

## AJCongress Supreme Court Brief Says Gramm-Rudman Act Is Unconstitutional

The American Jewish Congress has filed a brief in the United States Supreme Court charging that the Gramm-Rudman balanced budget act violates the fundamental structure of the Constitution.

Gramm-Rudman, formally known as the Balanced Budget and Emergency Deficit Control Act of 1985, specifies a schedule of expenditure reductions that cannot be altered either by Congress or the President. Enforcement is vested in the Comptroller-General of the United States, an appointive post.

Suits against Gramm-Rudman were filed by several congressmen and a federal civil service union. A special three-judge District Court declared part of the act unconstitutional. The Supreme Court has agreed to review the lower court decision.

The American Jewish Congress has submitted its friend-of-the-court brief in support of the plaintiffs' contention that the law is unconstitutional. Announcement of the AJCongress filing was made by Jerome Shestack, chairman of its Commission on National Affairs. The brief was prepared by Neil Cogan, professor of Law at Southern Methodist University School of Law, a long-time AJCongress leader in Texas.

The Supreme Court brief argues that Gramm-Rudman violates the structure of the Constitution by shifting responsibility from Congress and the Presidency, "institutions responsive to the people," to an officer who is "neither responsive nor competent," under the Constitution.

By requiring that Congress "particularize appropriations" and the President "particularize expenditures," the framers of the Constitution imposed "special responsibilities" on these in-

stitutions of government, Professor Cogan's brief declares.

The Constitution framers, it goes on, "intended that the national government have an unencumbered power to tax and spend." By annually requiring an inflexible schedule of spending

reductions when a maximum allowable deficit is exceeded, "Gramm-Rudman disables the Congress from directing that more be spent than the (Comptroller-General) decides, no matter what conditions warrant," the AJCongress brief notes.

## Local Business Leaders Journey To Far East



Southern Nevada business leaders ready to board a plane to the Far East in a mission to attract business and tourism to the Las Vegas Valley. Pictured are (L-R) Fred D. Gibson, Thomas Y. Hartley, John L. Goolsby, Bob Culp and Conrad L. Ryan.

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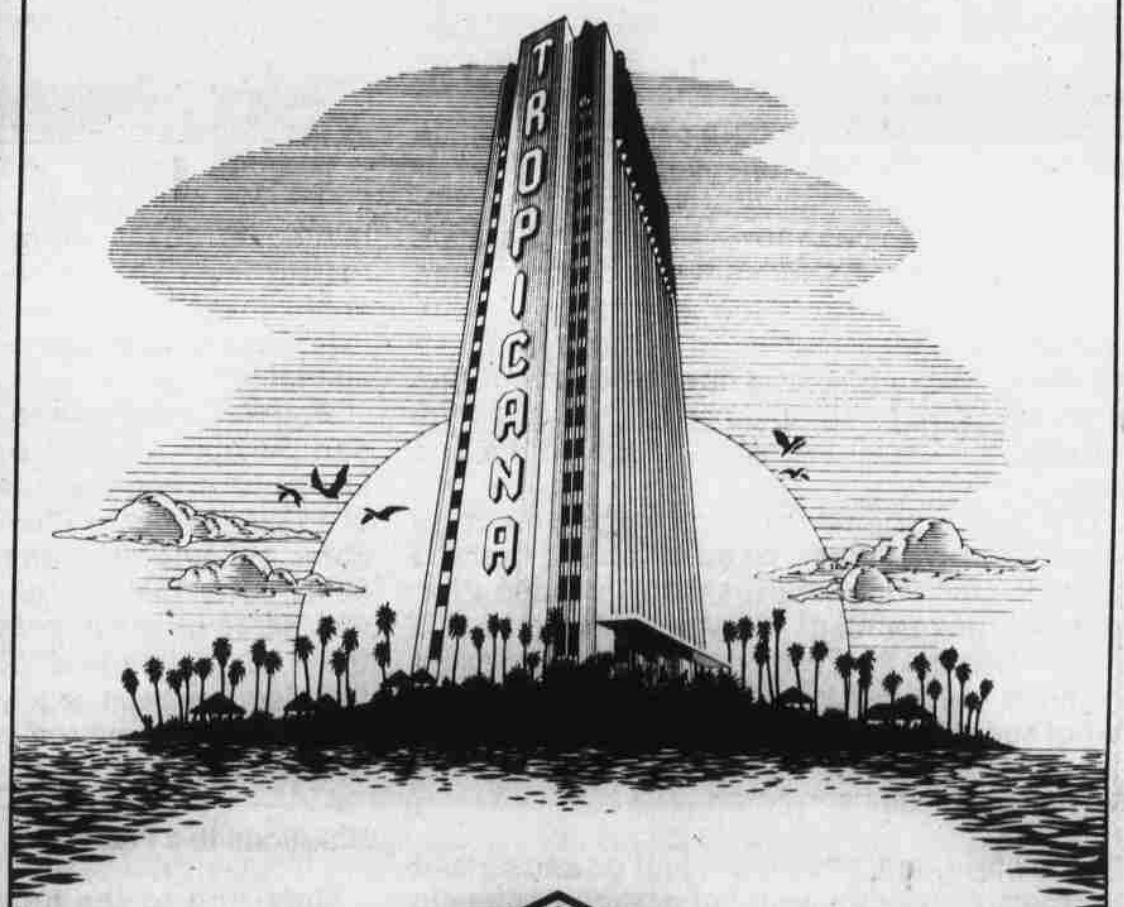
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