

Rising Threat of the Presidency

WASHINGTON — (UPI) — A special senate subcommittee, after a painstaking computer search of the statute books, concluded yesterday the United States since 1933 has been operating under emergency rule, conferring near-authorization powers on its Presidents.

The subcommittee said it discovered 470 major provisions of federal law giving Presidents "an enormous — seemingly expanding and never ending — range of emergency powers." It recommended Congress act promptly to end four presidentially proclaimed states of national emergency which permit the President to invoke powers granted him under any of the 470 laws.

"Under the power delegated by these statutes," the panel said, "the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens."

The study was prepared by the year-old Special Committee on the Termination of the National Emergency.

Since 1933, when President Franklin D. Roosevelt requested and received unprecedented peacetime powers to deal with the Great Depression, "the United States government has been operating under an unrelieved state of emergency of 40 years' duration," the Committee said.

"During this period, an enormous body of laws dealing with severe economic crisis and America's response to three wars has been passed by Congress through an almost unnoticed process of gradual accretion."

In addition to the National Emergency declared by Roosevelt, three others have never been lifted, the Committee said: the Dec. 16, 1950, declaration by President Truman at the outset of the Korean conflict, and the March 23, 1970, and Aug. 15, 1971, declarations by President Nixon.

Co-Chairmen Frank Church (D-Idaho), and Charles Mathias Jr., (R-Md.), said in a foreword to the 607-page document that only a few delegated powers have been regularly used, but added:

"It is possible that some future President could exercise this vast authority in an attempt to place the United States under authoritarian rule. While the danger of a Dictatorship arising through legal means may seem remote to us today, recent history records Hitler seizing control through the use of the emergency powers."

See also letter to Editor, by Herbert S. Levine, NYTimes 3 Aug 73, filed W/gate.

"The aborted Nixon revolution; Watergate and the future of American politics," by Hans J. Morgenthau, The New Republic, 11 Aug 73, filed Watergate