

5 FAH-1 H-500 CONGRESSIONAL LETTERS

5 FAH-1 H-510 LETTERS TO MEMBERS OF CONGRESS

(TL:CH-4; 07-31-2002)

5 FAH-1 H-511 GENERAL

(TL:CH-4; 07-31-2002)

a. Letters from the Department to members of Congress are prepared for signature by the Assistant Secretary for Legislative Affairs (H). The *Secretariat Handbook* contains guidelines for Congressional letters to be signed by the Secretary or other seventh-floor principals.

b. Requests for unclassified information (oral or written requests for written material and oral briefings) must be handled promptly and in a forthcoming manner.

c. Requests for classified information may be received by H (in writing), or directly by bureau officers, who should then notify H.

d. Posts receive Congressional letters either through the Department or directly from a member. When referring letters from the Department to post, officers must instruct the post either to reply directly to the member, or to provide information for the reply.

e. Posts that receive letters directly from members of Congress should reply directly whenever possible, routing the reply through the appropriate Department office only when policies review is required. See 9 FAM for instructions for handling letters from members of Congress regarding visa cases.

f. Congressional letters received at post must be opened, logged, and routed to the appropriate action office by the central mail or records unit.

g. When someone opens Congressional correspondence of a personal nature other than the addressee, an explanatory note for opening it should be attached and the package immediately sent to the addressee.

h. The Bureau of Legislative Affairs (H), or the Central Mail Unit at post must follow-up to ensure that the established time limit for answering Congressional letters is met.

5 FAH-1 H-512 CONTROLLING CONGRESSIONAL CORRESPONDENCE

(TL:CH-4; 07-31-2002)

a. H will log and assign action for responses to Congressional letters under an H Tasking Slip (see 5 FAH-1 H-512 Exhibit H-512).

b. If an office receives a Congressional letter by facsimile (FAX) or directly without an H Tasking Slip, that office should prepare the response and forward the completed package to H, Correspondence Control Unit (CCU).

5 FAH-1 H-513 RESPONSE TIME LIMITS

5 FAH-1 H-513.1 Responding from the Department

(TL:CH-4; 07-31-2002)

a. In the Department, Congressional letters must be answered seven business days after receipt in the bureau's front office. If a response cannot be prepared within 21 business days, an interim acknowledgment informing the Member of the reason for the delay must be sent (see 5 FAH-1 H-513 Exhibit H-513.1(1), Interim Reply). If information is requested by a certain date and that date cannot be met, the drafting officer must contact H to explain the delay.

b. In follow-up to an interim response, the drafter must send the final response within 10 days unless awaiting information from post, or if clearance outside the drafting office is necessary. Reference to the interim acknowledgment must always be made in the final response (see 5 FAH-1 H-513 Exhibit H-513.1(2), Final Response).

5 FAH-1 H-513.2 Responding from Posts

(TL:CH-4; 07-31-2002)

a. Posts must respond to the Department's request to provide input to Congressional letters within 10 days of receipt. If specific information is not available for the response and the matter remains active, posts must submit a status report every 30 days.

b. Officers at posts must prepare direct replies from posts to Congressional letters within five working days after receipt (see 5 FAH-1 H-513 Exhibit H-513.2). When preparing an interim response, the drafter must indicate when a final response can be expected.

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Correspondence**

c. To expedite action on Congressional letters the drafter should send a telegram transmitting information to the Department. Telegrams received directly by post from a Member of Congress must be answered by telegram through the telegraphic symbol HCRE. Replies to urgent written inquiries should be handled in the same manner.

d. Officers at post send other replies by pouch when approved by the principal officer. Letters containing sensitive information must be sent to Members via diplomatic pouch.

5 FAH-1 H-514 TRANSFERS

(TL:CH-4; 07-31-2002)

a. Congressional letters should be transferred to offices in the Department, post, or to another Federal agency only if the recipient office or agency has been clearly identified and agrees to accept the letter promptly for complete action.

b. At post, if a letter is initially routed to the wrong office, the original action officer must immediately inform the Communication Center of the correct action office and route the letter directly to the new action office.

