

Mitchell Aide: Criticizing Nixon May Get You Fired

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A top aide to Attorney General John N. Mitchell warned yesterday that government employees who differ publicly with Mr. Nixon administration policies may lose their jobs.

In a speech apparently designed to head off future policy rebellions of the sort that have occasionally embarrassed the administration, Ass. Attorney General William H. Rehnquist asserted that:

"The government as an employer has a legitimate and constitutionally recognized interest in limiting public criticism on the part of its employees even though that same government as a sovereign has no similar constitutionally valid claim to limit dissent on the part of its citizens."

Rehnquist, head of the Justice Department's Office of Legal Council, contended employees of the executive branch, including the military, surrender at least part of their right to free speech when they take a government job.

Rehnquist's remarks were delivered to the convention of the Federal Bar Association.

"In the executive branch of the government, policy decisions at least in theory come down from the top, since the President of the United States is the only official of that branch who can lay claim to a popular mandate," he said.

"While it is quite proper that his policy decisions be debated and challenged in the legislative branch, and subjected to vigorous criticism in the country as a whole, the rule within the executive branch must be quite different."

Rehnquist said that President Nixon and Defense Secretary Melvin Laird "should be able to push for the funding of an antiballistic missile without necessarily obtaining the approval of a majority of employees of the Defense Department." And President Nixon and Mitchell "should be able to push for a crime bill in the District of Columbia even though a majority of the employed lawyers in the Justice Department, if given their druthers might oppose some of its provisions," he said.