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THE WHITE HOUSE  
WASHINGTON

File in

~~"Emergencies  
Legislation"~~

"LEGISLATION  
Emergencies Acts Repeals"



THE WHITE HOUSE  
WASHINGTON

8/22

11:50 am

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sorry we were  
unable to comment.

THE WHITE HOUSE  
WASHINGTON

**Date** August 21, 1974

**TO:**

Phil Buchen

**FROM:**

**WILLIAM TIMMONS**

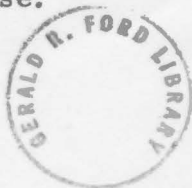
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**FOR YOUR COMMENTS** \_\_\_\_\_

**FOR APPROPRIATE HANDLING** \_\_\_\_\_

**OTHER**

For your approval, please.



THE WHITE HOUSE

WASHINGTON

August 21, 1974

MEETING WITH SENATORS FRANK CHURCH (D-IDAHO) AND  
CHARLES McC. MATHIAS, JR. (R-MD) -- CO-CHAIRMEN OF  
THE SPECIAL COMMITTEE ON NATIONAL EMERGENCIES AND  
DELEGATED EMERGENCY POWERS

10:30 - 10:40 a.m. (10 minutes)

Thursday, August 22, 1974

The Oval Office

From: William E. Timmons *W.E.T.*

I. PURPOSE

To meet with the President prior to submitting  
their report to the Senate in the form of legislation.

II. BACKGROUND, PARTICIPANTS AND PRESS PLAN

A. Background:

The Special Committee on the Termination of the  
National Emergency, co-chaired by Senators Church  
and Mathias, has been since last year studying all statutes  
which are operative only through a Presidentially-declared  
National Emergency. The Committee has finished its  
study and is now ready to propose legislation to "correct"  
the situation.

Four Presidentially-declared Emergencies remain in  
effect:

- Roosevelt's March '33 Declaration on the  
Depression
- Truman's December '50 Declaration on the  
Korean War
- Nixon's March '70 Declaration on the Postal Strike



-- Nixon's August '71 Declaration on International  
Economic Problems

This proposed bill:

1. Ends the declared national emergencies  
which have been on the books since 1933;
2. Provides 270 days in which the affected  
departments and agencies can get enacted  
in permanent form provisions presently based  
on emergency power;
3. Sets up procedures for establishing new states  
of emergency and provides for automatic  
termination, unless extended by Congress:

Church and Mathias met with the Attorney General last  
Thursday, August 15, but received no specific  
endorsement of their proposed bill.

B. Participants:

The President  
Senator Frank Church (D-Idaho)  
Senator Charles McC. Mathias, Jr. (R-Md)  
Roy Ash  
William E. Timmons

C. Press Plan:

Press Office will announce meeting. White House  
Photographer to take photos.

III. TALKING POINTS

In Tab A.





## TALKING POINTS

1. The Committee's work provides a valuable and comprehensive review of the hundreds of emergency powers statutes scattered throughout the U. S. Code.
2. Their proposal to repeal the many statutes which the Committee and executive agencies have jointly agreed are obsolete is a good idea and you support it.
3. The Committee's proposal to terminate all states of national emergency and all relevant powers could produce some problems which need further study. Since emergency declarations only have force because of the laws they activate, would it be better to focus on specific statutes and make what is needed into permanent law?
4. A President has inherent power to declare emergencies. To the extent the proposed bill interferes with this or limits it, as it now does, support should be withheld.
5. The Committee proposal provides 270 days for the Executive Branch to replace needed laws in permanent form, after which the repeal is effective. This puts a gun at the head of the Executive and would produce much "must" legislation susceptible to undesirable riders.

NOTE: As examples of current law tied to the National Emergency:

- Trading with the Enemy Act under which the Treasury Department handles much of its international monetary affairs and the Commerce Department exercises some export controls under this same Act.
- Section of Title 10, United States Code, under which President Nixon called up the Reserves during the Postal Strike of 1970.

