Phyllis to the NEWS

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44 SUING JUDGES

Article III of the United States Constitution says that the compensation of Federal judges "shall not be diminished during their continuance in office." Forty-four Federal judges have just sued the Federal Government, charging that, because of inflation since 1969, their salaries have been unconstitutionally reduced by one-third. There is no question but that inflation has substantially slashed the income of all Americans.

Although many Federal judges are hard-working and deserve pay increases, and I know some who work a 60-hour week, the suing judges have overlooked the U.S. Supreme Court decisions which have permitted the tremendous Federal deficits that are the principal cause of inflation.

Beginning with the cases of Massachusetts v. Mellon and Frothingham v. Mellon, the Supreme Court has held that neither a state nor an individual may bring a court case to challenge Federal taxes or Federal expenditures, even though tax money is being spent for purposes not authorized by the Constitution. These decisions have made Federal taxing and spending a privileged sanctuary which cannot be questioned by the courts in a taxpayer's suit.

There is nothing in the U.S. Constitution authorizing Congress to give away billions of our tax dollars every year to almost every foreign nation in the world from Abyssinia to Zanzibar. Inflation

is constantly refueled by direct and indirect foreign handouts ap
propriated by Congress, plus the billions more needed to pay the

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annual interest on the deficits.

Many states and cities permit a taxpayer to challenge illegal state or municipal taxes and expenditures. If the Federal courts did likewise, many illegal Federal expenditures could be stopped by the courts, thereby putting the brakes on the inflation of which the judges now complain.

Chief Justice Warren Burger has criticized Congress for not filling his request for 65 additional Federal judges. Maybe we wouldn't need those 65 new judges if some Federal judges did not spend so much time ordering children bused from their neighborhood schools, interfering with state and local prosecutions for pornography, stopping voluntary prayers from being said in public schools,preventing our local police from questioning suspects in order to solve crimes, and ruling on length of hair in different occupations.

The threats to our internal security from Castro agents, Weathermen, Puerto Rican and Panamanian extremists, and Communist assassination squads have never been greater. Yet Federal court decisions have blocked enforcement of the Subversive Activities Control Act, the Internal Security Act, and the law preventing Communists from obtaining American passports to go to Iron Curtain countries for refresher courses in sabotage and espionage.

Largely as a result of decisions by Federal judges, the House Internal Security Committee, the Subversive Activities Control Board, Internal Security Division in the Justice Department, and some state security agencies have had to close shop. The times demand more security, not less.

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