

#19

Spring 1969

IMPLEMENTATION OF CRISIS PLANS FOR WHITE HOUSE

- I Upon official word of death of former Presidents Truman or Johnson
- II Death of senior Federal official <sup>Administration</sup> ~~(not the)~~ <sup>other than</sup> ~~President~~ <sup>former</sup>
- III Death of former senior Federal official
- IV Sudden death of the President
  - a. In U.S.
  - b. Outside U.S.
- V Riots
- VI Heavy snows necessitating closing of Federal offices
- ~~VII Excessive winds necessitating closing of Federal offices~~
- VIII Disaster areas within District
- IX Disaster areas outside District
- X Power failure
- XI Serious international confrontation

I OFFICIAL WORD OF DEATH OF FORMER PRESIDENTS  
TRUMAN OR JOHNSON

1. Call Flag Control Center: Mr. George Zegolis - 13-23185  
Physical Protection Branch  
GSA  
Regional Office Bldg., 7th & D Sts., SW  
Washington, DC 20407

Mr. Zegolis has terminal cancer; will probably resign soon.  
Assistant is Mr. Howard Miller - 13-23185

2. Call Jim Keogh for President's statement and/or proclamation. Ext. 2840  
*3 Call LOW ZIEGLER TO COORDINATE EXT. 2100*  
*4. Call Col. Hughes who will coordinate all action. INVOLVING PRESIDENT. - Ext. 2153*  
(Plans have already been finalized by Col. Hughes)

N. B. Federal Office Buildings should not be closed:  
PL - 6105: "An Executive Department may not be closed as a  
mark to a memory of a deceased former official of  
the U. S. "

If the President still wants to close Federal office buildings,  
contact Bill Fowler: Exec. Chairman, Inter-Agency Advisory  
Group, Civil Service Commission: 63-26272

or:

Exec. Dir. Nicholas O'Ganovic 63-26111

or:

Irvin Kator 63-25566

## II DEATH OF SENIOR FEDERAL OFFICIAL

1. Call Flag Control Center: Mr. George Zegolis - 13-23185  
Physical Protection Branch  
GSA  
Regional Office Bldg., 7th and D Sts., SW  
Washington, D.C. 20407

Assistant: Howard Miller - 13-23185

2. Call White House Usher to lower flag to half-mast. Ext. 2650  
(REX SCOUTEN)
  - a) For period of 10 days from day of death for Vice President, Chief Justice, or a retired Chief Justice, or Speaker of the House.
  - b) From day of death until interment of Ass. Justice of Supreme Court, Cabinet member, former Vice President, Secretaries of the Army, Navy, Air Force, and U.S. Senators and Reps.
3. Call Jim Keogh for President's statement and/or proclamation. Ext. 2840
4. Call Chapin to determine whether President will send personal message to family; if so, have Chapin call Keogh. (IO 408)
5. Call Ziegler to see that the above is coordinated with press. (Ext. 2100)
6. Call Chapin to coordinate President's schedule for funeral. (IO 408)  
(Although the President can direct a state funeral be held for senior official, it is not likely. Gen. Bradley will probably have a special official ~~burial~~ funeral.)

III      DEATH OF FORMER SENIOR FEDERAL OFFICIAL

1. President will decide whether flag should be flown at half-mast.

(Heads of several departments or agencies may direct flags to be lowered at buildings of their jurisdiction)

If affirmative:

2. Call White House Usher to lower flag to half-mast. ext. 2650
3. Call Jim Keogh for President's statement and/or proclamation. Ext. 2840
4. Call Chapin to determine whether President will send Personal message to family; if so, have Chapin call Keogh. (IO 408)
5. Call Ziegler to see that the above is coordinated with press. Ext. 2100
6. Call Chapin to coordinate President's schedule for funeral (IO 408)

/ Although the President can direct a state funeral be held for a senior official, it is not likely. Gen. Bradley will probably have a special official funeral. /

IV      SUDDEN DEATH OF THE PRESIDENT

1. HRH or tour manager contacts the Vice President.
2. Call Speaker McCormick. 225-5415
3. Call Stan Blair to arrange meeting with Vice President's staff. Ext. 2163
4. Call Col. Hughes to implement funeral plans. Ext. 2153
5. Vice President brief on NSC.
6. Vice President concern family.
7. Influx of foreign dignitaries.
8. Decide whether staff would remain.