5 FAH-1 H-514.1 Transfers Within the Department

(TL:CH-4; 07-31-2002)

a. Drafters must contact H, when transferring a Congressional letter to another bureau in the Department and identify their office (bureau, section, action officer) and the office (bureau, section, action officer) to which the letter is being transferred.

b. If a letter concerns more than one subject, the primary drafting officer must prepare a full reply, obtaining information from other sources as needed. Do not pass the Congressional letter on to another office for a partial reply.

5 FAH-1 H-514.2 Transfers to Other Agencies

(TL:CH-4; 07-31-2002)

a. If action must be transferred to another agency (except USAID; see the *Secretariat Handbook*), the drafter must immediately do the following:

(1) Advise H by telephone and the Member of Congress by letter or by phone.

(2) Forward the letter and a copy of the Department's interim reply to the appropriate agency under Form OF-4, *Routing and Transmittal Slip* cover, signed by the action officer (consult H for names of agency liaison officers to whom to address Form OF-41).

(3) Forward a copy of the Congressional letter and a copy of the Department's interim reply to the H Correspondence Control Unit for record-keeping purposes.

b. See letter, Form OF-41, and assembly instructions at 5 FAH-1 H-514 Exhibit H-514.2.

5 FAH-1 H-515 TYPES OF CONGRESSIONAL REPLIES

(TL:CH-4; 07-31-2002)

Members hold various positions within Congress, so drafters must be careful to reply to Congressional letters based on the type of letter received. A reply should be addressed to a Member as chairman of a committee or subcommittee only when the Member as Chairman signed the incoming letter, not because the letter is written on committee letterhead. The following instructions apply to more specific replies.

5 FAH-1 H-515.1 Reply to Letter Signed By More Than One Member

(TL:CH-4; 07-31-2002)

a. Individual replies must be prepared to each Member who signed a Congressional letter, and the first paragraph must state that the same reply is being sent to the other co-signers.

b. For large jobs, create the first original and obtain clearance(s) and signature. Print out the remaining letters in the drafting office, for auto penning in the Legislative Correspondence Unit.

5 FAH-1 H-515.2 Reply to District Office

(TL:CH-4; 07-31-2002)

Send replies to letters received from the district Congressional office back to the district office unless instructed to send elsewhere. Always address the response to the Member, even though the inquiry may be from a staff member.

5 FAH-1 H-515.3 Reply Direct to Constituent

(TL CH-4; 07-31-2002)

a. The drafting office signs direct replies from the Department to a constituent. The drafting office also sends a copy of the response directly to the Member under cover of a transmittal letter after notifying H.

b. Drafters from post prepare replies to constituents for signature by the drafting office, with a copy forwarded to the Member under cover of a transmittal letter.

5 FAH-1 H-515.4 Reply From Other Than the Assistant Secretary for Legislative Affairs (H)

(TL:CH-4; 07-31-2002)

a. For letters addressed to a Department official (Assistant Secretary or above) by name, the official signs only if it is evident that the letter is personal and the official is expected to reply. The drafter clears the reply with the appropriate program office(s) and H before dispatch through A/RPS/IPS. Otherwise, the reply is prepared for H signature with a lead-in sentence stating "I am replying to your letter of (date) addressed to (name) concerning (subject)."

b. When a letter is addressed to a Foreign Service officer by name, the officer may sign the letter if the officer is well known to the Member or if it is evident from the letter that the officer is expected to sign the reply. The reply must be cleared with H prior to dispatch.

c. If the incoming letter is signed by a staff member, the drafter addresses the letter to the Member but marks the envelope for the attention of the staff member.

5 FAH-1 H-515.5 Reply to the Office of a Deceased Member

(TL:CH-4; 07-31-2002)

A reply that answers a letter that was received before a Member's death is addressed to the deceased Member's administrative assistant or secretary.

