



**OFFICE OF LEGISLATIVE AFFAIRS**

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**National Oceanic and Atmospheric Administration**

**Guide for  
Congressional  
Witnesses**

GUIDE FOR CONGRESSIONAL WITNESSES

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# Guide for Congressional Witnesses

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# Introduction

Increasingly, Congress calls on NOAA to testify on a broad range of issues from our predictions on the hurricane season, to the state of the oceans, to the potential application of unmanned aircraft systems. The Office of Legislative Affairs (OLA) compiled the information contained in the *Guide for Congressional Witnesses*, in coordination with the Line Office (LO) Legislative Teams, as a tool to assist you in your role as a congressional witness for NOAA. The *Guide* is a complement to the *Congressional Testimony Handbook* and *NOAA Procedures Manual for Congressional Communications*.

As a congressional witness for NOAA, you are vital in our efforts to communicate to Members of Congress what NOAA is all about in an accurate, effective, and consistent manner. All of our communications to Congress are designed to demonstrate how NOAA is addressing the needs and interests of the audience and underscore that NOAA is meeting its mission goals. Ultimately, your testimony should educate, motivate, and activate the Members and their staff.

Our testimony is clear and upfront about how NOAA benefits the nation. The Members should walk away from the hearing with a clear understanding of how NOAA is benefiting the daily lives of the American people and our economy through our efforts to understand and predict changes in the Earth's environment, and our work to conserve and protect our oceans, coasts, and Great Lakes.

Please use the information contained in the *Guide for Congressional Witnesses*. The OLA's Congressional and Legislative Specialists are here to help you, and we appreciate your assistance in presenting NOAA's vision and mission to Congress.

Thank you,

Eric Webster  
Director  
Office of Legislative Affairs

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## Chapter

## 1

## Overview

### *Congressional Hearings*

Congressional hearings provide NOAA an opportunity to address the issues requested by the committee and to communicate a positive, consistent, accurate, and effective message to Members of Congress. For each hearing, NOAA prepares and submits written testimony, which is a formal record of NOAA's policy, position, roles, and responsibilities related to the topic(s) of the hearing. The written testimony is submitted to the committee prior to the hearing for Members and staff to read and prepare questions.

During the hearing, as NOAA's witness, you will summarize the written testimony through a five-minute oral statement that is followed by questions from the Members after all of the witnesses have testified.

The Office of Legislative Affairs (OLA) and your Line Office (LO) Legislative Team are here to help you prepare for the hearing as best as possible. In conjunction with the guidelines discussed in detail in the [Congressional Testimony Handbook](#), the following sections and chapters outline the overall process NOAA undertakes to prepare for congressional hearings.

### Letter of Invitation

- A formal letter of invitation noting the topic(s) of the hearing and other relevant information is sent by the congressional committee to NOAA requesting us to testify at a specific hearing. The letter may not be received until a few days prior to the hearing, but NOAA usually receives an initial invite from the committee staff via e-mail, fax, phone call, or during a meeting. This informal invitation may be issued months or weeks in advance, or within a couple of days of the hearing.
- Even in the absence of the formal letter of invitation, the OLA staff and the LO Legislative Teams will have a good sense of what is required in the

testimony via staff contacts, legislation, and Member and committee interest and will start to have the written and oral testimony drafted.

- The letter of invitation may request a specific person to testify as NOAA's witness, or the committee may request a 'NOAA representative'. The OLA, the LO, and NOAA leadership work with the committee to determine who the best witness will be for the specific hearing.
- In some cases, the committee (usually in the House) sends a Witness Disclosure Form to OLA with the letter of invitation. The Form replaces a resume or C.V. and is completed by the OLA's Legislative Affairs Specialist and submitted to the committee.

## Congressional Expectations

Congressional hearings have many purposes and the expectations of the Members on the committee and their staff can vary greatly depending on the purpose of the hearing, as well as the topic(s) discussed.