RIOTS

1. John Ehrlichman and Bud Krogh will contact with their direct lines:  
Att. Gen. Mitchell  
Secret Service  
Mayor Washington
2. Ehrlichman and Krogh will move to the EOB Conference Room command post if there is any immediate threat to the White House complex.
3. In the Justice Department, the Interdepartmental Intelligence Unit composed of the Attorney General, Deputy Attorney General, members of the District Police Department, Secret Service, Defense Dept., FBI and the National Guard will receive information from their various sources. This group will meet at the Justice Department, on the 6th floor and in a conference room on the 5th floor and will set policy recommendations for directives of the President. This advice will be relayed to Ehrlichman and Krogh.
4. The Justice Department has drafted Executive Orders which would apply to any major disorder which Ehrlichman carries with him if potential danger.
5. If major disorders erupt in more than one city, task force leaders will be directed from the Justice Department to the troubled areas to coordinate federal action.

VI HEAVY SNOWS NECESSITATING CLOSING OF FEDERAL OFFICES

*Don Williams V.*

1. Call ~~Bill F...~~ Exec. Chmn., Inter-Agency Advisory Group, Civil Service Comm.: 632-6272.

Exec. Dir. Nicholas O'Ganovic 632-6111

or:

*Ham JA 8-6310*

~~Irvin Kator~~ ~~632-6111~~

2. Call Bob Taylor for emergency equipment from Dept. of Defense to the White House. Ext. 2534.

*Best first - if snows anticipated - best to  
call around & touch base with all persons  
concerned involved - i.e. Nick O'Ganovic -  
(alt Don Williams)*

Mr.

*Mr. Airis - Streets*

2. Stay in touch with  
Washington Wx Bureau  
Mr. Airis responsibility to hold roads & also as public emergency

2. If decision to release employees  
all at once - or gradually - etc -  
so inform O'Ganovic

*Dir Dept Highways & Traffic  
& Snow Control Center  
c/o Mayors Office*

*respon for clearing sidewalks  
around certain  
District*

*Special no.*

*347-6745*

*Mr. Hartley  
Bill Rader*

SNOW CONTROL CENTER

Phones: 347-6744  
347-6745  
347-6648

Note: From 10:00 p. m. 'til 6:30 p. m. the following day and/or during snow emergencies the following individuals can be reached on these numbers -- otherwise, they can be reached at home.

Mr. Thomas F. Airis -- Director, Department of Highways and Traffic

Home Phone: AX 9-9353

Mr. John E. Hartley -- Assistant Director, Bureau of Traffic Engineering and Operations

Home Phone: 345-9324

Mr. William Rader -- Chief, Division of Sanitation\*

Home Phone: 481-1336

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\*If not at Snow Control Center or at home, can be contacted thru Division of Sanitation (629-4582).

VII      EXCESSIVE WINDS NECESSITATING CLOSING  
OF FEDERAL OFFICES

1. Call Bill Fowler: Exec. Chairman, Inter-Agency  
Advisory Group, Civil Service  
Comm.: 632-6272

or:

Exec. Dir. Nicholas O'Ganovic 632-6111

or:

Irvin Kator 632-5566

VIII      DISASTER AREAS OUTSIDE DISTRICT

1. Federal assistance is requested by State Governor to OEP.
2. Federal and State officials review disaster area to determine Federal allocation.
3. Gen. Lincoln sends letter to President requesting him to declare site a disaster area. If affirmative, draft is sent out to President by Gen. Lincoln for his signature authorizing him to allocate funds for disaster area per Governor's request.

IX

DISASTER AREA WITHIN DISTRICT

(Same procedure as disaster area outside District, with Mayor's office initiating request to OEP)

1. Federal assistance is requested by Mayor to OEP.
2. Federal and D. C. officials review disaster area to determine federal allocation.
3. Gen. Lincoln sends letter to President requesting him to declare site a disaster area. If affirmative, draft is sent to the President by Gen. Lincoln for his signature authorizing him to allocate funds for disaster area per Governor's request.