5 FAH-1 H-516 SALUTATION

(TL:CH-4; 07-31-2002)

a. When preparing a Congressional letter for the Assistant Secretary for Legislative Affairs, the drafter must use one of the following salutations:

(1) Dear Senator _____: (To a U.S. Senator (male or female));

(2) Dear Mr. or Ms. _____: (To a Member of the House of Representatives);

(3) Dear Mr. or Madam Chairman: (To a male or female Member as chairperson of a committee or subcommittee);

(4) Dear Mr. or Madam Speaker: (To the Speaker of the House of Representatives);

(5) Dear Mr. or Madam President: (To the Vice President of the United States in his/her capacity as the President of the Senate).

b. When preparing a Congressional letter for the Secretary's signature, the Correspondence Unit of the Executive Secretariat (S/ES-CR) Secretariat Staff (S/ES-S) should be consulted for the appropriate salutation.

5 FAH-1 H-517 CLEARANCES

(TL:CH-4; 07-31-2002)

a. In the Department, the drafter must include the initials of the preparing office director and other appropriate clearances on the record copy of Congressional correspondence.

b. At post, direct replies to Congressional inquiries should be cleared with the chief of the section and other officers as required by the subject matter. Include the initials of the chief or deputy chief of mission, or the principal officer on Congressional correspondence forwarded to the Department for policy clearance.

c. Drafters should obtain telephone clearance whenever feasible and written clearances when the subject matter is complex or sensitive.

d. Preparers should include as a part of the clearance information how the letter is cleared—in substance, draft, or by phone—by placing the type of clearance in parenthesis. In such cases the drafting official places initials by the name of the clearing officer.

e. Drafters should always get one other person to clear and initial the record copy.

5 FAH-1 H-518 CLASSIFICATION AND DECLASSIFICATION MARKING

(TL:CH-4; 07-31-2002)

a. Classified letters must show an original or derived classification authority and must be marked according to the requirements of Section 1.7, E.O. 12958 (see <http://www.foia.state.gov> and select "Reference, E.O. 12958"). Drafters must mark each element of the document (title, subtitle, paragraph, section, chart, or table) as TS, S, C, SBU or U.

b. In the lower left corner, enter "Classified By" followed by the name and position of the original classification authority and the agency and office of origin, unless otherwise indicated. Also show the reason(s) for classification, citing the appropriate classification category(ies) in Section 1.5, E.O. 12958.

c. Place the overall classification of the letter flush with the left margin underlined in capital letters. Center the classification at the bottom of the page and place the declassification information directly below the classification on the first page only. If there are downgrading instructions in addition to the declassification instructions, enter this information on the same line.

EXAMPLE: Downgrade to CONFIDENTIAL 10/16/2006; DECL:
10/16/2021

d. Do not place the word "Unclassified" on unclassified congressional letters.

e. Enter the classification at the top and bottom of subsequent pages. See 5 FAH-1 H-132 for additional guidance on portion marking, marking foreign government information, derivative classification marking and downgrading.

f. The text of the classified letter must include language (provided by H) regarding the handling restrictions and guidelines for viewing and storing classified documents.

5 FAH-1 H-519 UNASSIGNED

5 FAH-1 H-512 Exhibit H-512
BUREAU OF LEGISLATIVE AFFAIRS
TASKING SLIP

(TL:CH-4; 07-31-2002)

DEPARTMENT OF STATE

DATE: _____



BUREAU OF LEGISLATIVE AFFAIRS
TASKING SLIP
CONGRESSIONAL CORRESPONDENCE

DATE DUE
IN H
Room 5917: _____
(Control Number)

ACTION ASSIGNED TO:

ACTION REQUESTED:

_____ **REPLY FOR SIGNATURE BY ASSISTANT SECRETARY FOR
LEGISLATIVE AFFAIRS.**

_____ **REPLY FOR SIGNATURE BY _____**
_____ **UNDER COVER OF AN ACTION MEMO TO _____**
_____ **DIRECT REPLY TO CONSTITUENT FOR SIGNATURE BY OFFICE
DIRECTOR.**
Mail a copy to appropriate Congressional Office indicated on incoming letter.
Call extension below when completed.

