

Memorandum



Subject

Procedures for Congressional Hearing Testimony

Date

DEC 30 1981

To

Heads of Offices, Boards,
Bureaus and Divisions

From

Robert A. McConnell
Assistant Attorney General
Office of Legislative Affairs

Probably the most effective, and certainly the most formal, method of communicating with Congress is committee hearing testimony. Yet, because hearings are often held on short notice, time for preparation and clearance of testimony is at a premium. In order to take full advantage of Departmental appearances before congressional committees, this memorandum sets forth the procedures that this office will follow upon receipt of a committee request for testimony by a Department witness.

Notice of Hearing

Whenever possible, the Office of Legislative Affairs will insist upon a written invitation from the committee to be received fourteen calendar days before the scheduled appearance date.

Department procedure dictates that any person contacted by a Congressional staff member or a Member regarding a possible or scheduled hearing should so advise OLA promptly. No Department personnel are to request or urge the scheduling of hearings without OLA knowledge and approval.

Choice of Department Representative

Time does not always permit an immediate consultation with the Attorney General, the Deputy Attorney General, or the Associate Attorney General; this office often will make a temporary designation of the witness and the office responsible for preparation of the initial draft of the testimony. That decision will then be reviewed as soon as possible by the Attorney General, the Deputy Attorney General and/or the Associate Attorney General.

Clearance of Proposed Testimony

This office will be responsible for seeing that the proposed statement receives the necessary clearances both within the Department and at OMB. Because OMB Circular A-19 requires OMB receipt of the proposed testimony, whenever possible, at least five working days prior to the hearing, it is necessary for OLA to receive the draft statement at the earliest possible date. In many

cases, OLA will be forced to impose time limits on the receipt of draft statements not only to meet OMB clearance requirements, but also to enable witnesses to review any clearance-imposed changes. Such time limits will be enforced.

Printing of Prepared Statement

Although OLA will be responsible for seeing that the cleared statement is properly printed, close coordination with the affected office or division may be necessitated by the need to prepare clearance-required changes to the statement.

Post-hearing Committee Requests

This office will be responsible for the coordination and clearance of all post-hearing responses to committee requests.