

SUPREME COURT OF THE UNITED STATES

No. 91-767

REPUBLIC NATIONAL BANK OF MIAMI, PETITIONER v.  
UNITED STATES

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE ELEVENTH CIRCUIT

[December 14, 1992]

JUSTICE STEVENS, concurring in part and concurring in the judgment.

While I agree with JUSTICE BLACKMUN's analysis of the Government's Appropriations Clause argument, and join his opinion in its entirety, I also agree with THE CHIEF JUSTICE that 31 U. S. C. §1304, together with 28 U. S. C. §2465, provide a satisfactory alternative response. Moreover, like JUSTICE WHITE, and for the reasons stated in his separate opinion, I am surprised that the Government would make "such a transparently fallacious" argument in support of its unconscionable position in this case. See *ante*, at 1.