For this testimony, we use the umbrella term “LGBTQ” because HUD commonly uses it in reference to those populations.

Islands—and Louisiana and New Jersey, which are further along in implementation). We interviewed HUD officials, grantees, and organizations representing vulnerable populations. Additional information on our scope and methodology is available in our report.

We conducted the work on which this statement is based 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

CDBG-DR funds provide significant, flexible federal recovery funding for disaster-affected states and localities and generally support long-term recovery.

History of CDBG-DR

The purpose of the traditional CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. Because it provides a mechanism to provide federal funds to states and localities, the program is widely viewed as a flexible solution to disburse federal funds to address unmet needs in emergency situations.

When disasters occur, Congress often has appropriated additional CDBG funding (CDBG-DR) through supplemental appropriations, giving HUD the authority to waive or modify many provisions governing the CDBG program and providing states with greater flexibility and discretion to address recovery needs. Once Congress has appropriated CDBG-DR funds, HUD publishes notices in the Federal Register to allocate the funding appropriated to affected communities based on unmet need, and to outline the grant process and requirements for grantee use of funds. CDBG-DR funds may be used for unmet needs related to housing, economic revitalization, and infrastructure, but HUD may direct grantees to primarily consider and address unmet housing recovery needs, as the agency did for 2017 grantees.
Our Prior Work on CDBG-DR

In addition to our November 2021 report, our work on CDBG-DR includes a March 2019 report in which we made five recommendations to HUD, four of which the agency implemented. These recommendations were intended to help HUD improve CDBG-DR program management by better assessing grantees’ processes and capacity, implementing a comprehensive monitoring plan, and developing a workforce plan. HUD has not yet implemented a recommendation for the agency to provide its staff with additional guidance on reviewing the capacity and unmet needs assessments that CDBG-DR grantees develop.

In our March 2019 report, we also recommended that Congress consider permanently authorizing a disaster assistance program for unmet needs. We noted that because CDBG-DR does not have permanent statutory authority, its appropriations require HUD to customize grant requirements for each disaster in Federal Register notices—a time-consuming process that has delayed disbursement of funds. In May 2021, we testified on factors to consider when weighing whether and how to permanently authorize such a program. Considering these factors may help address challenges that contribute to the slow expenditure of program funds and better ensure that assistance reaches intended populations in a timely manner.

Grantee Requirements to Assist Low- and Moderate-Income Persons and Address Unmet Needs

CDBG-DR funds are to be used to assist low- and moderate-income persons and those with unmet needs.

- **Low- and moderate-income requirement.** In general, 70 percent of CDBG-DR funds must benefit low- and moderate-income persons.

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4HUD partially agreed with this recommendation and, in February 2021, provided us with a draft of such guidance, which largely refers HUD staff to the associated Federal Register notice but generally does not describe how HUD reviewers should evaluate the adequacy of grantee capacity and unmet needs assessments. We will continue to monitor the steps HUD takes to address this recommendation.

both the February 2018 Federal Register notice for the 2017 grantees and the November 2016 Federal Register notice for Louisiana, HUD required grantees to spend at least 70 percent of their aggregate CDBG-DR funds to support activities benefitting low- and moderate-income persons. The 70 percent requirement remains in effect unless HUD waives it, as it did in the March 2013 Federal Register notice for Hurricane Sandy, decreasing the amount to 50 percent.

- **Unmet needs requirement.** Grantees must submit action plans to HUD for disaster recovery, including an assessment of unmet needs and a description of activities intended to meet those needs. An unmet needs assessment can help them identify any needs specific to vulnerable populations. These assessments include profiles of the most impacted and distressed areas, including socioeconomic and demographic data (such as race, age, income, education, and disability status) from Census and social vulnerability indexes.\(^6\)

## HUD’s Notices Increasingly Have Focused on Serving Vulnerable Populations

In our November 2021 report, we found that HUD’s Federal Register notices on CDBG-DR increasingly have directed grantees to focus on serving vulnerable populations. In notices for the 2016 Louisiana floods and the 2017 disasters, HUD maintained the requirement to spend 70 percent of funds on low- and moderate-income persons.\(^7\) HUD also directed grantees to demonstrate how their programs would promote housing for vulnerable populations, although vulnerable populations are not specifically defined. In contrast, the 2013 Sandy notice did not specifically mention vulnerable populations. Instead, it required grantees to describe how they would encourage the provision of disaster-resistant housing for all income groups.\(^8\)

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\(^6\)An example of a social vulnerability index is the University of South Carolina Hazards and Vulnerability Research Institute’s Social Vulnerability Index, which examines the differences in vulnerability among counties and consider socioeconomic variables that contribute to reduction in a community’s ability to prepare for, respond to, and recover from disasters.

\(^7\)81 Fed. Reg. 83254 (Nov. 21, 2016) and 83 Fed. Reg. 5844 (Feb. 9, 2018).

