



Jack Anderson

NIXON'S POWERS

WASHINGTON.

One of President Nixon's earliest acts after he moved into the White House was to draw up contingency plans for the call-up of federal troops in case of a domestic crisis.

The planning was intended to cope with the widespread riots and demonstrations that rocked the nation in the late 1960s. The President has the power to implement the plans, however, any time he feels conditions "make it impracticable to enforce the laws."

Some high-officials, aware of Nixon's belligerent attitude toward his Watergate critics, wonder whether he would use his emergency powers to hang on to the Presidency if he should be faced with impeachment.

Sources close to the President insist he loves the United States too much to tamper with its democratic institutions. He is also showing a new willingness to consult congressional leaders. But this hasn't entirely stopped the worried whispers, which we have heard at the highest levels of government.

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Within the White House, he has spoken of the danger of turning our delicate foreign affairs over to an inexperienced President. Our sources say he sounded as if he is determined to carry on as a patriotic duty.

The plans are ready for him to declare a state of emergency, meanwhile, if he should choose. One classified document, known as the "Interdepartmental Action Plan for Civil Disturbances," outlines the responsibilities of the Defense and Justice Dept. in the event the armed services are mobilized.

This detailed plan, which includes orders for the President to sign, was

delivered to Nixon on May 19, 1969. He initialed the "approve" line and then scribbled "Good Planning" in the bottom margin.

Although the emergency plans are over four years old, they have been updated and reflect present policy.

"The Attorney General is designated chief civilian officer for coordination of all federal government activities relating to civil disturbances," wrote aide John Ehrlichman in his cover memo. "The Secretary of Defense, through the Department of the Army, will be primarily responsible for employment of the military at a disturbance site. . . ."

One of the proposed proclamations deals with "Law and Order in the Washington Metropolitan Area." First, Nixon could "command all persons engaged in . . . acts of violence to cease and desist therefrom and to disperse and retire peaceably forthwith."

If demonstrators failed to disperse, Nixon could then issue an executive order calling upon "units and members of the armed forces (to) suppress the violence . . . and to restore law and order in and about the Washington metropolitan area."

The Justice Dept. then would activate its confidential "Civil Disturbance Plan" and the Army would order "prepositioned" federal troops to "restore law and order." The details of the military takeover are laid out in classified contingency plans known collectively as "Garden Plot."

Our White House sources emphasize that the President hasn't even hinted he might declare an emergency and put Washington under martial law. But they admit he has surrounded himself

with men who would probably carry out his orders without questioning them.

His closest associate now is Alexander Haig, a former Army general. The lawyer who has Nixon's ear, former Pentagon counsel J. Fred Buzhardt, is a West Point graduate. John Bennett, another aide in the President's immediate circle, is a retired general.

Throughout the crisis surrounding the ouster of Special Watergate Prosecutor Archibald Cox, according to our sources, Haig followed the President's orders without questioning them.

Haig, for example, personally ordered the FBI to seal off Cox's office. He also transmitted the order to former Deputy Attorney General Ruckelshaus to fire Cox. When Ruckelshaus refused to do so, Haig was abashed. The erstwhile general told Ruckelshaus in a crisp military voice: "Your commander-in-chief has given you an order."

Nor have the Pentagon's top brass shown any inclination to defy a Presidential command. The Joint Chief's chairman, Admiral Thomas Moorer, was asked at a Senate hearing last August if he could conceive of a situation wherein he would disobey an order.

"As a military man. . . ." Moorer replied, "I have never been one who thought that I should obey the orders I like and disobey the orders I don't like. Therefore, when I get an order, I obey it."

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There are nearly 500 separate federal laws delegating extraordinary authority to the President in time of national emergency.

Under the laws now on the books, according to Sen. Church (D-Ida.), "the President may seize properties, mobilize production, seize commodities, institute martial law, seize control of all transportation and communications, regulate private capital, restrict travel, and—in a host of particular and peculiar ways—control the activities of all American citizens."