

ditor

Mr. Nixon and the 25th: The 'Disability' Option

To the Editor:

Your editorial March 7 "Ohio's Storm Warning" seems to conclude that the Democratic victory in Ohio's First Congressional District makes the impeachment of the President more likely. It may make another course of action even more likely than impeachment, and it seems to me a course that is being completely ignored. It may well be the surprise dramatic move so characteristic of President Nixon in a crisis.

The 25th Amendment to the Constitution provides that a sitting President may elect to request his Cabinet to permit the Vice President to assume all the functions of the Presidency while the President is disabled for whatever reasons (health?). Upon a simple majority vote of the Cabinet the President may take whatever leave of absence he deems necessary. He retains his title, salary and pension rights as well as the prerogatives of his high office, all apparently dear to Nixon. Also, since he would probably be immune from criminal prosecution.

The Ohio results and others to follow could soon convince Republican leadership that it's now their political necks or Nixon's unless they force him out before November—and the sooner the better or a colossal Republican defeat in November is certain.

Led by such Republican stalwarts as Senators Goldwater and Hugh Scott, Republican leaders could go to the President, saying, "You must go or we are forced to vote for impeachment."

Nixon, recognizing that impeachment would be certain if his Republican supporters are supporting it, would have three clear choices, (1) be impeached, convicted and forced out, (2) resign, or (3) elect the course open to him by the 25th Amendment.

I suggest he may well take the latter course, which would be less infamous than his other options, since it is not necessarily an admission of guilt. President Nixon has always shown an overriding characteristic of controlling his own political fate, and the 25th Amendment route would be far more acceptable to him than the other options, where he would really lose control and go down in history in infamy.

ELLIOTT H. NEWCOMB
Old Saybrook, Conn., March 8, 1974