In addition, the 2019 *Federal Register* notice for Community Development Block Grant Mitigation (CDBG-MIT) funds, which support activities to mitigate risks of future disasters, states that CDBG-DR and CDBG-MIT grants have a statutory focus on vulnerable lower-income people and communities.\(^9\) The notice requires grantees that implement housing programs to support vulnerable populations. It does not define vulnerable populations, but it describes housing that typically supports them—public housing developments, transitional housing, permanent supportive housing, and permanent housing serving individuals and families experiencing or at risk of homelessness. According to HUD, the agency typically has not defined vulnerable populations because of the wide range of populations that may be affected by disasters, noting that they may vary locally and regionally based on factors such as geography, housing stock, and policy.

Similarly, the June 2021 *Federal Register* notice allocating funds for the electric power systems in Puerto Rico and the U.S. Virgin Islands requires grantees to describe how funds will be used to address the needs of vulnerable populations.\(^10\) It states that HUD generally defines vulnerable populations as a group or community whose circumstances present barriers to obtaining or understanding information or accessing resources.

The *Federal Register* notices also reference fair housing and civil rights laws that prohibit discrimination against protected classes.\(^11\) According to HUD officials, vulnerable populations may include protected classes under the Fair Housing Act and other groups such as low- and moderate-income persons, persons experiencing homelessness, and the elderly. Grantees are required to assess how planning decisions might affect members of protected classes, racially and ethnically concentrated areas, and concentrated areas of poverty and promote the availability of affordable housing in low-poverty, nonminority areas where appropriate. Grantees’ use of recovery funds must meet accessibility standards, provide reasonable accommodations to persons with disabilities, and take into consideration the functional needs of persons with disabilities in the relocation process.


\(^11\)The Fair Housing Act’s protected classes are race, color, national origin, religion, sex (including sexual orientation and gender identity), familial status, and disability.
To supplement the *Federal Register* notices, HUD issued guidance and provided training on serving vulnerable populations to aid grantees in developing action plans. For example, HUD’s *Disaster Impact and Unmet Needs Assessment Kit* states that grantees must seek to understand the condition of the most vulnerable populations. In addition, HUD conducted a 2016 webinar with a section on outreach to vulnerable populations that focused on people with limited English proficiency. It included strategies for reaching these populations, noting that they may be the most in need of resources and the most difficult to reach.

When reviewing draft action plans, HUD makes suggestions to help grantees better address how they plan to serve vulnerable populations. According to officials from HUD’s Office of Fair Housing and Equal Opportunity, draft action plans typically require revisions. For example, HUD may suggest that grantees (1) clarify which groups are defined as vulnerable populations or protected classes; (2) emphasize the effect of planned uses of CDBG-DR funds on persons in protected classes; and (3) ensure effective public participation, including by conducting outreach to traditionally underserved populations and providing access to information about disaster recovery programs to persons with limited English proficiency and persons with disabilities.

Furthermore, HUD issued supplemental guidance on CDBG-MIT that CDBG-DR grantees could use to help them meet requirements to serve vulnerable populations. For instance, the guidance suggests that housing for vulnerable populations may have a higher concentration of persons with disabilities and recommends grantees describe in their CDBG-MIT action plans how their mitigation measures will address the physical accessibility and supportive services needs of persons with disabilities.

In response to our November 2021 report, HUD commented on the fundamental challenges with defining vulnerable populations that we described in our report and said it was the agency’s intention to include a definition in upcoming CDBG-DR *Federal Register* notices. HUD also stated that it was prepared to work with its federal recovery partners to explore the feasibility of developing a shared definition of vulnerable populations.
Grantees We Reviewed Assist Vulnerable Populations but Report Limited Demographic Data to HUD

Grantees Serve Low- and Moderate-Income Persons and Populations with Additional Vulnerabilities

In November 2021, we found that the six grantees in our sample used CDBG-DR grants to serve vulnerable populations, including lower-income populations and those with additional vulnerabilities. They said they did so by providing at least 70 percent of their funding to low- and moderate-income persons and prioritizing assistance to meet the unmet needs of lower-income populations whose age, disability, or other factors make them particularly vulnerable after a disaster. For example:

- Florida, Louisiana, and Puerto Rico all prioritize homeowner assistance to vulnerable populations, such as the elderly and persons with disabilities.
- New Jersey and Texas have activities that include assistance to individuals in need of permanent supportive housing and at risk of homelessness.
- The U.S. Virgin Islands’ activities include restoration of nursing facilities for the elderly that also serve as emergency special needs shelters during disasters.

