



UNACCOMPANIED CHILDREN

Efforts by the Office of Refugee Resettlement to Address GAO Recommendations

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Testimony

Before the Subcommittees on Border Security and Enforcement and Oversight, Investigations, and Accountability, Committee on Homeland Security, House of Representatives

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GAO Highlights

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Thousands of children enter the United States without a parent or guardian and without lawful immigration status each year. Many unaccompanied children have been exposed to trauma and violence and travelled great lengths to get to the United States. In addition, unaccompanied children may be at greater risk becoming child trafficking victims.

These children are generally referred to ORR for care by the Department of Homeland Security. ORR is responsible for coordinating and implementing the care and placement of unaccompanied children. In fiscal year 2023, ORR cared for about 119,000 unaccompanied children, according to agency data.

This testimony summarizes findings from GAO's [2016](#) and [2020](#) reports on ORR's role in the care and release of unaccompanied children. It provides an update on ORR's efforts to address nine recommendations contained in those reports. The reports identified several significant lapses in ORR's implementation of policies and procedures that could affect the quality of care provided to these children.

GAO's 2016 and 2020 reports contain a detailed description of the methodology used. Generally, GAO reviewed relevant federal laws and regulations and ORR policies and monitoring documentation. GAO also obtained the views of a range of relevant stakeholders such as ORR officials, state licensing agencies, staff at grantee facilities, and others.

What GAO Found

The Department of Health and Human Services' Office of Refugee Resettlement (ORR) has taken several steps to address prior GAO recommendations related to its role in caring for unaccompanied children—those that enter the United States without a parent or lawful immigration status. ORR awards grants to providers that operate facilities to house and care for unaccompanied children.

In its 2020 report, GAO found that ORR had awarded grants for 219 facilities operating in 25 states. ORR and state licensing agencies each play a role in overseeing facilities and ensuring that they meet health and safety standards, among others. Facilities generally must be licensed to operate in the state.

ORR took steps to sufficiently address five GAO recommendations, while ORR has partially addressed four others. The nine recommendations were related to:

- **Ensuring care providers are qualified (three recommendations).** GAO's 2020 report found that ORR's grant announcements used to solicit care providers for unaccompanied children were unclear. Specifically, it was unclear what information applicants were to submit on their licensing status and related concerns. This information helps ensure that providers are qualified to care for unaccompanied children. ORR took steps to address two

recommendations that staff verify applicants' licensing and performance information. ORR partially addressed a third recommendation by requiring in recent announcements that applicants report any allegations of abuse or neglect or adverse licensing actions. GAO will close this recommendation when ORR clarifies that applicants should report licensing issues at all facilities that they operate.

- **Oversight and monitoring of facilities (three recommendations).** GAO's 2020 report also found that ORR did not provide clear instructions to grantees on including state licensing citations in their performance reports to ORR, which is needed for effective oversight of ORR facilities. ORR addressed two of GAO's recommendations by collecting information from its grantees on any state licensing citations and notifying grantees and ORR staff that grantees were required to report this information. ORR also addressed a third recommendation to develop plans to help meet its monitoring goals.
- **Information sharing (two recommendations).** In its 2020 report, GAO also found limited information sharing between ORR and state licensing agencies. ORR has partially addressed the recommendations by establishing communication channels and points of contact in some states. GAO will close the recommendations when ORR completes outreach to all states.
- **Tracking post-release services (one recommendation).** GAO's 2016 report found that there was limited information available on post-release services that ORR provides. These services include linking families to education and community resources, in-home counseling, and case management. Tracking these services would allow the information to be compiled in summary form and provide useful information to ORR and others. GAO will close this recommendation when ORR completes improvements to its case management system to enable tracking of post-release services.

