

Stop the Impeachers

A RESOLUTION TO IMPEACH RICHARD M. NIXON, read the headline of a two-page ad in the May 31 issue of the *New York Times*. Though John Birchers did their poor best to get Earl Warren impeached, some people are still shocked by the thought of trying to do it to the President. Angry pressmen at the *Times* at first refused to run off the issue. The President sent a White House aide to thank them for their brief attempt at supererogatory censorship, and the *Times* received more than 400 letters from readers, most of whom condemned publication of the ad.

Among those reading the ad was the Government's Office of Federal Elections, which informed the Justice Department of an "apparent violation" of the 1971 Federal Election Campaign Act. As a result, Federal Judge Sylvester Ryan last week enjoined further political activity by the ad's sponsor, the National Committee for Impeachment, which is largely the creation of Anti-war Activist Randolph Phillips.

It was the first time the Government had sought an injunction under the Campaign Act. Designed to regulate a variety of campaign practices, the statute provided that political committees engaged in federal campaigning must file reports with the Government, listing their officers, supporters and finances. The act's purpose was to control excessive campaign spending and curb dummy committees.

Judge Ryan agreed with the Justice Department that the statute's language also covered the impeachment group, since "the advertisement plainly stated that the committee solicited contributions and funds to be used on behalf of candidates" who support a House impeachment resolution. The committee contends that it is not engaged in campaigning, but is promoting a political idea under the protection of the First Amendment, and it has therefore refused to file the required reports. If it did so, it would be free to resume its actions. Instead, says Attorney Paul Chevigny of the New York Civil Liberties Union, the group will appeal in an effort to have the overly "broad" 1971 law declared unconstitutional.