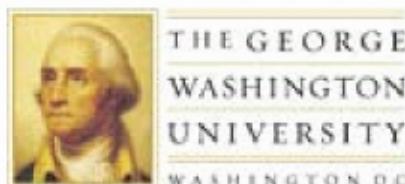


The Burger Court Opinion Writing Database

Train v. Campaign Clean Water, Inc.
420 U.S. 136 (1975)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

February 12, 1975

Re: 73-1378 - Train v. Campaign Clean Water

Dear Byron:

I join your proposed per curiam disposition
dated January 10, 1975.

Regards,

WSB

Mr. Justice White

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBER OF
JUSTICE WM. J. BRENNAN, JR.

January 10, 1975

RE: No. 73-1378 Train v. Campaign Clean Water, Inc.

Dear Byron:

I agree with the Per Curiam you have prepared in
this case.

Sincerely,



Mr. Justice White
cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

February 12, 1975

Re: No. 73-1378, Train v. Campaign Clean Water

Dear Byron,

I agree with the Per Curiam you have circulated
in this case.

Sincerely yours,



Mr. Justice White

Copies to the Conference

To: The Chief Justice
Mr. Justice Black
Mr. Justice Black
Mr. Justice Black
~~Mr. Justice Black~~
Mr. Justice Black
Mr. Justice Black
Mr. Justice Black
Mr. Justice Black

From: White, J.

Circulated: 1-10-75

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 73-1878

Russell E. Train, Administrator, United States Environmental Protection Agency, Petitioner, v. Campaign Clean Water, Inc. } On Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit.

[January —, 1975]

PER CURIAM.

On January 15, 1973, respondent filed a complaint in the District Court seeking to compel the petitioner, as Administrator of the Environmental Protection Agency, to allot among the States the full sums authorized to be appropriated for fiscal years 1973 and 1974 by § 207 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. § 1287 (Supp. II 1972), for federal grants to municipalities for construction of publicly owned waste treatment works. Although conceding in the trial court that the Administrator had a measure of discretion in making the allotments authorized by § 205 of the Act, 33 U. S. C. § 1285 (Supp. II 1972), respondent asserted that the Administrator had abused his discretion by allotting only 45% of the sums authorized to be appropriated by § 207. In sustaining respondent's position, the District Court rejected the holding by the United States District Court for the District of Columbia in *City of New York v. Ruckelshaus*, 358 F. Supp. 669 (DC 1973), that the Administrator has no discretion to allot less than the full amounts authorized by the Act. The Court of Appeals proceeded on the premise that there

To: The Chief Justice
Mr. Justice Douglas
Mr. Justice Brennan
Mr. Justice Black
 Mr. Justice Blackmun
Mr. Justice Marshall
Mr. Justice Powell
Mr. Justice Rehnquist
Mr. Justice Stewart

p. 2
From: White, J.

Circulated: _____

Decirculated: 2-14-

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 73-1378

Russell E. Train, Administrator, United States Environmental Protection Agency, Petitioner,
v. Campaign Clean Water, Inc. } On Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit.

[January —, 1975]

PER CURIAM.

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

January 27, 1975

Re: No. 73-1378 -- Russell E. Train v. Campaign
Clean Water, Inc.

Dear Byron:

Please join me.

Sincerely,

T. M.

T. M.

Mr. Justice White

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

January 22, 1975

Re: No. 73-1378 - Train v. Campaign Clean Water

Dear Byron:

Please join me in the per curiam you have prepared
for this case.

Sincerely,



Mr. Justice White

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

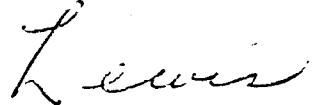
January 13, 1975

No. 73-1378 Train v. Campaign Clean Water

Dear Byron:

Please join me in your Per Curiam.

Sincerely,



Mr. Justice White

1fp/ss

cc: The Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

January 28, 1975

Re: No. 73-1378 - Train v. Campaign Clean Water

Dear Byron:

Please join me in the per curiam you have prepared in this case.

Sincerely,

W. Rehnquist

Mr. Justice White

Copies to the Conference