ESs to the NEWS

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FEDERAL ELECTION ACT

As a result of the Watergate scandals, Congress was under in tense pressure to "do something" to eliminate campaign abuses. Whenever the Federal Government undertakes to "do something" about any problem, you can bet that it will cost us more money.

We saw dramatic new proof of this when the Federal Election Com mission began handing out checks for at least $100,000 of our tax money to each of eleven Presidential candidates. Most of them don't have a ghost of a chance of being elected President; but that i ir relevant, under the new election law, so long as they have complied with the technical requirements of raising $5,000 in each of 20 states.

It is claimed that the Federal .money they receive comes from a voluntary checkoff on your income tax return. However, the volun tariness of the checkoff is illusory because those who do.not check off the dollar for campaign financing do not get to keep their dollar, and all tax revenues go into the same general fund. The result is that your unallocated taxes are being used to make up the deficit caused by the funds allocated to political campaigns, and, in effect, you are forced to finance candidates you do not support.

In placing strict limits on campaign spending, but exempting the literature mailed by Congressmen under the postal frank more than 28 days prior to an election, the law actually operates as a device to reelect incumbents. The law permits a Congressman to accept any amount of money to prepare a franked mailing without disclosure of either the contributions accepted or the expenditures involved. If

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the Congressman's opponent makes a District-wide mailing, he is subject to the limits in the law. In any given election year, the value of the franked mailings is greater than all the other money spent on Congressional campaigns. The law is thus highly discrim inatory in favor of the incumbents who wrote the law.

The interference with individual freedom to spend your own money in behalf of a candidate of your choice, while at the same time your tax money is being spent to support candidates NOT of your choice, raises fundamental constitutional issues. Senator James Buckley is one of a group challenging the law in a case now before the Supreme Court.

Nobody yet knows all the ramifications and effects of the law. Attorneys spending full time on this subject shake their heads and say they cannot confidently advise their clients how to avoid vio lations. For example, the law is silent on the subject of Delegates to the National Nominating Conventions, but the Commission has nevertheless issued regulations on Delegates. Are these binding? Nobody really knows.

The best word to describe the 1974 Federal Campaign Act was coined by Chief Justice Warren Burger during the Supreme Court hear ing in November, when he asked one of the lawyers: "Are you sug gesting ... that this was cosmetic legislation?"

Yes, Justice Burger, that's exactly what it is. Like cosmetics, it is superficial, expensive, and sometimes deceptive, but it cer tainly is not a medicine to cure the ailment of campaign abuses.

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