

(9-U)

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 authorizing refusal (6)	Reason given for refusal, documentation of refusal as available, and other remarks. (7)
2/2/71	John F. Lehman, Jr. Staff Member National Security Council	Lehman	Concerning his remarks about the Foreign Relations Committee made at a meeting of Senate staff members.	2/3/71	Lehman	Because of his position on NSC staff. (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 Marcov  
Title: Chief of Staff 54615  
Extension

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
February 2, 1971.

Mr. JOHN LEHMAN, Jr.,  
National Security Council,  
Washington, D.C.

DEAR MR. LEHMAN: In the meeting of the Foreign Relations Committee this morning, there was discussion of the *Washington Post* story (copy attached) concerning your remarks January 27 at an off-the-record meeting of Senate staff members and Foreign Service Officers. It was noted that you were quoted as saying the reports of the discussions had been taken out of context.

The Committee agreed that, in order to clarify this matter further, you should be requested to meet with the Committee in Executive Session tomorrow afternoon Wednesday, February 3, at 2:30 o'clock in Room S-116 of the Capitol.

The Committee also took note of the fact that the remarks in question were made to representatives of both the Executive and Legislative Branches in a meeting not involving your official relationship to the President and therefore beyond the scope of Executive Privilege.

Sincerely yours,

J. W. FULBRIGHT,  
Chairman.

THE WHITE HOUSE,  
Washington, February 3, 1971.

Hon. J. W. FULBRIGHT,  
U.S. Senate,  
Washington, D.C.

DEAR MR. CHAIRMAN: I have your letter of 2nd February requesting my appearance before the Committee on Foreign Relations.

I must inform you that I shall be unable to appear because of my position on the National Security Council Staff.

Yours,

J. F. LEHMAN, Jr.,  
Staff Member, National Security Council.