X        POWER FAILURE

1. Call Lee White: Chairman, Federal Power Comm.

office: 129-4566

home: 656-4502

or:

Stewart Brown: Chief Engineer

office: 129-4488

home: 536-6049

2. Call Fred Russell - OEP - to determine if blackout has possible security implications. 103-3200
3. Call Ziegler to see that he is properly briefed on existing conditions. Ext. 2100
4. Call Keogh to determine necessity of Presidential statement. Ext. 2840

XI

SERIOUS INTERNATIONAL CONFRONTATION

1. Call Col. Hughes to receive White House emergency plan. Ext. 2153.

C O P Y

U S CIVIL SERVICE COMMISSION  
WASHINGTON, D. C.  
MARCH 28, 1969

TO ALL AGENCIES:

FORMER PRESIDENT EISENHOWER PASSED AWAY TODAY AT 12:25 E.S.T.

PRESIDENT NIXON HAS DECLARED MONDAY, MARCH 31, AS A DAY OF MOURNING FOR PRESIDENT EISENHOWER. AT THE DIRECTION OF THE PRESIDENT, FEDERAL EMPLOYEES, EXCEPT THOSE REQUIRED TO PERFORM ESSENTIAL SERVICES, SHALL BE EXCUSED FROM DUTY WITHOUT LOSS OF PAY. THIS IS A NON-WORK DAY FOR PURPOSES OF PAY AND LEAVE. IN ADDITION, ANY EMPLOYEES WHO WERE ON DUTY AT THE TIME WHEN PRESIDENT EISENHOWER PASSED AWAY SHALL BE GIVEN ADMINISTRATIVE LEAVE FOR THE REMAINDER OF THEIR WORK DAY ON MARCH 28. ALL OTHER TOURS OF DUTY, INCLUDING THOSE ON SATURDAY AND SUNDAY, MARCH 29 AND 30, ARE NOT AFFECTED BY THIS ORDER.

NICHOLAS J. OGAROVIC  
EXECUTIVE DIRECTOR

THE WHITE HOUSE

WASHINGTON

May 19, 1969

MEMORANDUM FOR THE PRESIDENT

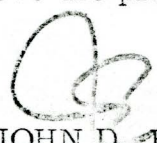
SUBJECT FEDERAL RESPONSE TO CIVIL DISTURBANCES

The attached memorandum at Tab A formalizes operational plans for Federal response to potential civil disorders. With your approval, the Attorney General is designated chief civilian officer for coordination of all Federal government activities relating to civil disturbances. The Secretary of Defense, through the Department of the Army, will be primarily responsible for employment of the military at a disturbance site subject to law enforcement policies established by the Attorney General.

These operational plans specify Justice and Defense responsibilities for four distinct phases: (1) Advance Planning and Intelligence Operations; (2) Responding to Early Phases of a Civil Disturbance; (3) Engagement of Federal Troops; and (4) Withdrawal of Federal Troops. The plans present a prepared Federal response to disorders which is flexible enough to be varied as conditions change.

Also attached at Tab B are copies of proclamations and executive orders which by law you must sign in order to activate Federal forces to suppress violence. When a Governor concludes that a formal request for military assistance is necessary, he will address his request directly to you. Prior to your receiving such a request, the Attorney General will have reviewed the facts of the situation, consulted with Defense officials on the gravity of the disorder, and then advised you on whether the conditions would warrant honoring a request at that particular time. The appropriate proclamation and executive order will be designated for your signature.

Recommendation: That you approve the plan as outlined.