Chairmen Higgins and Bishop, Ranking Members Correa and Ivey, and Members of the Subcommittees:

Thank you for the opportunity to discuss our work related to the Department of Health and Human Services' (HHS) Office of Refugee Resettlement's (ORR) responsibilities for unaccompanied children. Every year, thousands of children enter the United States without a parent or guardian and without lawful immigration status. Primary responsibility for ensuring the health, safety, and well-being of these children after they enter the country lies with ORR.

In 2016 and 2020, we issued reports related to ORR's role in the care and release of unaccompanied children.¹ These reports identified several significant lapses in ORR's implementation of policies and procedures that could affect the quality of care provided to these children. Our recent efforts have focused on monitoring the agency's progress in addressing recommendations contained in those reports.² Of nine recommendations we made in our 2016 and 2020 reports, ORR has addressed five of them.³ ORR has partially addressed the remaining four recommendations.

My statement today will focus on ORR's efforts related to: (1) ensuring care providers are qualified; (2) overseeing and monitoring facilities that care for unaccompanied children; and (3) tracking services that are provided to these children after they are released to sponsors. My statement is based primarily on the findings from our 2016 and 2020 reports. Each of our prior reports contains a detailed description of the methodology we used. Generally, we reviewed relevant federal laws and regulations and ORR policies and monitoring documentation. We also obtained the views of a range of relevant stakeholders such as ORR officials, state licensing agencies, staff at ORR grantee facilities, and others.

The work upon which this statement is based was conducted 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.

¹GAO, *Unaccompanied Children: HHS Can Take Further Actions to Monitor Their Care*, [GAO-16-180](#) (Washington, D.C.: Feb. 5, 2016) and GAO, *Unaccompanied Children: Actions Needed to Improve Grant Application Reviews and Oversight of Care Facilities*, [GAO-20-609](#) (Washington, D.C.: September 15, 2020).

²We have also issued reports related to the care and custody of unaccompanied children while they are in the custody of the Department of Homeland Security. For more information, including the status of recommendations that we have made in these reports, see: GAO, *Unaccompanied Alien Children: Actions Needed to Ensure Children Receive Required Care in DHS Custody*, [GAO-15-521](#) (Washington, D.C.: July 14, 2015) and *Southwest Border: Actions Needed to Improve DHS Processing of Families and Coordination between DHS and HHS*, [GAO-20-245](#). (Washington, D.C.: February 19, 2020).

³There are a total of 11 recommendations contained in our 2016 and 2020 reports. Nine are discussed in this testimony. This testimony does not discuss two recommendations in the 2016 report, one of which relates to how ORR determines the number of beds needed to house unaccompanied children, and one of which is similar to a monitoring-related recommendation in our 2020 report. ORR has addressed both these recommendations.

Background

Unaccompanied children are those who arrive in the U.S. without lawful immigration status and without a parent or guardian available to provide care and physical custody for them. These children are generally referred to ORR for care by the Department of Homeland Security.⁴ ORR is responsible for coordinating and implementing the care and placement of unaccompanied children.

ORR is required to promptly place unaccompanied children in its custody in the least restrictive setting that is in the best interest of the child. In addition, ORR must provide proper physical care, including suitable living accommodations, and appropriate medical care and educational services. According to ORR, all children in its care receive classroom education, mental and physical health services, case management, recreation, and unification services that facilitate their release to family members or other sponsors who can care for them.

ORR awards grants to care providers that operate facilities to house and care for unaccompanied children.⁵ The majority of children in ORR custody are cared for in shelter facilities. However, some are cared for in other settings, such as secure shelters for children with an offender history or residential treatment centers for children with diagnosed mental health disorders. In 2020, we reported that ORR had awarded grants for 219 facilities operating in 25 states.⁶

ORR and state licensing agencies each play a role in overseeing facilities and ensuring that they meet health and safety standards, among other things. With a few exceptions, facilities must be licensed to operate in the state.⁷ Generally, both state licensing agencies and ORR monitor the facilities.

