

Senate Votes to Restrict Powers of the President

8/28/76
By Spencer Rich

Washington Post Staff Writer

The Senate passed legislation yesterday sponsored by Sen. Charles McC. Mathias Jr. (R-Md.) to terminate hundreds of emergency powers given the President under laws dating back to 1933.

The House has passed the bill and Mathias said he expects it to accept some changes made by the Senate. He said he has discussed the bill with President Ford and is optimistic he will sign it.

Mathias said that a subcommittee headed by himself and Sen. Frank Church (D-Idaho) had found 470 laws giving the President extraordinary powers in various areas of national life once he declared a state of emergency, such as in the Depression and the Korean War.

These include statutes allowing the President to seize property and

goods, control production and transportation throughout the country, call up 1 million reservists, restrict travel and institute martial law.

Mathias said that most of these laws are still on the books and that the declarations of emergency triggering their possible use have never been terminated.

The bill passed yesterday would terminate all such declarations of emergency in two years. The laws would remain but the powers granted by them could not be triggered until the President declared a new state of emergency. Then the powers would be usable again, but only for one year until Congress by concurrent resolution declared the emergency over.

The bill would repeal several of the emergency laws, including one expatriating persons who fled the country in wartime to avoid the draft, and the one used by President Franklin Roosevelt to set up internment camps for Japanese-Americans in World War II.