



**DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010**

JAN 17 2012

**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
DIRECTOR, OPERATIONAL TEST AND EVALUATION
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES**

SUBJECT: Congressional Testimony Coordination and Clearance Procedures

To ensure a continued working relationship with Congress that is both effective and respectful, the Department expects that Components will deliver hearing materials such as prepared testimony within the timeframe required by Committee rules and requirements. These timeliness exist to give the Defense Oversight Committees adequate time to assess the information they are given. Failing to meet these timeliness threatens to impair our relationship with these committees.

To provide the best chance for timely Office of Management and Budget (OMB) clearance, statements should begin the clearance process as far in advance of the required date of transmittal to a congressional committee as possible. At the very least, this should be no later than eight working business days before any hearing for which the Component has advanced knowledge; last-minute hearings are the exception and will be processed on an expedited basis. Eight days allows for the three days needed for clearance by the Office of Security Review and three days necessary for OMB coordination through the Office of Legislative Counsel (OLC) (as prescribed in DoDD 5400.4, DoDD 5230.9, and DoDI 5230.29). The final two days are for the committees, which require testimony at least 48 hours in advance of a hearing. If the committee notification is not sufficient to follow this timeline, the Component is responsible for submitting its statement to OLC as soon as possible.

As noted above, OMB requires a minimum of three days for coordination. In order to facilitate a more timely OMB coordination process, Components are urged to utilize methods designed to expedite clearance, such as using shorter statements and reusing previously cleared testimony (tracking any changes that have been made). If it appears that a statement cannot be delivered to the Committee within the timeframe set forth by its rules or guidelines, the

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Component must notify OASD(LA) of the circumstances and seek an extension from OASD(LA). That process will enable OASD(LA) to set expectations with the committee.

Thank you for your cooperation and assistance in complying with these processes to satisfy Congressional testimony requirements. Ultimately, this will ensure that the materials submitted for the record accurately reflect the Department and the witnesses' positions.

A handwritten signature in black ink, reading "Curtis S. Carter". The signature is written in a cursive style with a large initial "C" and "S".