

# The Burger Court Opinion Writing Database

*Donovan v. Lone Steer, Inc.*

464 U.S. 408 (1984)

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

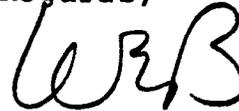
December 23, 1983

RE: 82-1684 - Donovan, Secretary of Labor v. Lone Steer,  
Inc.

Dear Bill:

I join.

Regards,

Handwritten signature of William Rehnquist, consisting of the letters 'WRB' in a cursive, stylized script.

Justice Rehnquist

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Washington, D. C. 20543

CHAMBERS OF  
JUSTICE Wm. J. BRENNAN, JR.

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JUSTICE W. J. BRENNAN, JR.

December 21, 1983

'83 DEC 21 A11:23

No. 82-1684

Donovan, et al. v. Lone Steer, Inc.

Dear Bill,

I agree.

Sincerely,



Justice Rehnquist

Copies to the Conference

HAB

7

Rec'd 1/16/83

December 27, 1983

Re: 82-1684 - Donovan v. Lone Steer, Inc.

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Dear Bill,

Please join me.

Sincerely,

*BWJ*

Justice Rehnquist

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

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

December 21, 1983

Re: No. 82-1684-Donovan v. Lone Steer

Dear Bill:

Please join me.

Sincerely,

*J.M.*  
T.M.

Justice Rehnquist

cc: The Conference

4

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

SUPREME COURT OF THE U.S.  
JUSTICE HARRY A. BLACKMUN

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

December 21, 1983

'83 DEC 21 A11:24

Re: No. 82-1684 - Donovan v. Lone Steer, Inc.

Dear Bill:

Please join me.

Sincerely,



Justice Rehnquist

cc: The Conference

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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

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JUSTICE LEWIS F. POWELL, JR.

'83 DEC 21 11:24

December 21, 1983

82-1684 Donovan v. Lone Steer, Inc.

Dear Bill:

Please join me.

Sincerely,



Justice Rehnquist

lfp/ss

cc: The Conference

To: The Chief Justice  
Justice Brennan  
Justice White  
Justice Marshall  
Justice Blackmun  
Justice Powell  
Justice Stevens  
Justice O'Connor

From: Justice Rehnquist

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*WHR*  
*Please return me*  
*MA*

1st DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 82-1684

RAYMOND J. DONOVAN, SECRETARY OF LABOR, ET AL., APPELLANTS *v.* LONE STEER, INC.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA

[January —, 1984]

JUSTICE REHNQUIST delivered the opinion of the Court.

Section 11(a) of the Fair Labor Standards Act of 1938 (FLSA or Act), 29 U. S. C. § 211(a), authorizes the Secretary of Labor to investigate and gather data regarding wages, hours, and other conditions of employment to determine whether an employer is violating the Act.<sup>1</sup> § 9 of the FLSA,

<sup>1</sup> Section 11(a) of the FLSA, 29 U. S. C. 211(a), provides:

"The Administrator or his designated representatives may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this chapter, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, or matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this chapter, or which may aid in the enforcement of the provisions of this chapter. Except as provided in section 212 of this title and in subsection (b) of this section, the Administrator shall utilize the bureaus and divisions of the Department of Labor for all the investigations and inspections necessary under this section. Except as provided in section 212 of this title, the Secretary of Labor shall bring all actions under section 217 of this title to restrain violations of this chapter".

Although § 11(a) grants investigatory authority specifically to the Wage and Hour Administrator, pursuant to Reorg. Plan No. 6 of 1950, 3 CFR 1004 (1949-1950 comp.), *reprinted in* 5 U. S. C. App. § 743, the functions of all officers of the Department of Labor, including the Wage and Hour Administrator, are transferred to the Secretary of Labor, who may in turn delegate those functions.

*12/27*  
*J*

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

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SUPREME COURT  
JUSTICE JOHN PAUL STEVENS

'83 DEC 22 A10:26

December 22, 1983

Re: 82-1684 - Donovan v. Lone Steer, Inc.

Dear Bill:

Please join me.

Respectfully,



Justice Rehnquist

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

CHAMBERS OF  
JUSTICE SANDRA DAY O'CONNOR

December 20, 1983

No. 82-1684 Donovan v. Lone Steer, Inc.

Dear Bill,

Please join me.

Sincerely,



Justice Rehnquist

Copies to the Conference