_____ **REPLY BY PHONE TO CONGRESSIONAL OFFICE.**
Call H extension below and provide date of call and name of congressional staffer
contacted when completed.

_____ **ALL REQUESTED PUBLICATION TO CONGRESSIONAL OFFICE.**
Address envelope "FOR ATTENTION OF" the appropriate Congressional staff.
No cover letter necessary. Call extension below when completed.

_____ **FOR YOUR INFORMATION. NO RESPONSE NECESSARY.**

_____ **OTHER. SEE SPECIAL INSTRUCTIONS BELOW.**

NOTE: Bureau must call extension below if action is transferred to another bureau

REMARKS/SPECIAL INSTRUCTIONS:

UNCLASSIFIED UNLESS OTHERWISE INDICATED

FROM _____
CONGRESSIONAL CORRESPONDENCE UNIT
EXT: 71614/71608

5 FAH-1 H-513 Exhibit H-513.1(1)
INTERIM REPLY—DEPARTMENT

(TL:CH-4; 07-31-2002)



(leave room for date)

Dear Ms. Smith:

This exhibit shows the proper format for Congressional correspondence. Use 1-1/2" margins and indent paragraphs five spaces. Place the address at the bottom of the page.

Thank you for your letter of June 25, inquiring about the welfare and whereabouts of Sr. Jose Martinez, who is in the Dominican Republic.

Your letter has been forwarded to the U.S. Embassy in Santo Domingo for a report. I will notify you as soon as a reply is received.

(30 spaces)
(5 lines)

Sincerely,

(30 spaces)
(30 spaces)
(30 spaces)

John E. Doe
Assistant Secretary
Legislative Affairs

The Honorable
Mary A. Smith,
House of Representatives.

Continuation - 5 FAH-1 H-513 Exhibit H-513.1(2)
FINAL RESPONSE



Dear Mr. Doe:

This exhibit shows a sample final Congressional response from the Department. Always reference the date of the interim letter.

Thank you for your letter of May 16, concerning Mr. William Lewis, who desires employment with the Department of State.

It is always a pleasure to learn of a young person's interest in service with the Department of State. Enclosed is complete information on careers with the Department. The most promising opportunity for an officer level position is through the Foreign Service Officer Examination. The next examination will be given on December 6, 2002. An announcement with application card is enclosed. I can assure you that Mr. Lewis will be given every consideration.

(30 spaces)
(5 lines)

Sincerely,

(30 spaces)
(30 spaces)
(30 spaces)

John E. Dolby
Assistant Secretary
Legislative Affairs

Enclosures;

1. Correspondence returned
2. Departmental Employment Kit

The Honorable
Henry L. Doe,
House of Representatives.

5 FAH-1 H-513 Exhibit H-513.2
CONGRESSIONAL REPLY—POST (FINAL)

(TL:CH-4; 07-31-2002)



May 5, 2002

Dear Mr. Black:

Congressional correspondence from post is shown in this exhibit. Include the date at the time of preparation unless otherwise instructed. Align the date with the post letterhead as shown above. In the case of letterhead that is centered at the top of the page, align the date with the right margin. In some cases, post letterhead has "Embassy of the United States of America" or "Consulate General of the United States of America," preprinted at the top of the page without the post location. On such stationery, identify the post (city and country) two lines below the letterhead. For example:

CONSULATE GENERAL
OF THE
UNITED STATES OF AMERICA

Hong Kong, Special Administrative Region (SAR)

Indent five spaces at the beginning of each paragraph. Use 1 ½" margins and place the address at the bottom of the page.

For a Member of the House of Representatives, use the salutation "Dear Mr. or Ms." only; for U.S. Senators, use "Dear Senator (name)"; and for the Speaker of the House, use "Dear Mr. or Madam Speaker." When a letter is to a Member in his or her capacity as chairperson of a committee or subcommittee, use "Dear Mr. or Madam Chairman."

The Honorable
John A. Black,
House of Representatives.

Continuation - 5 FAH-1 H-513 Exhibit H-513.2

-2-

Use plain bond paper for the second page. Center the page number at the top of the second page, two lines below the top margin.

