

Mathias chides Congress for security passivity

Sen. Charles McC. Mathias Jr. (R-Md.) Friday reviewed the five-year effort that led to final passage of his Emergency Powers Act, and chided Congress for its passivity in national security policy.

The Act terminates national emergencies dating back to 1933, and provides for the orderly declaration and ending of such emergencies in the future.

"Five years ago," Mathias said in a statement on the Senate floor, "I introduced a resolution to study the effect of terminating the state of emergency declared by President Truman in 1950 during the Korean War. In May, 1972, Senator Frank Church and I introduced Senate Resolution 9, which created the Senate Committee on the Termination of the National Emergency.

"The Special Committee ascertained that the United States was under not just one state of national emergency, but four, which had been proclaimed in 1933, 1950, 1970 and 1971.

"It was clear from the Special Committee's hearings, studies and inquiries that the full nature and extent of emergency powers statutes had never been understood."

Mathias said the Congress has

traditionally acquiesced in the proclamations of emergency by the executive and has thereby "failed to exercise its responsibilities for the making of law and policy." No areas of policy, he said, "no matter how complex or secret," should be executed outside the constitutional process.

The Emergency Powers Act authorizes Congress to terminate future national emergencies by a concurrent resolution. If a state of emergency remains in effect for six months, both Houses of Congress must convene to consider terminating it, and every six months thereafter for as long as the emergency is in effect.

"The work done by the Special Committee on Emergency Powers," Mathias said, "has been a pioneering effort. It has laid the ground work, I believe, for bringing the whole area of national security and secret activities under constitutional processes."

"It has reaffirmed the necessity for an understanding of the lawmaking process as prescribed by the Constitution and has provided a framework for extending the full constitutional procedures into areas which for several decades have been left largely to the discretion of one branch alone."