The number of unaccompanied children referred to ORR for care has increased substantially over time. In fiscal year 2012, nearly 14,000 children were referred to ORR. By fiscal year 2019, this number rose to more than 69,000 children. The agency's most recent data show that ORR cared for about 119,000 unaccompanied children in fiscal year 2023.⁸ Many unaccompanied children have been exposed to trauma and violence and

⁴Generally, children are to be transferred from DHS to HHS custody within 72 hours after a determination is made that they are unaccompanied children. In past work, we have recommended that both DHS and HHS should collaborate to address information sharing gaps to ensure that ORR receives information needed to make decisions for unaccompanied children, including those apprehended with an adult. The departments concurred with these recommendations and they have been partially addressed based on a number of steps DHS and HHS have taken to better share information on unaccompanied children. As of September 2024, the departments are continuing to work on a new interagency agreement to govern information sharing. [GAO-20-245](#).

⁵The grants are cooperative agreements that are funded for a 3-year project period. Funds are awarded for the second and third years based on approved continuation applications, subject to satisfactory progress by the grantee and a determination that continued funding would be in the best interest of the federal government.

⁶[GAO-20-609](#).

⁷In 2021, Texas and Florida state agencies that had previously licensed ORR grantee facilities were directed to discontinue these licenses. In states that do not allow state licensing of programs providing care and services to unaccompanied children, ORR expects these facilities to meet the state's licensing requirements that would otherwise be applicable. In addition, ORR funds facilities, which may be unlicensed, to provide temporary additional bed capacity during emergencies or influx periods. ORR provides additional monitoring to these unlicensed facilities.

⁸Department of Health and Human Services Office of Refugee Resettlement, "Fact Sheets and Data", <https://www.acf.hhs.gov/orr/about/ucs/facts-and-data>.

travelled great lengths to get to the United States. In addition, unaccompanied children may be at greater risk of child trafficking victimization.⁹

ORR Took Steps to Address Two of Three Recommendations Aimed at Ensuring Providers Caring for Unaccompanied Children Are Qualified

Our 2020 report found that ORR's grant announcements used to solicit facilities to provide care for unaccompanied children were unclear about information applicants were required to submit regarding their licensing status or related concerns and past allegations of abuse or neglect. As a result, applicants provided inconsistent information.¹⁰

State licensing concerns may arise when providers do not meet certain standards, including standards related to the health and safety of children in care. We also found that ORR did not systematically confirm the state licensure information submitted by applicants or document a review of their past performance on ORR grants, when applicable.

Reviewing and obtaining consistent information on state licensure status and grantee past performance are key parts of ensuring that ORR providers are qualified to operate facilities to care for unaccompanied children. Taking these steps helps ORR reduce the likelihood of awarding grants to organizations that cannot obtain a state license or have a history of poor performance.

To address these concerns, we made three recommendations to ORR. The agency has taken steps to address two of them and has partially addressed the third recommendation (see table 1).

⁹GAO, *Child Trafficking: Addressing Challenges to Public Awareness and Survivor Support*, [GAO-24-106038](#), (Washington, D.C.: December 11, 2023). Child trafficking generally refers to human trafficking involving individuals under the age of 18. Children may be trafficked for the purposes of commercial sexual exploitation, forced labor, or both. Survivors of child trafficking may suffer harmful, long-lasting effects, such as depression, suicidal thoughts, and substance use disorders.

¹⁰[GAO-20-609](#).