In general, congressional hearings fall under four categories:

1. **Informational and educational:** Hearings designed primarily for the exchange of information and ideas.
2. **Oversight:** Hearings designed to allow Members an opportunity to learn more about, and provide guidance to, an agency and the agency's programs, budget, activities, or question the leadership.
3. **Investigative:** Hearings designed to explore specific actions, policies, or programs that may have been improper or questionable.
4. **Legislative:** Hearings designed to specifically support or discuss current or proposed pieces of legislation.

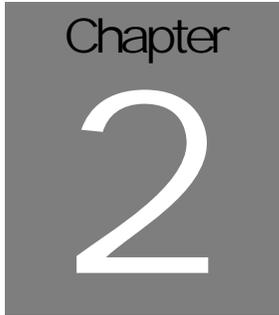
While it varies depending upon the chair and the committee, the Majority often sets the overall strategy and tone for the hearing. This can vary greatly depending upon the interests of the majority Members, the minority Members, and the committee and personal office staff.

The OLA's Congressional Affairs Specialists provide as much guidance as possible about the expectations of all of the Members and staff. This sometimes is a fluid process and may change as preparations for the hearing continue.

## Expectations of NOAA Leadership

As a witness testifying for NOAA, you represent not only your own program and office, but also all of NOAA, the Department of Commerce (DOC), and the president's administration. It is helpful to work with the OLA's Congressional and Legislative Affairs Specialists and the LO Legislative Teams to ensure that:

- You are aware of statements made in previous hearings, official documents previously submitted to Congress, related policy statements made by NOAA and the administration, and the president's budget.
- The testimony should follow the guidelines stated in *The Congressional Testimony Handbook*, including keeping in mind the target audience — Members of Congress and their staff.

A dark gray square containing the word "Chapter" in a white serif font at the top, and a large white number "2" in the center.

## Prepare, Prepare, Prepare

### *NOAA's Process for Preparing for Congressional Hearings*

The OLA is the lead office in the process for preparing for almost all congressional hearings for NOAA except those specifically before the House or Senate Appropriations Committees. The NOAA Budget Office handles those hearings. The OLA's Congressional Affairs Specialists and Legislative Affairs Specialists, in partnership with the LO Legislative Teams, are here to help you prepare for the hearing as best as possible.

### Written Testimony

Written testimony prepared for a congressional hearing is a formal submission of NOAA's policy, position, roles, and responsibilities related to the topic discussed. The goal of the testimony is to address the issues and questions requested by the committee in the invitation letter and to communicate a positive, consistent, accurate, and effective message to Members of Congress.

The OLA and the LO Legislative Team may help to manage the process for the development of the written testimony. The goal is to allow full scientific and program management contribution and engagement. A complete overview of written testimony can be found in the *Congressional Testimony Handbook*, and on the *Written Testimony Checklist*.

### Oral Testimony

NOAA witnesses present oral testimony when they appear at congressional hearings. The oral testimony is a summary of the written testimony. The OLA and the LO Legislative Team may help with the development of the oral testimony. Please note that the process for drafting oral testimony varies from Line to Line. The LO Legislative Team for your office can clarify for you the process used in your Line. For example, you as the witness (or your Line's Legislative Team) may choose to draft the initial version of the oral testimony

and then pass it along to the program staff for review. Witnesses may ask the program staff, or the OLA, to complete the first draft. The oral testimony should be completed prior to the prebriefs (see [Prebriefs](#) below).

Outlined below is a brief summary of key points for developing the best oral testimony possible (also available on the [Oral Testimony Checklist](#)). A complete overview of oral testimony can be found in the [Congressional Testimony Handbook](#).