Grantees Collect Demographic Data on Applicants but Are Required to Report Only Certain Data on Beneficiaries to HUD

HUD does not collect and analyze key demographic data needed to fully assess the extent of CDBG-DR assistance to vulnerable populations. The six grantees in our sample collect income and other demographic data on housing program applicants but are required to report only certain data fields to HUD, and only on program beneficiaries (rather than all applicants). Through Federal Register notices, HUD requires CDBG-DR grantees to collect data such as (1) the number of low- and moderate-income persons served and (2) the gender of single-headed households, race, and ethnicity for activities that directly benefit households or...
individuals (such as housing).\textsuperscript{12} Grantees report these data to HUD in a web-based system. Grantees report on activity outcomes and accomplishments, meaning the system captures data only on beneficiaries served.

According to documentation we reviewed, the six grantees collect data on applicants’ income, gender, race, and ethnicity for housing activities. The six grantees GAO reviewed gather additional demographic information on both applicants and those served, including age, disability status, and primary language. For example, Louisiana publishes monthly reports on its website that include the number of applications submitted by low- and moderate-income persons and by adults 62 and older or those with a disability as well as the race of those receiving assistance. Texas publishes the percentage of assistance spent on low- and moderate-income persons, the race and ethnicity of approved applicants, and other characteristics of approved applicants, such as female head of household, households with children under 18, and households with members 65 and older.

According to leading practices we identified to promote successful data-driven performance reviews, an agency should have the capacity to collect accurate, useful, and timely performance data.\textsuperscript{13} Having the capacity to disaggregate data according to demographic or other relevant characteristics can aid in highlighting significant variation, which can help pinpoint problems and identify solutions. In addition, through a recent executive order, the Administration has cited the need for better data collection and transparency related to serving vulnerable populations.\textsuperscript{14} The order noted that a lack of data impedes efforts to measure and advance equity.

\textsuperscript{12}The March 2013 Federal Register notice for Hurricane Sandy grantees, the November 2016 Federal Register notice for Louisiana, and the February 2018 Federal Register notice for the 2017 grantees require grantees to maintain data on the racial, ethnic, and gender characteristics of persons who are applicants for, participants in, or beneficiaries of the program. The February 2018 Federal Register notice also requires grantees to report these data in HUD’s system at the activity level. 78 Fed. Reg. 14329, 14341 (Mar. 5, 2013); 81 Fed. Reg. 83254, 83265 (Nov. 21, 2016); and 83 Fed. Reg. 5844, 5856 (Feb. 9, 2018).

\textsuperscript{13}GAO, Managing for Results: Data-Driven Performance Reviews Show Promise But Agencies Should Explore How to Involve Other Relevant Agencies, \textit{GAO-13-228} (Washington, D.C.: Feb. 27, 2013).

Although HUD collects some data on those served with CDBG-DR funds, it does not track data on program applicants. In addition, grantees collect demographic data on applicants beyond what HUD requires, but this information is largely used for internal purposes and is not systematically shared with HUD or the public. By collecting, analyzing, and publicly reporting these additional demographic data, HUD and grantees could better assess whether they effectively reach the populations CDBG-DR activities are intended to serve. Therefore, our November 2021 report recommended that HUD collect, analyze, and publish demographic data from CDBG-DR grantees on vulnerable populations who apply for and receive assistance.

HUD did not agree or disagree with the recommendation but stated it would continue to research ways to use data to determine how CDBG-DR grantees serve vulnerable populations. HUD also stated that implementing our recommendation would require additional staffing, system infrastructure, and privacy protocols (to protect personally identifiable information) but did not provide any specifics about the additional resources that would be required.

We recognize the need for flexibility in defining vulnerable populations given the varying types and locations of disasters. We commend HUD for its stated intention to develop and include a definition in upcoming notices that acknowledges that vulnerable populations vary with each disaster and region and for its preparedness to work with federal recovery partners to explore the feasibility of developing a shared definition of vulnerable populations. The steps that HUD stated it intends to take are promising—and we understand that it may take investment and effort—but we maintain that collecting, analyzing, and publicly reporting additional demographic data would be worth that effort because it would help HUD and grantees better assess the effectiveness of CDBG-DR activities in reaching its targeted populations.
Grantees and Vulnerable Populations Can Face a Variety of Challenges

Grantees Have Difficulty Identifying and Reaching Vulnerable Populations

According to CDBG-DR grantees and organizations we interviewed, grantees experience challenges, such as collecting data on the unmet needs of vulnerable populations and reaching vulnerable populations after a disaster to provide CDBG-DR assistance.

- **Collecting data on unmet needs.** CDBG-DR allocations may not fully account for the needs of lower-income persons and those with additional vulnerabilities. HUD bases these allocations on data and damage estimates from the Federal Emergency Management Agency and the Small Business Administration. However, the Federal Emergency Management Agency data do not include race and ethnicity and other characteristics that help grantees identify the most vulnerable populations. Other data challenges involve the timing of data collection. HUD’s *Disaster Impact and Unmet Needs Assessment Kit* notes that an accurate assessment may not be possible for months following a disaster because the assessment depends on the quality of the data available on the most impacted and distressed areas. The guidance says grantees therefore should analyze unmet needs on an ongoing basis.