Table 1: Status of GAO Recommendations to ORR Related to Ensuring Care Providers Are Qualified to Operate Facilities for Unaccompanied Children, as of September 2024

Recommendation	Steps taken by ORR	Status
The Director of ORR should clarify in its grant announcements the information and supporting documentation applicants are required to provide in their grant applications with respect to their state licensing status, eligibility, and allegations and concerns.	ORR’s recent grant announcements have required applicants to report allegations of abuse and/or neglect, as well as any denial, suspension, and/or revocation of their license over the prior five years.	Open: partially addressed. We will close this recommendation when ORR releases future grant announcements clarifying that applicants are to report licensing issues at all facilities that they operate.
The Director of ORR should take steps to develop, and ensure that officials reviewing grant applications implement a process to verify the accuracy and completeness of information reported by grant applicants on state licensing status, eligibility, allegations and concerns.	ORR updated its guide for staff reviewing grant applications and training curriculum to add instructions for assessing licensing information included in grant applications. Staff are to determine whether the applicant is currently licensed and in good standing in the state in which it is proposing to provide services. Staff are instructed to take steps to verify the grantee’s license and determine whether it has any disciplinary actions against it.	Closed: implemented.
The Director of ORR should ensure that the grant review process includes a documented review of applicants’ past performance on ORR grants for those that have previously received grants to care for unaccompanied children. This could include, for example, a systematic review of previous quarterly and annual performance reports and a review of corrective actions issued by all ORR monitoring staff to all ORR-funded facilities previously operated by the applicant.	ORR updated its staff guidance and training curriculum on conducting and documenting reviews of grantee performance. ORR staff are to use information from grantee quarterly progress reports to ensure grantee performance is satisfactory and determine whether funding should be continued for another budget period. Staff are directed to pay particular attention to grantees’ descriptions of any issues they experienced in the past reporting period. This includes all documented state licensing allegations or concerns, any corrective actions issued by ORR or others, and the steps the grantee took to resolve these issues.	Closed: implemented.

Source: [GAO-20-609](#) and GAO review of Office of Refugee Resettlement (ORR) documentation. | GAO-25-107840

ORR Addressed Three of Five Recommendations Related to State Licensing Citations, Information Sharing, and Monitoring of Facilities Caring for Unaccompanied Children

ORR facilities generally must be licensed by a state licensing agency to provide residential care and services for unaccompanied children, or meet state licensing requirements if they are located in a state that does not allow state licensing of programs providing care and services to unaccompanied children, as previously noted.¹¹ States set the minimum standards of care for their facilities, including those related to child health and

¹¹ORR also requires its grantees to comply with various other requirements, such as those related to fire, health, and other safety standards.

safety and physical building standards. State licensing agencies issue citations to state-licensed ORR grantees if licensing violations are found and grantees are expected to address them.

Our 2020 report found two areas lacking clarity regarding grantees' reporting of state licensing citations to ORR.¹² First, ORR did not provide clear instructions to grantees on whether and how they should include state licensing citations in their quarterly performance reports to ORR. Second, some ORR staff did not have a clear understanding of what grantees should report to them about state licensing citations. As we reported in 2020, ORR needs this information to have a record of state licensing deficiencies and whether they were addressed and to conduct effective oversight of ORR facilities.

To address these concerns, we made two recommendations to ORR that have been implemented by the agency (see table 2).

¹²[GAO-20-609](#).

Table 2: Status of GAO Recommendations to ORR Related to Grantee Reporting of State Licensing Citations, as of September 2024

Recommendation	Steps taken by ORR	Status
The Director of ORR should clarify in its instructions to grantees the information they are required to report on state licensing citations in their quarterly performance reports.	ORR is using its grantee quarterly performance report to collect information on any state licensing citations a grantee received during the quarter. ORR sent an email notifying grantees that they were required either to report any state licensing citations, suspensions, or revocations that the grantee or any subrecipients had received during the quarter or affirmatively note that no such licensing issues had occurred.	Closed: implemented.
The Director of ORR should take steps, such as through guidance or training, to ensure that project officers clearly understand the requirement that grantees report state licensing citations at any of their facilities within 24 hours and include state licensing citations in their quarterly performance reports.	ORR updated its staff training materials to clearly state that grantees must report a license revocation or suspension to ORR within 24 hours and that licensing citations should be reported in the section of the quarterly performance reports on significant findings and events.	Closed: implemented.

