

(9-V)

SURVEY FORM 11: REFUSALS TO APPEAR AND TESTIFY

Date of Request (1)	To whom addressed, and agency represented (2)	Person requested to testify (3)	Nature of testimony requested, nature of hearings, or other reason for which requested. (4)	Date of refusal (5)	Person author- izing refusal (6)	Reason given for refusal, documentation of refusal as available, and other remarks. (7)
12/29/72	Dr. Henry Kissinger Assistant to the President for National Security Affairs	Kissinger	Situation in Vietnam	1/16/73	Wm. Timmons	By precedent "members of the President's immediate staff do not appear to present testimony before Congress in matters related to their duties to the President." (Correspondence attached.)

Separation of Powers Subcommittee Survey
U. S. Senate, March 5, 1973
Contact: Joe L. Pecore, Asst. Counsel
225-8421, 8422

FILE 9

Submitted by: (Comm/SubComm) Committee

on Foreign Relations

By: Carl Marcy

TITLE: Chief of Staff 54615
Extension

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
December 29, 1972.

THE WHITE HOUSE,
Washington, January 16, 1973.

HON. HENRY A. KISSINGER,
Assistant to the President for National Security Affairs,
The White House, Washington, D.C.

DEAR DR. KISSINGER: I have scheduled a meeting of the Foreign Relations Committee in Executive Session for 2:30 Tuesday afternoon, January 2 in room S-116 of the Capitol to consider the situation in Vietnam and to discuss future activities of the Committee.

I hope very much that you can be with us at that time to brief the Committee, with particular reference to the status of peace negotiations, and to give us the benefit of your views. I am extending a similar invitation to Secretary Rogers.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

HON. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is to acknowledge your letter of December 29, which has been referred to me for reply. As I am sure you are aware, by long-standing precedent and practice members of the President's immediate staff do not appear to present testimony before Congress in matters related to their duties to the President.

Therefore, because of Dr. Kissinger's position on the immediate staff of the President your invitation to appear before the Committee must respectfully be declined. We hope, however, that the Committee will be able to meet informally with Dr. Kissinger at an early opportunity.

Sincerely,

WILLIAM E. TIMMONS,
Assistant to the President.