

CLINTON v. CITY OF NEW YORK

Case Basics

Docket No.

97-1374

Appellee

City of New York

Appellant

Clinton

Decided By

Rehnquist Court (1994-2005)

Opinion

524 U.S. 417 (1998)

Argued

Monday, April 27, 1998

Decided

Thursday, June 25, 1998

Advocates

Charles J. Cooper

(Argued the cause for the appellee City of New York)

Louis R. Cohen

(Argued the cause for the appellee Snake River Potato Growers)

Seth P. Waxman

(Argued the cause for the appellants)

Location: The White House

Facts of the Case

This case consolidates two separate challenges to the constitutionality of two cancellations, made by President William J. Clinton, under the Line Item Veto Act ("Act"). In the first, the City of New York, two hospital associations, a hospital, and two health care unions, challenged the President's cancellation of a provision in the Balanced Budget Act of 1997 which relinquished the Federal Government's ability to recoup nearly \$2.6 billion in taxes levied against Medicaid providers by the State of New York. In the second, the Snake River farmer's cooperative and one of its individual members challenged the President's cancellation of a provision of the Taxpayer Relief Act of 1997. The provision permitted some food refiners and processors to defer recognition of their capital gains in exchange for selling their stock to eligible farmers' cooperatives. After a district court held the Act unconstitutional, the Supreme Court granted certiorari on expedited appeal.

Question

Did the President's ability to selectively cancel individual portions of bills, under the Line Item Veto Act, violate the Presentment Clause of Article I?

Conclusion

Decision: 6 votes for City of New York, 3 vote(s) against

Legal provision: Article 1, Section 7, Paragraph 2: Separation of Powers

Yes. In a 6-to-3 decision the Court first established that both the City of New York, and its affiliates, and the farmers' cooperative suffered sufficiently immediate and concrete injuries to sustain their standing to challenge the President's actions. The Court then explained that under the Presentment Clause, legislation that passes both Houses of Congress must either be entirely approved (i.e. signed) or rejected (i.e. vetoed) by the President. The Court held that by canceling only selected portions of the bills at issue, under authority granted him by the Act, the President in effect "amended" the laws before him. Such discretion, the Court concluded, violated the "finely wrought" legislative procedures of Article I as envisioned by the Framers.