  
JOHN D. EHRLICHMAN

Approve 

Disapprove \_\_\_\_\_

APR 1 1969

MEMORANDUM FOR THE PRESIDENT

Re: Interdepartmental Action Plan  
for Civil Disturbances

Introduction

This memorandum outlines a plan by which the Departments of Defense and Justice propose (1) to coordinate their preparations for and their responses to any serious civil disturbance that may hereafter occur in a city in the United States, and (2) to assist the President in responding appropriately and effectively to any request he may receive for Federal military forces to aid in suppressing such a disturbance. While the plan is principally geared to situations involving a State request for assistance in controlling urban violence and disorder under section 331 of Title 10, United States Code, the relationships it formalizes are equally applicable to other situations, such as the enforcement of Federal law under 10 U.S.C. 332 or the protection of

civil rights pursuant to 10 U.S.C. 333, that may require the employment of Federal armed forces.

The Secretary of Defense and the Attorney General join in submitting this plan for your consideration and approval. If you approve it, our Departments will work out the details. We believe that the proposed plan merits your prompt attention because you may have to decide, on short notice, whether to honor a request for military aid to quell a civil disturbance.

A principal feature of the plan is the designation of the Attorney General as the chief civilian officer in charge of coordinating all Federal Government activities relating to civil disturbances. The Attorney General is the logical choice for this role in view of his responsibilities as chief law enforcement officer of the Federal Government, and as chief legal adviser to the President on the critically important decisions the President must personally make as to whether and when to commit military forces in response to a request.

On the other hand, all essentially military preparations and operations, including especially the employment of military

forces at the scene of a disturbance, will be the primary responsibility of the Secretary of Defense. In discharging these functions, he will observe such law enforcement policies as the Attorney General may determine. To the extent practical, such law enforcement policies will be formulated during the planning stage so that military commanders can familiarize themselves with them and train their personnel to implement them. This will assure that military planning and operations are consistent with Administration policy and the requirements of law.

The responsibilities of the Department of Defense under this plan will be carried out principally through the Department of the Army, inasmuch as the Secretary of the Army is assigned primary responsibility for civil disturbance matters, as Executive Agent, subject to the general supervision of the Secretary of Defense. Within the Department of the Army, a Directorate for Civil Disturbance Planning and Operations serves the Secretary and the Army Chief of Staff as the principal military staff agency for such matters.

Prior to the time a decision has been made to commit Federal armed forces in a locality the White House shall be responsible for all public information activities. Thereafter, the dissemination of all public information in connection with the control of civil disturbance shall be undertaken by or as directed by the White House.

#### I. The Basic Plan

The plan is divided chronologically into four phases:

1. The period of civil disturbance planning and intelligence operations prior to the outbreak of any actual disturbance.
2. The period from the initial outbreak of an actual disturbance to the time at which the President decides to employ Federal military force.
3. The period during which Federal military forces are employed at the scene of the disorder.

4. The portion of the latter period during which the advisability of withdrawing the Federal forces is considered, decided, and acted upon.

The basic plan for each of these phases is as follows:

Phase One--Advance Planning and Intelligence Operations

As in the recent past, the Secretary of Defense will have the primary responsibility for training, equipping, and designating the forces to be used in controlling civil disturbances. He will also retain primary responsibility for preparing operation plans, determining procedures for alerting and moving the forces, and testing command and control arrangements. The Attorney General will be consulted on important questions of law and law enforcement policy arising in connection with these plans and preparations.

The Attorney General will contact all the State Governors, reminding them of the legal requirements for obtaining Federal military aid pursuant to section 331 of Title 10, United States Code: that a situation of serious domestic violence exists within the State; that such violence cannot be brought under control by the law enforcement resources available to the

Governor, including local and State police forces and the National Guard; and that the Governor requests the President to employ the Armed Forces to bring the violence under control. The Governors will be advised to direct to the Attorney General all preliminary communications concerning the possible need for Federal military assistance under such circumstances.

Under the supervision of the Attorney General, raw intelligence data pertaining to civil disturbances will be acquired from such sources of the Government as may be available. Such data will be transmitted to the Intelligence Unit of the Department of Justice, and it will be evaluated on a continuing basis by representatives from various departments of the Government. After evaluations have been made, the data will be disseminated to the Attorney General, the Secretary of Defense, and the White House.