- The oral testimony is between 4-5 pages in length, double-spaced, 14-point font or larger. (Please see page 14 of the [Congressional Testimony Handbook](#) for complete **Format Guidelines**.)
- The oral testimony is limited to five minutes maximum. (Please see pages 12-13 of the [Congressional Testimony Handbook](#) for complete **General Guidelines**.)
- Read the oral testimony aloud to time it and hear it.
- As the witness, you need to be comfortable conveying the words clearly.
- The oral testimony should not include views or policy statements not in the written testimony.
- The oral testimony is responsive to the issues and questions noted by the congressional committee in the letter of invitation.
- The oral testimony effectively summarizes two or three main points from the written testimony supported with examples, imagery, or anecdotes. (Please see page 14 of the [Congressional Testimony Handbook](#) for complete **Content Guidelines**.)
- NOAA's mission, vision, goals, programs, and activities are clearly stated and connected to the hearing topic.
- Visual aids that enhance the oral testimony are used.
- Sentences in the oral testimony are short, simple, direct, and punctuated for the ears and the lungs. (Please see pages 15-16 of the [Congressional Testimony Handbook](#) for **Tips and Tricks to Make it the Best**.)

## Questions and Answers

Questions and Answers, or Q&As, are developed prior to a congressional hearing and are a supplement and complement to the written and oral testimony. The OLA Congressional Specialist and the LO Legislative Team work with the witness to compile the Q&As based on information conveyed by the committee and Member's staff, as well as items identified by NOAA HQ and the LO.

Q&As may highlight or address programs, activities, or issues that were not included or fully discussed in the testimony due to time, length, or other constraints. Although not part of the official testimony clearance process, Q&As may be reviewed by the LO and NOAA HQ, or others depending on the issue and the questions.

The final Q&As are compiled in a [Briefing Book](#) for you by the OLA Congressional Specialist and are reviewed during the prebriefs (see [NOAA Prebriefs](#) below). Q&As are an important part of preparing you to testify and ensuring you have the tools necessary to comfortably address the majority of questions that you may be asked during the hearing. Generally, Members will ask the witnesses questions after everyone has testified (see [Member Questions](#) below).

The Q&As for the hearing are different than [Questions for the Record](#) (QFRs), which are discussed in [Chapter 4](#). A complete overview of Q&As can be found in the *Congressional Testimony Handbook*, and on the *Q&A Checklist*.

## NOAA Prebriefs

Prior to the hearing, the OLA Congressional Specialist will schedule one or two prebriefs with you. Depending upon the complexity of the issues to be discussed at the hearing or other factors, additional prebriefs may be needed. The prebriefs are generally attended by the witness, the OLA Congressional Specialist, a member of the LO Legislative Team, and other HQ and program staff as needed.

The goal of the prebrief is to help you prepare for the hearing, to review the oral testimony and Q&As, and provide any additional support as needed. The information reviewed during the prebriefs will be contained in the Briefing Book.

## The Briefing Book

The Briefing Book is a three-ring binder that will contain all of the critical information related to the hearing and is prepared for you by the OLA Congressional Specialist with support of the LO Legislative team, and other HQ and program staff as needed. The Briefing Book will generally contain:

- **Hearing at a Glance:** A one-page summary of the hearing that notes the name of the committee, date, time, and location of the hearing, subject, a list of witnesses, and a breakdown of Members on the committee by party.
- **Letter of Invitation:** A copy of the **Letter of Invitation** (see [Chapter 1](#)) will be included if available.

- **Written Testimony:** A copy of the written testimony, either the current draft or final cleared version, will be included (see [Written Testimony](#) above).
- **Oral Testimony:** Your oral testimony should be completed prior to the prebrief to give you the opportunity to do a read through in front of the staff. This is important to help ensure that you can present it within the five minute time limit, that you are comfortable with the wording and flow of the testimony, and to ensure it responds to the Committee’s requests (see [Oral Testimony](#) above).

It is always important to ask yourself, “What am I (NOAA) trying to accomplish at this hearing?” Does the oral testimony do that?

