

1 would be envisioned by the general power to petition the  
2 Government.

3 PROFESSOR ASPER: First Amendment to the  
4 Constitution of the United States provides in its final  
5 clause, and petition the Government for redress of modality  
6 grievances. To the best of my knowledge, there are no  
7 such gaps as Mr. Case has suggested has ever arisen under  
8 the Constitution of the United States.

9 MR. CASE: Everybody can petition the United  
10 States in a

11 MR. GENTRY: Any action of mandamus, I would  
12 think, is a broad aspect a petition of the Government.

13 THE CHAIRMAN: I can suggest one that comes to  
14 mind, the proposed Judiciary Article confers on the Court  
15 of Appeals and the chief justice, rule making power that  
16 is not conferred on the Legislative Branch and conceivably  
17 you could have a petition to the Supreme Court grievance  
18 in connection with the rules adopted by the court that  
19 would not be a petition to the Legislature.

20 MR. CASE: But you could do that, certainly,  
21 anyway, couldn't you?