

The Burger Court Opinion Writing Database

Consumer Product Safety Commission v. GTE Sylvania, Inc.

447 U.S. 102 (1980)

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


May 27, 1980

RE: 79-521 - Consumer Product Safety Commission
v. GTE Sylvania, Inc.

Dear Bill:

I join.

Regards,

A handwritten signature in dark ink, appearing to be 'WRB', written in a cursive, stylized script.

Mr. Justice Rehnquist

Copies to the Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

May 22, 1980

RE: No. 79-521 Consumer Product Safety Commission
v. GTE Sylvania, Inc., et al.

Dear Bill:

I agree.

Sincerely,

Bill

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

May 22, 1980

Re: No. 79-521, Consumer Product Safety
Comm'n v. GTE Sylvania

Dear Bill,

Although my original very tentative view was that the judgment in this case should be reversed, your opinion for the Court has convinced me to the contrary, and I am glad to join it.

Sincerely yours,

P.S.
1-3

Mr. Justice Rehnquist

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

May 26, 1980

Re: 79-521 - Consumer Product Safety
Commission v. GTE

Dear Bill,

Please join me.

Sincerely yours,



Mr. Justice Rehnquist

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

June 5, 1980

Re: No. 79-521 - Consumer Product Safety
Commission v. GTE

Dear Bill:

Please join me.

Sincerely,



T.M.

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

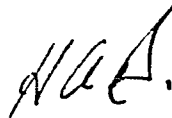
May 27, 1980

Re: No. 79-521 - Consumer Product Safety Commission v. GTE

Dear Bill:

Please join me.

Sincerely,

Handwritten signature of H.A. Blackmun in cursive script.

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 23, 1980

No. 79-521 Consumer Product Safety Comm. v. GTE

Dear Bill:

Please join me.

Sincerely,

L. Lewis

Mr. Justice Rehnquist

Copies to the Conference

LFP/lab

To: The Chief Justice
 Mr. Justice Brennan
 Mr. Justice Stewart
 Mr. Justice White
 Mr. Justice Marshall
 Mr. Justice Blackmun
 Mr. Justice Powell
 Mr. Justice Stevens

From: Mr. Justice Rehnquist

Circulated: MAY 21 1980

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1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 79-521

Consumer Product Safety Commission et al., Petitioners,	} On Writ of Certiorari to the United States Court of Appeals for the Third Circuit,
v.	
GTE Sylvania, Inc., et al.	

[June —, 1980]

MR. JUSTICE REHNQUIST delivered the opinion of the Court.

The question presented is whether § 6 (b)(1) of the Consumer Product Safety Act, 15 U. S. C. § 2055 (b)(1), governs the disclosure of records by the Consumer Product Safety Commission pursuant to a request under the Freedom of Information Act. We granted certiorari to review a judgment of the Court of Appeals for the Third Circuit because of the importance of the question and because of a conflict in the circuits.¹

I

In 1972, Congress enacted the Consumer Product Safety Act (CPSA), 15 U. S. C. § 2051 *et seq.*, in order *inter alia* "to protect the public against unreasonable risks of injury associated with consumer products" and "to assist consumers in evaluating the comparative safety of consumer products." 15 U. S. C. §§ 2051 (b)(1) and (2). The Act created the Consumer Product Safety Commission (Commission) to carry out the statutory purposes. 15 U. S. C. § 2053. The Commission's powers include the authority to collect and disseminate

¹ The decision below, 598 F. 2d 790 (CA3 1979) is in direct conflict with *Pierce & Stevens Chemical Corp. v. United States*, 585 F. 2d 1382 (CA2 1978).

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

May 23, 1980

Re: 79-521 - Consumer Product Safety
Commission v. GTE Sylvania

Dear Bill:

Please join me.

Respectfully,



Mr. Justice Rehnquist

Copies to the Conference