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INS v. Chadha

462 U.S. 919 (1983)

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

September 30, 1983

Re: No. 80-1832 - Ins. v. Chadha

MEMORANDUM TO THE CONFERENCE:

The Chadha opinion makes a "buttressing" point that "when the Framers" of the Constitution sought to vest powers in one House alone, they knew how to do it. (p.35 Slip Op). In drafting the opinion, I considered including a reference to Section 1, Article II and the 12th Amendment, along with the four one House powers discussed in some detail at p.35.

On reflection, I conclude that it would be desirable to add a footnote and have the second full sentence on p.35 read:

"There are four provisions in the Constitution,²⁰ explicit and unambiguous, by which one House may act alone with the unreviewable force of law, not subject to the President's veto:

²⁰See also U.S. Const., Art. II, §1, and Amdt. 12.

Absent dissent I will proceed.

Regards,



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