



**USAID**  
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# ADS Chapter 554

## Congressional Witnesses

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## ADS Chapter 554 – Congressional Witnesses

### 554.1 OVERVIEW

Effective Date: 08/02/2017

USAID requires witnesses to provide clear, informative, and consistent testimony before Congress.

### 554.2 PRIMARY RESPONSIBILITIES

Effective Date: 08/02/2017

- a. The **Bureau for Legislative and Public Affairs (LPA)** is responsible for coordinating the oral and written testimony and appearance of USAID officials before Congress.
- b. **USAID Bureaus/Independent Offices (B/IOs) and statutory officials** are responsible for immediately notifying LPA of any request for an appearance before a congressional committee; preparing testimony and Bureau/IO witnesses for congressional hearings in coordination with LPA; and providing any additional programmatic and financial management information required by LPA.

### 554.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

#### 554.3.1 Congressional Testimony

Effective Date: 08/02/2017

The Bureau for Legislative and Public Affairs (LPA) will coordinate, prepare, and follow-up on all appearances by USAID officials before House and Senate committees, including, but not limited to:

- a. Hearings related to foreign assistance, food aid, authorization and appropriations bills;
- b. Hearings related to other legislation of interest to USAID; and
- c. Hearings reviewing specialized topics in which USAID has been asked to testify.

When a USAID B/IO and statutory official outside of LPA receives an invitation or request for appearance before a congressional committee, the B/IO and statutory official must notify LPA of the request immediately. LPA will communicate a response to the invitation regarding the availability of a USAID witness.

### **554.3.1.1 Coordination of Witness Appearance, including Preparation of Testimony**

Effective Date: 08/02/2017

LPA will coordinate the selection of Agency witnesses, schedule all witness appearances, and as appropriate, provide briefing and support before and during the hearing. LPA, in consultation with relevant B/IOs and statutory officials, will advise on the following:

- The form and content of all oral and written witness statements,
- Responses to anticipated member questions,
- Testimony submission deadlines, and
- Ensuring that B/IOs received Agency and interagency clearances before final submission to OMB.

In all instances, copies of the witness statement must be submitted to LPA in time to secure required interagency clearances and delivery to the appropriate committee no later than 48 hours before the scheduled hearing.

### **554.3.1.2 Hearing Transcripts and Questions for the Record**

Effective Date: 08/02/2017

Following the hearing, LPA will coordinate, with USAID B/IOs and statutory officials and any other entities as necessary, the editing of the hearing transcript and the preparation of required inserts and responses to questions for the record of the hearing.

### **554.3.2 Confidentiality of Closed Hearings**

Effective Date: 08/02/2017

USAID officials who appear before or attend closed hearing sessions<sup>1</sup> of a congressional committee must maintain the confidentiality of all information

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<sup>1</sup> See Rules of the House of Representatives, 114<sup>th</sup> Cong., House Rule XI, cl. (g)(2)(A) (A hearing may be closed to the public “because disclosure of testimony, evidence, or other matters... would endanger national security, would compromise sensitive law enforcement information, or would violate a law or rule of the House”); see also Standing Rules of the Senate, 113<sup>th</sup> Cong., Senate Rule XXVI, para. 5(b) (A committee may close a hearing if it: (1) involves national security information; (2) concerns committee personnel, management or procedures; (3) invades the personal privacy of an individual, damages and individual’s reputation or professional standing, or charges an individual with a crime or misconduct; (4) reveals identities or damages operations relating to law enforcement activities; (5) discloses certain kinds of confidential financial

discussed during the closed hearing session. Until the record of the congressional hearing is published and enters the public domain, such information may only be shared internally with individuals who have a need to know and the requisite security clearance.

#### **554.4 MANDATORY REFERENCES**

##### **554.4.1 External Mandatory References** Effective Date: 08/02/2017

- a. [Foreign Assistance Act of 1961, as amended](#)
- b. [International Security Assistance Act of 1978](#)

##### **554.4.2 Internal Mandatory References** Effective Date: 08/02/2017

There are no Internal Mandatory References for this chapter.

#### **554.5 ADDITIONAL HELP** Effective Date: 08/02/2017

There are no Additional Help documents for this chapter.

#### **554.6 DEFINITIONS** Effective Date: 08/02/2017

See the [ADS Glossary](#) for all ADS terms and definitions.

#### **closed hearings**

Hearings of congressional committees which are closed to the public and the news media, usually due to the sensitive or confidential nature of the information under discussion. (**Chapter 554**)

#### **congressional briefing**

Non-public appearances by USAID officers before the members of the United States House or Senate, or their staff, to provide information regarding the activities of USAID and related issues. (**Chapter 554**)

#### **congressional hearing**

Public appearances before formal committees, commissions, or other bodies of the United States House or Senate. (**Chapter 554**)

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information; or (6) divulges information that other laws or regulations require to be kept confidential).

**congressional testimony**

All appearances by USAID officers before committees of the United States House or Senate to testify regarding the activities of USAID and related issues.

**(Chapter 554)**

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