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Senate Committee Hearings: Preparation

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Committee hearings allow Senators an opportunity to gather information on—and draw attention to—legislation and issues within a committee’s purview, conduct oversight of programs or agencies, and investigate allegations of wrongdoing.

This checklist identifies, primarily for staff, many of the tasks that need to be performed by a full committee and, in most cases, subcommittees in advance of a hearing. Some of the tasks are required by Senate or committee rules; others are common committee practice. Some tasks are usually the responsibility of the committee’s majority staff, some are shared by majority and minority staff, and some are performed by a Senator’s personal office staff.

Preliminary Decisions¹

- Prepare a memorandum for the chair (and perhaps for other committee members) outlining the need for and scope of the hearing, the expected outcome (hearing only, committee print, preparation of legislation), possible witnesses, number of hearing days anticipated, and political considerations.
- Obtain the chair’s approval to hold the hearing.
- Check the schedule of the chair and ranking minority member, determine availability of and reserve committee hearing room, set date, arrange for an official reporter and make other arrangements for any electronic recording of the hearing, and confirm availability of essential witnesses.
- Send notification to all committee members and staff of the date, time, and subject of the hearing at least one week in advance of the hearing.
- Several days prior to the hearing, brief committee members and staff and send them a memorandum confirming date, time, location, and topic.
- The day before the hearing, call Senators to determine expected attendance and ascertain that a quorum (in most committees, a single Senator) will be present to hear testimony. Check for possible conflicts between hearing times and Senate floor schedule. (Senate Rule XXVI, paragraph 5, generally prohibits committee meetings—except Appropriations and Budget meetings—after the Senate has been in session for two hours or after 2:00 p.m. when the Senate is in session. This requirement can be waived via a floor announcement when the majority and minority leaders [or their designees] agree to permit the committee to meet.²) Anticipate the need for possible recesses while Senators leave for floor votes.
- Prepare an opening statement for the chair, ranking member, and other Senators.

Witness Selection and Testimony³

- Select witnesses in conjunction with committee leaders, executive branch officials, and issue leaders. Senate Rule XXVI, paragraph 4(d), provides that,

¹ For more detail on scheduling hearings, see CRS Report 98-337, *Senate Committee Hearings: Scheduling and Notification*, by Valerie Heitshusen.

² For more information, see CRS Report R45170, *The Senate “Two-Hour Rule” Governing Committee Meeting Times*, by Christopher M. Davis and Michael Greene.

³ For more detail on witness selection and testimony, see CRS Report 98-336, *Senate Committee Hearings: Arranging Witnesses*, by Valerie Heitshusen; CRS Report 98-392, *Senate Committee Hearings: Witness Testimony*, by Valerie Heitshusen; and CRS Report RS22649, *Senate Committee Hearings: The “Minority Witness Rule”*, by Christopher M. Davis.

- except for the Appropriations Committee, the minority is entitled to call its own witnesses on at least one day of the hearing.
- Invite witnesses informally, then by formal letter from the chair, providing hearing information and requesting pertinent information. Invitation letters may include date, time, location, subject, a copy of pertinent Senate and committee rules, reimbursement information (if applicable), deadline for submitting written statements specifying the required format and the number of copies required, and the name and phone number of a staff contact.
 - Where appropriate, interview, depose, or subpoena witnesses.
 - Obtain required number of copies of each witness's written statement and, if directed by the committee, write summaries of submitted testimony for distribution to committee members prior to the meeting.

Media Concerns

- Provide committee press secretary with material for announcements of events and activities and information for the committee website.
- In conjunction with the press secretary, work with the Senate press galleries to coordinate media space and coverage. Information about the Senate's media galleries is at <https://www.dailypress.senate.gov/>.
- In consultation with the press secretary, assemble media kits and arrange interviews or press conferences with the chair and other Senators.
- On the hearing day and in consultation with the committee press secretary, distribute press releases, witness statements, and the witness list.

Final Preparations

- Prepare briefing books for Senators that may include a description of the subject, scope, and purpose of the hearing; copies and comparisons of measures under consideration; pertinent statutes and regulations, court decisions, and articles; a chronology of major events; suggested questions or talking points; and a list of witnesses, biographical information, and copies or summaries of written testimony.

- Assemble materials on the dais, including a gavel and block (for the chair), briefing books, Senate and committee rules (for staff), cups and water, and paper and pencils.
- Place cups, water, and nameplates on the witness table.
- Provide the official reporter with the witness list, witness statements, and committee members' opening statements.

Author Information

Valerie Heitshusen
Specialist on Congress and the Legislative Process

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This report was originally written by Richard C. Sachs, former CRS Specialist in American National Government, and was later updated by Betsy Palmer, former CRS Analyst on Congress and the Legislative Process. The author currently listed has updated this report and is available to answer questions on the subject from congressional clients.

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