Source: GAO-20-609 and GAO review of Office of Refugee Resettlement (ORR) documentation. | GAO-25-107840

Our 2020 report also found that information sharing between ORR and state licensing agencies was limited. In addition, state licensing agencies and ORR staff said that improved information sharing would benefit their monitoring of facilities. Information sharing between ORR and state licensing agencies is important to ensure that both entities are aware of ongoing issues at ORR facilities.

To address these concerns, we made two recommendations, which ORR has partially addressed (see table 3).

Table 3: Status of GAO Recommendations to ORR Related to Information Sharing Between ORR and State Licensing Agencies, as of September 2024

Recommendation	Steps taken by ORR	Status
The Director of ORR should work with state agencies that license ORR-funded facilities to develop a plan for mutual information sharing, including processes for ORR outreach to states during the grant application review process and ongoing information sharing on ORR and state monitoring processes and identified deficiencies.	ORR is working to connect with state licensing agencies to establish communication channels to discuss any questions about licensing requirements that arise during the grant application review process. According to ORR, its goal is to develop mutually beneficial information-sharing relationships. ORR has entered into a Memorandum of Agreement with one state licensing agency.	Open: partially addressed. We will close this recommendation when HHS has demonstrated its outreach to all states where it has licensed grantee facilities about developing information-sharing protocols.
The Director of ORR should ensure that ORR provides and maintains a current point of contact for each state agency that licenses ORR grantees to facilitate information sharing regarding ORR-funded facilities.	ORR had a list of points of contact at 49 states' licensing agencies, as of February 2024. According to ORR, it plans to update the spreadsheet quarterly.	Open: partially addressed. We will close this recommendation when ORR has demonstrated that it has provided an ORR point of contact to state licensing agencies to whom they can direct questions or concerns.

Source: [GAO-20-609](#) and GAO review of Office of Refugee Resettlement (ORR) documentation. | GAO-25-107840

With respect to monitoring, ORR requires grantees to take corrective action to address noncompliance it identifies through monitoring. Our 2020 report found that ORR had not met some of its monitoring goals or notified grantees of the need for corrective actions in a timely manner.¹³ We also found that ORR had not ensured the facilities it funded were audited for compliance with standards to prevent and respond to sexual abuse and sexual harassment of children in their care, as required by ORR regulations. Without action, ORR risked continuing to not meet its own monitoring goals and requirements, which are designed to ensure the safety and well-being of children in its care.

To address these concerns, we made one recommendation, which ORR has implemented. Our recommendation called on ORR to develop a plan to guide and focus the agency's efforts to meet its goals to:

- conduct on-site monitoring visits to each facility at least every 2 years in accordance with ORR policy,
- report any noncompliance to the facility within 30 days of the site visit, in accordance with ORR policy, and
- conduct an audit of each facility's compliance with ORR standards on preventing and responding to sexual assault.

ORR fully addressed our recommendation by developing plans to address these issues. One plan for calendar year 2024 articulates ORR's goals to increase its workforce capacity to meet monitoring needs and submit monitoring reports within ORR's required timeframes. It also identifies targets, timeframes, and staff responsible for meeting its on-site facility monitoring goals. In addition, in October 2021, ORR contracted with an outside organization to conduct compliance audits related to preventing and responding to sexual assault, and this contract specifies timeframes for conducting the audits.

¹³[GAO-20-609](#).

Going forward, continued work remains for ORR to meet the targets established in its plan. According to ORR officials, they lack the staff resources to fully meet their goals for increased monitoring of some facilities. For example, ORR documentation shows that as of April 2024, staff had met the requirement to monitor all of its

standard, state licensed facilities within a two-year period. However, 24 facilities in Texas and Florida, which no longer license ORR grantees, were overdue for the more frequent, quarterly visits ORR now conducts to these facilities.¹⁴ Further, in fiscal year 2023, ORR documentation shows that on average ORR staff took 31 days after a monitoring visit to submit the report to the facility, instead of the 30 days required to notify each facility as outlined by ORR policy. For seven facilities, staff took over 45 days to send the report.

