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U.S. House of Representatives
COMMITTEE ON POST OFFICE AND CIVIL SERVICE
309 CANNON HOUSE OFFICE BUILDING
Washington, D.C. 20515

September 25, 1975

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

encl
MP
On September 17, 1975, I invited Mr. James A. Wilderotter, Associate Counsel to the President, to testify in public session before the Subcommittee on Manpower and Civil Service. By letter of September 22, 1975, and subsequent telephone confirmation, Mr. Wilderotter declined the invitation to appear before the Subcommittee on the scheduled date of September 24, 1975. Copies of the correspondence are enclosed.

Testimony heretofore taken by the Subcommittee indicates that Mr. Wilderotter is a necessary witness with regard to his knowledge acquired during the time he served as Executive Assistant to the Honorable James T. Lynn when Mr. Lynn was Secretary of the Department of Housing and Urban Development. I indicated to Mr. Wilderotter on September 17, by letter and telephone, that any hearing in which he appeared, Subcommittee Members would be instructed to confine their inquiries to the time period in which he served as Executive Assistant Secretary to Secretary Lynn, that is, the period prior to Mr. Wilderotter's appointment to the staff of the President. It would seem inappropriate to claim executive privilege for Mr. Wilderotter, thereby barring testimony regarding his knowledge and activities while serving in an executive department prior to his current assignment at the White House.

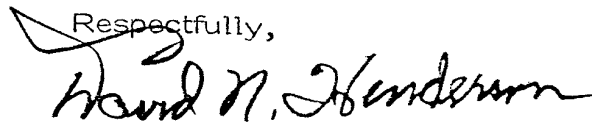
The Committee does not desire, at this time, to cause or otherwise provoke an unnecessary confrontation which might result from the issuance of a subpoena to gain Mr. Wilderotter's testimony. However, we do desire the appearance of Mr. Wilderotter in these hearings.



September 25, 1975

As I understand the situation, only the President may, by privilege, exclude the appearance of an executive branch official before a Congressional committee or subcommittee. I would hope that you would instruct him to appear as a witness in the Subcommittee investigative inquiry on alleged merit system abuses.

Respectfully,

A handwritten signature in cursive script, reading "David N. Henderson". The signature is written in dark ink and is positioned below the word "Respectfully,".

DAVID N. HENDERSON
Chairman

Enclosures