Add enclosures and information copies after the signing officer's name. If there is more than one enclosure, single space and number them as shown below. Place drafting information on file copies or a drafting page.

Sincerely,

Mary E. White
Title

Enclosures:

1. Travel Report
2. Sunday Times Article

Continuation - 5 FAH-1 H-513 Exhibit H-513.2



May 5, 2002

Dear Ms. Smith:

In the temporary absence of Mr. Brown from Sofia, I am replying to your letter of April 29, expressing your continuing interest in the proposed immigration of John J. Johnson, the brother of James Johnson, 1500 Main Street, Chicago.

John J. Johnson has been requested to visit this office at his convenience for a review of his case, including all evidence of his name, identity, and relationship to the petitioner, Mr. James Johnson.

I will write you again following the interview with John J. Johnson.

Sincerely,

John E. Doe
Assistant Secretary
Legislative Affairs

The Honorable
Mary A. Smith,
House of Representatives.

**5 FAH-1 H-514 Exhibit H-514.2(1)
TRANSFERRING CONGRESSIONALS TO
ANOTHER AGENCY**

(TL:CH-4; 07-31-2002)



(leave room for date)

Dear Senator Burns:

Thank you for your letter of June 1, regarding the interest of your constituent, Mr. Steven M. Brown, in making a gift of books to India.

Since this matter falls within the jurisdiction of the Department of Commerce, I am referring your letter to Mr. Joseph White, General Counsel, for reply. Mr. White can be reached on code 182, extension 4090.

(30 spaces)
(5 lines)

Sincerely,

(30 spaces)
(30 spaces)
(30 spaces)

John E. Doe
Assistant Secretary
Legislative Affairs

The Honorable
John A. Burns,
United States Senate.

Continuation - FAH-1 H-514 Exhibit H-514.2(2)

(TL CH-4; 07-31-2002)

ROUTING AND TRANSMITTAL SLIP			Date	
			June 7, 2002	
TO: <i>(Name, office symbol, room number, building, Agency/Post)</i>			Initials	Date
1.	Mr. Joseph White DOD/OIG Pentagon, Room 528			
2.				
3.				
4.				
5.				
X	Action	File	Note and Return	
	Approval	For Clearance	Per Conversation	
	As Requested	For Correction	Prepare Reply	
	Circulate	For Your Information	See Me	
	Comment	Investigate	Signature	
	Coordination	Justify		
REMARKS				
A copy of State's interim reply is attached.				
DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions.				
FROM: <i>(Name, org. symbol, Agency/Post)</i>			Room No.—Bldg.	
IRM/APR/RG:GDoe			4536 NS	
			Phone No.	
			5831	
5041-102	OPTIONAL FORM 41 (Rev. 7-76)			
☆ U.S. GPO: 1980 - 262-080	Prescribed by GSA			
	FPMR (41 CFR) 101-11.206			

5 FAH-1 H-518 Exhibit H-518
CONGRESSIONAL REPLY (CLASSIFIED)

(TL:CH-4; 07-31-2002)



(leave room for date)

CONFIDENTIAL

Dear Mr. Chairman:

(C) This is a sample classified congressional reply. The classification markings are for exhibit purposes only. See 5 FAH-1, H-518 for instructions for classified letters to members of Congress.

(U) Thank you for your letter of June 1, advising the Department that several members of your Committee plans to visit Paris during July. Representatives of the Department have been working with staff members of the Committee to make the necessary arrangements for the Committee's travel. I hope that these arrangements will be satisfactory and that you and members of your Committee will have a most pleasant and worthwhile trip.

(30 spaces)
(5 lines)

Sincerely,

(30 spaces)
(30 spaces)
(30 spaces)

John E. Doe
Assistant Secretary
Legislative Affairs

The Honorable
John F. Smith, Chairman,
Committee on Foreign Relations,
United States Senate.

CONFIDENTIAL

Classified by: Henry M. Aims, Director, A/LM, Reason 1.5(B)
Declassify on: 7/14/04

CLASSIFIED FOR EXHIBIT PURPOSES ONLY