With respect to auditing facilities' compliance with standards on preventing and responding to sexual assault, as of October 2023, ORR's new contractor had conducted audits at all facilities that had not been audited by the original contractor within the initial 3-year period set in regulation, according to ORR officials.¹⁵ These officials told us they anticipated audits at an additional 70 facilities would be completed by October 2024. In addition, officials said that a newly formed Prevention of Child Abuse and Neglect team within ORR was working with the contractor to ensure they meet the timelines specified in the contract going forward.

ORR Has Partially Addressed One Recommendation Related to Grantee Follow-up with Children and Their Sponsor After Release from ORR Care

In 2016, we reported that there was limited information available on post-release services provided to children after they leave ORR care.¹⁶ Since that report, ORR has made changes to the timing and frequency of certain post-release services.¹⁷ Specifically, in November 2023, ORR reported that post-release services providers would become responsible for a series of three virtual check-ins with all children and sponsors.¹⁸ These providers would be expected to confirm that children are residing with their sponsors, enrolled in and attending school, aware of upcoming court dates, and healthy and safe.

Our recommendation from 2016 remains relevant. We recommended that ORR develop a process to ensure all information collected through its post-release efforts are reliable and systematically collected. Doing so, would allow this information to be compiled in summary form and provide useful information to other entities internally and externally.

¹⁴For states that stopped licensing ORR grantees, ORR now conducts quarterly monitoring visits.

¹⁵Each facility that houses unaccompanied children must be audited at least once within 3 years of February 22, 2016, and during each three-year period thereafter. 45 C.F.R. § 411.111(a).

¹⁶[GAO-16-180](#).

¹⁷At the time of our 2016 report, ORR provided post-release services to a small number of children, such as those who were victims of trafficking. ORR also conducted safety and well-being calls for all unaccompanied children released to sponsors. ORR guidance required the calls to occur 30 days after children were released from ORR care to sponsors. Staff were required to make a reasonable effort to contact the children and document the results of the call in the children's case files.

¹⁸From November 30, 2023 through July 31, 2024, unaccompanied children were most commonly released from ORR care to a sponsor that was a parent or legal guardian, according to ORR data.

ORR has begun taking some actions to address this recommendation, including awarding a contract in September 2023 to revamp its case management system known as the UC Portal. According to ORR, the contractor will replace and build technology to support the recent expansion of post-release services. The

agency reported that responses from the virtual check-ins, including information on services provided, will be collected directly into the UC Portal.¹⁹ In November 2023, ORR updated the UC Portal to include additional tracking of children post-release, including screens to update the child's current location, history of the child's moves, and whom the child is living with.

ORR reported that by the end of 2024, the Portal will be updated further to enhance and digitize information on post-release services. We are continuing to monitor ORR's efforts to address this recommendation and will close it once ORR completes improvements to the UC Portal and demonstrates that it can use the portal to collect reliable post-release services data and disseminate it internally and externally, as appropriate.

Chairmen Higgins and Bishop, Ranking Members Correa and Ivey, and Members of the Subcommittees, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

GAO Contact and Staff Acknowledgments

If you or your staff have any questions about this testimony, please contact Kathryn A. Larin, Director, Education, Workforce, and Income Security at (202) 512-7215 or larink@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 Andrea Dawson (Assistant Director) and Lauren Gilbertson (Analyst in Charge). Additional contributors to this testimony were David Barish, Rebecca Gambler, Jean McSween, James Rebbe, Vernetta Shaw, Almeta Spencer, David Watsula, and Adam Wendel.

¹⁹According to ORR's Policy Guide, post-release services may include linking families to educational and community resources, home visits, case management, in-home counseling, and other social welfare services, as needed.

Letter

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