

letter of October 7, 1974, to Hon. Thomas E. Morgan, Former Chairman, Committee on Foreign Affairs, From Former Secretary of State Henry A. Kissinger

THE SECRETARY OF STATE,
Washington, October 7, 1974.

THOMAS E. MORGAN,
*man, Committee on Foreign Affairs,
of Representatives.*

DEAR MR. CHAIRMAN: On July 16 you wrote to me regarding the implementation of the War Powers Resolution. In particular, you asked what arrangements had been made within the Executive Branch to insure "full and timely compliance" with the reporting requirement of Section 4 of the Resolution. I am pleased to inform you that since my September 7 letter to you on this matter, Secretary Schlesinger and I have agreed that our respective legal counsels will be jointly responsible for bringing immediately to our attention cases where it would be appropriate for us to recommend to the President that a report be submitted to the Congress pursuant to Section 4 of the War Powers Resolution.

With regard to the question of access to information, I understand that several months ago the Office of the Secretary of Defense instituted an arrangement whereby the Legal Adviser to the Chairman of the Joint Chiefs of Staff informs the Department of Defense General Counsel of all troop deployment actions routed through the Chairman's office which could raise a question as to whether a report to the Congress is required. In implementation of that arrangement a written instruction was promulgated establishing a War Powers Reporting System within the Operations Directorate of the JCS. Arrangements have been made for this Department's Legal Adviser to receive the same information as is supplied to the DOD General Counsel. Consultations between the two departments' legal counsels will be arranged as needed.

George Aldrich, the Acting Legal Adviser, would be pleased to arrange for further discussions of this matter with you or with members of your staff if you so desire.

Best regards,

HENRY A. KISSINGER.