- **Questions and Answers or Q&As:** The Q&As will be reviewed and questions about the answers or wording will be addressed. It is important that the Q&As are written using the guidelines in the *Congressional Testimony Handbook* to ensure they are short, to the point, and written as if you were speaking to the committee (see [Q&As](#) above). The Q&As will be an important reference for you during the hearing.
- **Background Information:** Additional vital background information will be provided that may include:
  - points about the Members and their interests
  - summary of the proposed legislation and key points
  - program information
  - bios and copies of the testimony from the other witnesses
  - outstanding issues or reports the Members may ask about
  - other resources that the staff feel will be beneficial in helping you prepare for the hearing

## Prepare, Prepare, Prepare

The OLA and the LO Legislative team staff are here to help you and we want you to be comfortable and confident. In addition to the processes noted above, there are other activities that you may be asked to, or wish to, undertake to further prepare for the hearing.

- Depending on the issue, the OLA staff may ask you to meet with some Members or congressional staff prior to the hearing.
- Watch a hearing on C-SPAN if you have never seen or attended one so you can get a flavor of the general ebb and flow of what will happen when you testify, although every hearing is slightly different.

- Practice, practice, practice the oral testimony. You want to be comfortable with your statement and to be able to engage your audience. The testimony should not sound rushed or like you are having to read it word for word.

## Congressional Hearings

### *The Day of the Hearing*

The OLA's Congressional Affairs Specialist, in partnership with the LO Legislative Teams, will staff you and support you on the day of the hearing. In addition to the information provided during the prebrief, they will also review with you any last minute details on the day of the hearing. The following sections review additional key points to keep in mind before, during, and after the hearing.

### Logistics

It is important to be well prepared for the day of the hearing and to review in advance with the OLA Congressional Specialist any special instructions and logistics. In general:

- Have a good lunch or breakfast.
- Read the newspapers the day of hearing. Members may ask a question on, or refer to, a headline or story.
- Know when and where to meet the OLA Congressional Specialist.
- Make sure to have the cell number for the Specialist and the other staff who will be attending the hearing in case of an emergency.
- Arrive on Capitol Hill at least 30-45 minutes early, or earlier if there will be a final briefing for you by the Congressional Specialist. Remember that there may be delays in passing through security if there are large groups visiting Members that day.
- Carry sufficient cash with you on the day of the hearing in case you need taxi or metro fare, meals, or drinks.

- Who should attend from NOAA?
  - Seats are limited.
  - At most, there should only be the OLA Congressional Specialist, a member of the LO Legislative Team, and a member of the program staff if needed.
  - Too many staff may leave the impression that a witness cannot stand on his or her own.
  - The OLA Congressional Specialist generally sits directly behind the witness.
  
- There are no planned breaks during the hearing and most last from 1-2 hours, although the hearing may be interrupted by votes. Plan any beverages prior to the hearing accordingly and bottled water will be on the table.

## Attire

Appearances and impressions are important during the hearing. A hearing is a serious business event and your attire should reflect that. Most hearings are now broadcast over the web, and some are carried by C-SPAN. In general:

- For civilians, formal business dress should be worn.
  
- For NOAA Commissioned Corps, Service Dress Blue is recommended, but make sure to check with the Director of NOAA Corps to verify current uniform policy.

## Before the Hearing Starts

### Final Preparation Before the Hearing Starts

- Turn off cell phones, PDAs, and other electronic devices.
  
- Use the restroom and check your appearance.
  
- Be in the hearing room 20-30 minutes early.
  
- Identify your seat and make your space comfortable with water, notes, and any visual aids that need to be set up.
  
- It is helpful to have a pen and paper with you to make notes as needed. Often Member questions have multiple parts.
  
- If using visual aids, it is best to have someone else click the slides or Power Point by following along during your testimony. Arrive early enough to test

the setup, as you do not want to realize it does not work part way through your testimony.