#### Phase Two--Responding to Early Phases of a Civil Disturbance

During the early stages of a crisis in which it appears that a request for Federal military assistance may be forthcoming, the intelligence organization of the Department of

Justice will alert the Attorney General and the Secretary of Defense. It is expected that responsible State and local officials will promptly inform the Attorney General of the situation and will thereafter keep him informed of developments. When advised that a serious disturbance is in the making, the Attorney General will immediately inform the President.

If time permits, the Attorney General and the Secretary of Defense may dispatch their personal representatives to the disturbance area to appraise the situation before any decision is made to commit Federal forces. Such action can help to assure that the Federal Government responds in accordance with the realities of the situation as perceived by its own observers.

Precautionary steps, such as alerting Federal armed forces and prepositioning them relatively near the disturbance area, can be taken by the Federal Government prior to receipt of a formal request from a Governor for Federal military assistance. Prepositioning must, of course, be undertaken with discretion. The prepositioning of more than a battalion-sized unit (approximately 500 men) by order of the Secretary of Defense will be

undertaken only with the informal approval of the President. Such approval will be sought by the Attorney General, and, ordinarily, only if there appears to be a substantial likelihood that such forces will be required.

When the State Governor anticipates that a request for Federal military assistance will shortly become necessary, he will confer with the Attorney General concerning the facts of the situation, so that the Attorney General can review the legal sufficiency of the impending request. After consultation with Department of Defense officials on the gravity of the situation, the Attorney General will advise the President whether the conditions would warrant honoring a request at that particular time.

When the Governor concludes that a formal request for military assistance is necessary, he will address it directly to the President. At such time, the President must exercise his personal judgment as to whether or not to commit Federal armed forces. The decision may be a difficult one, as it involves a weighing of the apparent need for Federal forces

in the circumstances, and the President's responsibility to respond to State requests for such assistance, against the primary responsibility of State and local authorities for maintaining local law and order, and the inadvisability of employing Federal military force for that purpose except in the last resort.

The Attorney General will have furnished the President with an appropriately drawn Proclamation and Executive Order, to be signed by the President in the event that he decides to honor the request. These documents will formalize the decision and state the factual and legal grounds on which it is based. \*/

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\*/ Attached are proposed forms of Proclamation and Executive Order, one set for use in response to a State request, the other for use in connection with a civil disturbance in the Washington metropolitan area.

The Proclamation is essentially a formality which fulfills the requirement of 10 U.S.C. 334. The attached Proclamations are based on the form developed by Attorney General Brownell in the Little Rock disturbance of 1957, and used since that time in a variety of civil disturbance situations. The attached forms of Executive Order, however, embody several improvements over those used in recent incidents, notably in spelling out the respective responsibilities of the Attorney General and the Secretary of Defense in coping with a civil disturbance.

### Phase Three--Engagement of Federal Troops

The Executive Order will authorize the Secretary of Defense to conduct the military operation, subject to the law enforcement policies determined by the Attorney General during the planning phase. Guided by such policies, pursuant to established procedures within the Department of Defense the Secretary of Defense is responsible for the necessary military decisions and for issuance of the appropriate orders to the military commanders concerned. Thus the chain of military command running down from the Secretary of Defense will be preserved. The established law enforcement policies may require revision or elaboration during the actual military operations; in that event, the Secretary of Defense will refer such matters, military exigencies permitting, to the Attorney General, together with his recommendations. The Executive Order further authorizes the Secretary of Defense to federalize National Guard units and, if required, to order units of Reserve Components of the Armed Forces to active duty for purposes of the operation.

The Attorney General will have a personal representative located with the military task force commander in each city

where armed forces are committed. Standing military instructions to Task Force Commanders will instruct the commanders to consult with the Attorney General's representative on all significant matters.

By the terms of the Order, the Attorney General will remain responsible (1) for coordinating the activities of all Federal agencies assisting in the suppression of violence and in the administration of justice in the affected area, and (2) for coordinating these activities with those of State and local agencies similarly engaged.