- **Reaching vulnerable populations.** Grantees may have difficulty reaching vulnerable populations after a disaster occurs. An official from a national advocacy organization said that in Puerto Rico, some communities assume they will not benefit from a federal grant program and may not apply. Officials from Texas said many community members leave the area after a disaster and cannot be reached. The officials added that some populations generally distrust government and are reluctant to apply for federal programs. The officials said they tried to address this challenge through their outreach efforts.

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15 Once Congress appropriates CDBG-DR funds, HUD publishes notices in the *Federal Register* to allocate the funding appropriated to affected communities based on unmet need.
Vulnerable Populations Face Challenges Accessing and Using CDBG-DR Assistance

According to grantees and organizations we interviewed, vulnerable populations experience challenges such as accessing transportation, dealing with language barriers, and understanding requirements when seeking CDBG-DR assistance.

- **Access and transportation challenges.** Physical access to assistance can present challenges for certain vulnerable groups, such as the elderly or people with disabilities. In one example, Florida officials responded to this challenge by setting up mobile information units in disaster-affected areas to better reach individuals who may not have had access to transportation. Florida officials told us that applicants with mobility impairments may request an at-home visit with an intake specialist.

- **Language barriers.** Those with limited English proficiency may need translation services to access resources and apply for CDBG-DR assistance. Officials from five grantees told us they provide translation services to people with limited English proficiency. However, language remains a barrier to accessing CDBG-DR assistance and grantees do not always translate CDBG-DR documents or provide translators at intake centers, according to the National Low Income Housing Coalition.16

- **Difficulty meeting program requirements.** Grantee and organization officials told us that program requirements (including those related to extensive documentation) can be taxing for households, particularly vulnerable populations, and require grantees to add services to address the populations’ needs into their programs.

- **Difficulty managing home reconstruction.** Individuals in vulnerable populations who receive assistance from programs allocated CDBG-DR funds may have difficulty managing home reconstruction. An organization representative said managing home repair and reconstruction is particularly challenging for the elderly, who may be more vulnerable to fraudulent contractors. HUD officials told us most CDBG-DR grantees manage home reconstruction projects, rather

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than the homeowners themselves, which may help mitigate some of the challenges.

Funding Delays and Limited Grantee Capacity Affect Vulnerable Populations

- **Timeliness of funding.** Grantee officials said delays in CDBG-DR funding (because of its long-term nature and the length of time required to access and administer funds) affect the most vulnerable because they typically have fewer resources to recover. An organization representing vulnerable populations emphasized that low- and moderate-income individuals have the fewest resources with which to relocate or maintain temporary housing for a long period. This results in them living in homes that may be structurally compromised or present health risks because of disaster damage.

- **Limited grantee capacity.** Officials at one national organization we interviewed said grantees are often under-resourced and lack the knowledge and expertise to reach the most vulnerable community members. They said grantees would benefit from conducting more advanced planning and identifying vulnerable populations before a disaster hits. A study by the National Low Income Housing Coalition found that grantees struggle to administer and oversee CDBG-DR funds, often because the amount they receive after a disaster is many times more than what they typically administer.17

In closing, we continue to believe that establishing permanent statutory authority for a program like CDBG-DR, as we recommended in March 2019, would provide a more consistent framework for administering funds for unmet disaster recovery needs.18 Among other things, such a statute and associated regulations could clearly define requirements for grantees to serve vulnerable populations with program funds and address challenges that contribute to the slow expenditure of funds to better ensure that assistance reaches intended populations in a timely manner.

We have recent and ongoing work on CDBG-DR. We issued a report in December 2021 that addressed the extent to which the six largest federal recovery programs (including CDBG-DR) have taken action to identify

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17National Low Income Housing Coalition, *Fixing America’s Broken Disaster Housing System: Part One.*

and address potential barriers to accessing the programs and disparate outcomes among disaster-affected individuals and communities.\textsuperscript{19} We also are reviewing the status of 2017 and 2018 CDBG-DR and CDBG-MIT funds and vulnerabilities in CDBG-DR activities that may contribute to fraud, waste, or abuse.

Chairman Green, Ranking Member Emmer, and members of the Subcommittee, this concludes my statement. I would be pleased to respond to any questions you may have.

\textbf{GAO Contact and Staff Acknowledgments}

If you or your staff have any questions about this testimony, please contact Daniel Garcia-Diaz at (202) 512-8678 or garciadiazd@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. GAO staff who made key contributions to this testimony are Paige Smith (Assistant Director), Meredith P. Graves (Analyst in Charge), John McGrail, and Barbara Roesmann.

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