- Examine the microphone and figure out how to turn it off and on. Leave it off until you are asked for your oral statement or an answer to a question. Make sure to turn it back off when you are finished.

## The Personal Touch

- Members, staff, and witnesses will mingle as the start time for the hearing approaches. Use this opportunity to relax and meet the other witnesses and to meet the Members and staff.
  - It is important to have the OLA and the LO staff with you during these meet and greets. Often Members and staff will ask for information, or may ask a question (called ‘get backs’), and the OLA and the LO staff can note this for you and ensure follow-up. It is vital that these requests are completed.
- Bring business cards.
- You may be approached by members of the media.
- You may also be approached by members of the audience asking questions about your testimony and NOAA. Work with the OLA and the LO staff to prepare for this if necessary.

## During the Hearing

Some general rules to keep in mind once the hearing starts are:

- Strive to appear stoic and attentive when not speaking. Be aware of your facial expressions, do not roll your eyes, shake your head in disagreement, rise without being excused by the chair, or otherwise appear discourteous.
- You will likely be on camera (television or web).
- Avoid speaking unless spoken to during the hearing and always turn off your microphone when you are done.
- Make eye contact with the Members when you speak and when they ask you questions.
- Address members of Congress as Congressman or Representative (in the House), Sir, Madam, Chairman, or Chairwoman. Address members of the Senate as Senator, Sir, Madam, Chairman, or Chairwoman. Please note that some female Members use Chairwoman for their title, and others use

Chairman. Please confirm the appropriate usage for your hearing with the Congressional Affairs Specialist.

## Hearing Format and Schedule

Every congressional hearing is slightly different based on the topic being discussed, which chamber of Congress it is in, and which committee is holding it. Below are some key points about the hearing format and schedule.

- The hearing may start late, may be interrupted by votes, and will have people coming and going and talking (Members and staff). Expect disruptions and distractions.
- There may be a stenographer uttering notes into a Dictaphone and typing.
- There may be media present including reporters, television cameras, and web cams as many hearings are now broadcast in real time over the web.
- The Chairman and Ranking Minority Member will almost always be present and other Members of the committee will either be there when the hearing starts or may join while the hearing is in session.
- Members usually sit on a dais and may be spread out depending how many attend. Sometimes only a couple Members are present, other times the full committee.
- Congressional staffers sit behind the Members.
- Witnesses sit at a table facing the Members with the audience behind you. There are generally 3-4 witnesses on a panel and occasionally, a hearing may have more than one panel presenting testimony.

## Member Remarks and Opening Statements

- The Chair will make the opening statement, followed by the Ranking Member. These statements often provide clues as to the questions you will be asked later. It is helpful to have a pen and paper with you to make notes as needed.
- The Chair may ask the other Members of the committee to make their opening statements and will often alternate between parties or in order of rank on the committee.
- Each Member gets about five minutes. Sometimes, to save time, they will insert their comments for the record and not read them, or they will ask to defer their statement to the question and answer time.

- Members can, and will, use their opening statements as an opportunity to raise issues and ask questions unrelated to the hearing topic.

### Witness Oral Testimony

In addition to the guidelines discussed in [Chapter 2](#), as well as the *Congressional Testimony Handbook*, please note that:

- Each witness is generally given a five-minute time limit. Do not go over this time limit as the Chair may cut you off and you will not be allowed to finish your testimony.
- Speak clearly into the microphone and take your time. Do not rush through the testimony.
- Try not to read the testimony word for word. By having prepared and practiced, you should be able to scan the testimony as you read and engage with the Members by making eye contact and acknowledging them as you present the testimony.
- Pay attention to the testimony of the other witnesses (including from other panels if there is more than one and you are not on the first). Members may ask you questions related to their testimony.

### Member Questions

Congressional hearings provide an opportunity for NOAA to educate Members of Congress and their staff about specific topics of current interest. It is important to address the committee's questions as directly and respectfully as possible.