#### Phase Four--Withdrawal of Federal Troops

As the employment of Federal military forces succeeds in bringing the disturbance under control, the military commander and the representative of the Attorney General at the scene of the disturbance will make recommendations to their respective superiors concerning the timing for the withdrawal of Federal units, the defederalization of National Guard units, and the release from active duty of any Reserve units. It is expected that the Secretary of Defense will decide these matters

in the light of the Attorney General's recommendations as to the ability of the civil authorities to resume full responsibility for the maintenance of law and order in the affected area.

## II. The Basic Plan for the Washington Metropolitan Area

The respective roles of the Secretary of Defense and the Attorney General in preparing for and responding to a civil disturbance in the Washington metropolitan area are essentially the same as described above with respect to disturbances within a State. Thus the Attorney General will be responsible for coordinating Federal activities and determining Federal law enforcement policies relating to civil disturbances in this area, and the Secretary of Defense will be in charge of military operations to suppress such a disturbance.

There are, however, several supplemental features and variations that characterize the basic plan as applied to the Washington area. These are as follows:

1. The basic plan must include not only provisions for dealing with generalized disturbances, but also provisions for protecting government property, functions, or personnel

in this area against any form of unlawful interference.

Military operations to suppress such interference will be the responsibility of the Secretary of Defense, subject to the law enforcement policies of the Attorney General.

2. The President will ordinarily look to the Mayor of the District, as he does to the Governor of a State, to make a formal request for military assistance to control a local civil disturbance.

3. In addition to his general authority to employ Federal military forces as described above, the President, as Commander-in-Chief of the D. C. National Guard, is authorized to use that Guard in militia status to suppress a civil disturbance in the District without the necessity for a Proclamation or Executive Order.

To facilitate the practical availability of this option, the outstanding Executive Order of 1949 vesting administrative control over the D. C. Guard in the Secretary of Defense (E. O. 10030) should be amended to establish the Secretary's authority in such cases to call out the Guard in militia status to control

a local civil disturbance. An amended Executive Order will be prepared for the President's approval and signature.

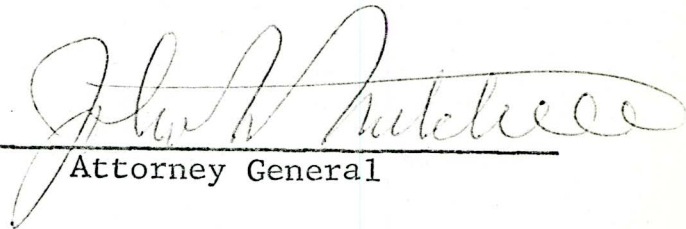
The D. C. National Guard will be used in militia status for the purpose of suppressing a civil disturbance only after the informal approval of the President has been obtained. In a particular civil disturbance situation, the Attorney General, after consulting with the Secretary of Defense, will advise the President as to the choices available to him with respect to utilization of the D. C. National Guard and active armed forces.

4. In addition to actual outbreaks of civil disorder, the D. C. planning takes account of the possibility that peaceful demonstrations in the District may develop into civil disturbances. In order to minimize that risk, provision can be made for the policing of such demonstrations by National Guardsmen in their militia status as well as by District police forces. Moreover, planning provides for the limited use of active armed forces to protect Government property and functions against unlawful interference (as on the occasion of the demonstration at the Pentagon in October of 1967).

If you approve the plan as outlined above, the Departments of Defense and Justice will take all necessary steps to implement it.



Secretary of Defense



Attorney General

LAW AND ORDER IN THE STATE OF \_\_\_\_\_

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Governor of the State of \_\_\_\_\_  
has informed me that conditions of domestic violence and  
disorder exist in and about the City of \_\_\_\_\_ in  
that State, endangering life and property and obstructing  
execution of the laws, and that the law enforcement re-  
sources available to the City and State, including the  
National Guard, are unable to suppress such acts of vio-  
lence and to restore law and order; and

WHEREAS the Governor has requested me to use such of  
the Armed Forces of the United States as may be necessary  
for those purposes; and

WHEREAS such domestic violence and disorder are also  
obstructing the execution of the laws of the United States,  
and endangering the security of Federal property and func-  
tions, in and about the City of \_\_\_\_\_:

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, do command all persons engaged in such acts of violence to cease and desist therefrom and to disperse and retire peaceably forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord nineteen hundred and \_\_\_\_\_, and of the Independence of the United States of America the one hundred and ninety-\_\_\_\_\_.

EXECUTIVE ORDER

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PROVIDING FOR THE RESTORATION OF LAW AND ORDER  
IN THE STATE OF

WHEREAS I have today issued Proclamation No. \_\_\_\_\_  
pursuant in part to the provisions of Chapter 15 of Title 10  
of the United States Code; and

WHEREAS the conditions of domestic violence and disorder described therein continue, and the persons engaging in such acts of violence have not dispersed;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

SECTION 1. Units and members of the Armed Forces of the United States will be used to suppress the violence described in the proclamation and to restore law and order in and about the City of \_\_\_\_\_.

SEC. 2. The Secretary of Defense is authorized to use such of the Armed Forces as may be necessary to carry out the provisions of Section 1. To that end, he is authorized to call into the active military service of the United States units or members of the National Guard, and to order to active duty units of the Reserve Components of the Armed Forces, as authorized by law, to serve in an active duty status for an indefinite period and until relieved by appropriate orders. Units or members may be relieved subject to recall at the discretion of the Secretary of Defense.

In carrying out the provisions of this order, the Secretary of Defense shall observe such law enforcement policies as the Attorney General may determine.

SEC. 3. Until such time as the Armed Forces shall have been withdrawn pursuant to Section 4 of this order, the Attorney General is further authorized (1) to coordinate the activities of all Federal agencies assisting in

the suppression of violence and in the administration of justice in and about the City of \_\_\_\_\_, and (2) to coordinate the activities of all such agencies with those of State and local agencies similarly engaged.

SEC. 4. The Secretary of Defense is authorized to determine when Federal military forces shall be withdrawn from the disturbance area and when federalized National Guard and Reserve Component units and personnel shall be released from active Federal service. Such determinations shall be made in the light of the Attorney General's recommendations as to the ability of State and local authorities to resume full responsibility for the maintenance of law and order in the affected area.

SEC. 5. The Secretary of Defense and the Attorney General are authorized to delegate to subordinate officials of their respective Departments any of the authority conferred upon them by this order.

THE WHITE HOUSE,

, 19\_\_

LAW AND ORDER IN THE WASHINGTON METROPOLITAN AREA

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS I have been informed that conditions of domestic violence and disorder exist in the Washington metropolitan area, endangering life and property and obstructing execution of the laws, and that local police forces are unable to bring about the prompt cessation of such acts of violence and restoration of law and order; and

WHEREAS I have been requested to use such units of the National Guard and of the Armed Forces of the United States as may be necessary for those purposes; and

WHEREAS in such circumstances it is also my duty as Chief Executive to take care that the property, personnel and functions of the Federal Government, of embassies of foreign governments, and of international organizations in the Washington metropolitan area are protected against violence or other interference:

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do command all persons engaged in such acts of violence to cease and desist therefrom and to disperse and retire peaceably forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord nineteen hundred and \_\_\_\_\_, and of the Independence of the United States of America the one hundred and ninety-\_\_\_\_\_.

EXECUTIVE ORDER

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PROVIDING FOR THE RESTORATION OF LAW AND ORDER IN  
THE WASHINGTON METROPOLITAN AREA

WHEREAS I have today issued Proclamation No. \_\_\_\_\_,  
pursuant in part to the provisions of Chapter 15 of Title 10  
of the United States Code; and

WHEREAS the conditions of domestic violence and disorder described therein continue, and the persons engaging in such acts of violence have not dispersed:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces under the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code and Section 301 of Title 3 of the United States Code, and by virtue of the authority vested in me as Commander in Chief of the militia of the District of Columbia by the Act of March 1, 1889, as amended (D. C. Code, Title 39), it is hereby ordered as follows:

SECTION 1. Units and members of the Armed Forces of the United States or of the National Guard of the District of Columbia, or both, will be used to suppress the violence described in the proclamation and to restore law and order in and about the Washington metropolitan area.