### Member Questions

- After each witness presents their oral testimony, the Members take turns asking questions.
- Each Member generally gets about five minutes to ask their questions, but that is often up to the Chair.
- Sometimes they will do a second round of questioning if Members have more questions.
- Members can, and will, raise issues and ask questions unrelated to the hearing topic.

- Committee staffers do not ask questions, but may pass questions to Members during the hearing.
- When the Members have asked all the questions they wish of the witnesses, the panel is over.
- If it is a one-panel hearing, the hearing is over. If there are multiple panels, there is usually a break to let the new panel move up to the table.

#### Your Responses: Do's and Don'ts

When responding to Member questions, please keep in mind some important do's and don'ts:

- Do be polite and respectful at all times and answer all questions in a positive tone and manner.
- Don't rise to the bait of an adversarial question from a Member. Not all questions will be positive. If you are prepared for the worst you will not be thrown by any question asked.
- Don't be flippant or sarcastic in your comments and responses.
- Do answer the question(s) as best you can. If the question is not directly related to the hearing, provide the best answer possible and refocus on the issue at hand.
- Do keep your answers short and to the point. Members are generally only allotted five minutes each in which to ask questions and for the witnesses to reply.
- If a Member asks you a question and you do not know the answer or the answer is above your authority, do not lie or make something up that you are not sure is correct. It is best to say, "I'll get back to you with an answer for the record." Or, "I am not sure, but please let me verify that information and we will let you know."
  - **Please note.** It is vital that any answers that cannot be provided during the hearing are noted and the information provided to the committee. These are known as 'get backs', and while they are generally not reflected in the official hearing record, they are important to our relations and business with the Members and staff.
- Do not respond to Member pauses. Some members may talk a while and their question may be a long statement with multiple questions throughout. Write them down and answer in summary as best as you can.

## Post Hearing

### *What Happens After the Hearing?*

After the hearing, the OLA's Congressional Affairs Specialist and the LO Legislative Team will ensure that any 'get backs' or other requests asked for by Members during the hearing are completed. In addition, the OLA's Legislative Affairs Specialist will process Questions for the Record and the Hearing Transcript.

### Questions for the Record (QFRs)

Questions for the Record (QFRs) are different from the Questions and Answers (Q&As) discussed in [Chapter 2](#). Members submit QFRs to NOAA after a hearing in which they ask for clarification and additional explanation about an issue discussed during the hearing or an answer provided by you as NOAA's witness. The questions are often generated by the committee staff on behalf of the Members and are sent to NOAA weeks after the hearing, sometimes even a month or more later.

Members and congressional staff should submit their questions directly to the OLA. The OLA Legislative Affairs Specialists are responsible for ensuring the completion and clearance of the QFRS in cooperation with the LO Legislative Team and other NOAA offices as needed. If you receive questions directly from either a Member or congressional staff, please send them to your LO Legislative Team who will ensure they are directed to the appropriate Legislative Affairs Specialist in the OLA.

All questions about QFRs should be directed to the OLA's Legislative Affairs Specialists.

## Hearing Transcript

After the hearing, the committee will sometimes send the OLA a stenographic transcript from the hearing for review. Occasionally, the transcript will be sent directly to the witness and it should immediately be forwarded to your LO Legislative Team who will ensure it is directed to the appropriate Legislative Affairs Specialist in the OLA.

The OLA's Legislative Affairs Specialists are responsible for reviewing and ensuring the accuracy of the hearing transcript. Reviewing the transcript gives NOAA an opportunity to correct any mistakes in the transcription of the oral testimony and thereby preserve the integrity of the hearing record. NOAA cannot amend the substance of the testimony and only basic editorial changes are allowed.

Once completed, the OLA sends the reviewed (and edited if needed) transcript back to the Committee for inclusion in the Committee's hearing record.



**"In all things of nature, there is something of the marvelous."  
- Aristotle**

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