SECTION 2. (a) The Secretary of Defense is authorized to use such of the Armed Forces as may be necessary to carry out the provisions of Section 1 and to protect against unlawful interference the property, personnel and functions of the Federal and District Governments, of embassies of foreign governments, and of international organizations in the Washington metropolitan area. To these ends, he is authorized to call into the active military service of the United States units or members of the National Guard, and to order to active duty units of the Reserve Components of the Armed Forces, as authorized by law, to serve in an active duty status for an indefinite period and until relieved by appropriate orders. Units or members may be relieved subject to recall at the discretion of the Secretary of Defense.

(b) In addition, in carrying out the provisions of this order, the Secretary of Defense is authorized to exercise any of the powers vested in me by law as Commander in Chief of the militia of the District of Columbia, during such time as units or members of the Army National Guard or Air National Guard of the District shall not have been called into the active military service of the United States.

(c) In carrying out the provisions of this order, the Secretary of Defense shall observe such law enforcement policies as the Attorney General may determine.

SECTION 3. Until such time as military forces shall have been withdrawn pursuant to Section 4 of this order, the Attorney General is further authorized (1) to coordinate the activities of all Federal Government agencies assisting in the suppression of violence and in the administration of justice in the Washington metropolitan area, and (2) to coordinate the activities of all such agencies with those of State and District of Columbia agencies similarly engaged.

SECTION 4. The Secretary of Defense is authorized to determine when Federal or District military forces shall be withdrawn from the disturbance area and when federalized National Guard and other Reserve Component units and personnel shall be released from active Federal service. Such determinations shall be made in the light of the Attorney General's recommendations as to the ability of civilian authorities to resume full responsibility for the maintenance of law and order in the affected area.

SECTION 5. The Secretary of Defense and the Attorney General are authorized to delegate to subordinate officials of their respective Departments any of the authority conferred upon them by this order.

THE WHITE HOUSE,

, 196 .

OCTOBER 1, 1969

## OFFICE OF THE WHITE HOUSE PRESS SECRETARY

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THE WHITE HOUSE

## EXECUTIVE ORDER

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SUPERVISION AND CONTROL OF THE NATIONAL  
GUARD OF THE DISTRICT OF COLUMBIA

By virtue of the authority vested in me as President of the United States and Commander-in-Chief of the Armed Forces of the United States and the National Guard of the District of Columbia under the Constitution and laws of the United States, including section 6 of the Act of March 1, 1889, 25 Stat. 773 (District of Columbia Code, sec. 39-112), and section 110 of title 32 and section 301 of title 3 of the United States Code, it is hereby ordered as follows:

Section 1. The Secretary of Defense, except as provided in section 3, is authorized and directed to supervise, administer and control the Army National Guard and the Air National Guard of the District of Columbia (hereinafter "National Guard") while in militia status. The Commanding General of the National Guard shall report to the Secretary of Defense or to an official of the Department of Defense designated by the Secretary on all matters pertaining to the National Guard. Through the Commanding General, the Secretary of Defense shall command the military operations, including training, parades and other duty, of the National Guard while in militia status. Subject to the direction of the President as Commander-in-Chief, the Secretary may order out the National Guard under title 39 of the District of Columbia Code to aid the civil authorities of the District of Columbia.

Sec. 2. The Attorney General is responsible for: (1) advising the President with respect to the alternatives available pursuant to law for the use of the National Guard to aid the civil authorities of the District of Columbia; and (2) for establishing after consultation with the Secretary of Defense law enforcement policies to be observed by the military forces in the event the National Guard is used in its militia status to aid civil authorities of the District of Columbia.

Sec. 3. The Commanding General and the Adjutant General of the National Guard will be appointed by the President. The Secretary of Defense, after consultation with the Attorney General, shall at such times as may be appropriate submit to the President recommendations with respect to such appointments.

Sec. 4. The Secretary of Defense and the Attorney General are authorized to delegate to subordinate officials of their respective Departments any of the authority conferred upon them by this order.

Sec. 5. Executive Order No. 10030 of January 26, 1949, is hereby superseded.

RICHARD NIXON

THE WHITE HOUSE,

October 1, 1969

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