**U.S. Department of Justice**
Executive Office for United States Attorneys

# United States Attorneys' Bulletin

*Published by:*

*Executive Office for United States Attorneys, Washington, D.C.*
*For the use of all U.S. Department of Justice Attorneys*

VOL. 30 APRIL 16, 1982 NO. 7

VOL. 30 APRIL 16, 1982 NO. 7

TABLE OF CONTENTS

II
VOL. 30 APRIL 16, 1982 NO. 7

COMMENDATIONS

Special Assistant United States Attorneys MELVIA BAILEY, DAVID HAMMER and ROBERT ROSENBERG, Southern District of Florida, have been commended by Mr. Joe D. Howerton, District Director of the Immigration and Naturalization Service in Miami, Florida, for their outstanding job in the prosecution of civil and criminal cases arising out of the Cuban Boat Flotilla.

Assistant United States Attorney DANIEL G. CLEMENT, Central District of California, has been commended by L. O. Poindexter, Inspector in Charge, United States Postal Service in Los Angeles, California, for his invaluable assistance in the preparation of the investigation and in the prosecution of United States v. Don Ramonio Baker and United States v. James Lee Wilson & Don Ramonio Baker dealing with stolen postal monies and U.S. postal money orders.

Assistant United States Attorney RICHARD E. DROOYAN, Central District of California, has been commended by Mr. Edgar N. Best, Special Agent in Charge of the Federal Bureau of Investigation in Los Angeles, California, for his exceptional and professional handling of the inmate Thomas Hall murder in the case of United States v. Robert Eugene Mills and Richard Raymond Pierce which led to the conviction of both defendants of first degree murder.

Assistant United States Attorneys WILLIAM P. FANCIULLO and JOHN J. MCCANN, Northern District of New York, have been commended by Mr. Paul V. Daly, Special Agent in Charge of the Federal Bureau of Investigation in Albany, New York, for their superb performances in successfully prosecuting the Freer's Meats Inc. case involving Interstate Transportation of Stolen Property and National Bankruptcy Act fraud violations.

VOL. 30 APRIL 16, 1982 NO. 7

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Gatter v. Nimmo, No. 81-1881 Third Circuit (March 3, 1982). D.J. #151-62-2130.

VA MORTGAGE PROGRAM: THIRD CIRCUIT DECLINES TO FORCE VETERANS' ADMINISTRATION TO ESTABLISH A FORMAL MORTGAGE REFUNDING PROGRAM.

The Veterans Administration (VA) possesses the statutory authority, to be exercised "at its option," to refund VA mortgages that are in default. To do so the VA must pay the lender the entire indebtedness, and take over the mortgage itself. The VA has reserved this remedy for the unusual situation, preferring to persuade private lenders to forego foreclosure in situations where a veteran is temporarily unable to maintain his mortgage payments. Plaintiffs brought this suit to require the VA to consider each defaulted mortgage for refunding and to provide reasons in support of decisions not to refund. Plaintiffs characterized the VA's failure to do so as a wrongful refusal to exercise its discretion. The district court found no merit to plaintiffs' lawsuit, and the Third Circuit has just affirmed. The court could find no evidence in the language or history of the VA's refunding authority indicating that Congress intended to require the VA to establish a refunding program for the benefit of defaulting veterans. Nor would the court enforce judicially the agency manuals and circulars which the plaintiffs had claimed established a non-discretionary duty to consider refunding. The court agreed with our view that the refunding question is "committed to agency discretion," and therefore escapes judicial review under the Administrative Procedure Act.

Attorney: John F. Cordes (Civil Division)
(FTS) 633-4214

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Greitzer & Locks v. Johns-Manville Corp., No. 81-1379, Fourth Circuit (March 5, 1982). D.J. #157-79-1588.

PROFESSIONAL RESPONSIBILITY: FOURTH CIRCUIT REINSTATES LAW FIRM DISQUALIFIED FOR HIRING FORMER GOVERNMENT ATTORNEY.

Neil Peterson, a former Torts Branch attorney, left the government to join Greitzer & Locks, a law firm specializing in representing plaintiffs in asbestos litigation. Among Greitzer & Locks clients were several hundred plaintiffs who had filed suit against asbestos manufacturers and the United States for asbestos exposure at a shipyard in Norfolk, Virginia. Peterson had represented the government in the Norfolk suit. When he left the government, he agreed not to participate in the Norfolk suit in any way, and the law firm agreed to "screen" him from any contact with the suit. On this representation, and on the further agreement of Peterson and the law firm that the screen would extend to other asbestos litigation to which the government was a party, the Department of Justice and its client agencies wavied their right to seek disqualification of Greitzer & Locks from the Norfolk suit. The private manufacturers, however, sought disqualification, and the district court agreed with their view, primarily because the district court felt that an "appearance of impropriety" had been created and because it believed the agreed-upon screen to be inadequate. The Fourth Circuit in a 2-1 decision has just reversed. Adopting several of the arguments we had advanced in an amicus curiae brief, the court of appeals held that an unsubstantiated "appearance of impropriety" is insufficient to justify disqualification of a law firm hiring a former government lawyer. The court also held that the judiciary should defer to the government's decision to waive disqualification where the government believed that a screening commitment adequately protected the government's interest.

Attorney: John F. Cordes (Civil Division)
(FTS) 633-4214

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Columbia Power Trades Council v. United States Department of Energy, No. 80-3384, 9th Circuit (March 11, 1982). D.J. #145-19-56.

FLRA AND FEDERAL COURT JURISDICTION: NINTH CIRCUIT HOLDS THAT FEDERAL LABOR RELATIONS AUTHORITY IS EXCLUSIVE SOURCE OF REDRESS FOR A FEDERAL-EMPLOYEE UNION'S COMPLAINT REGARDING UNFAIR LABOR PRACTICES.

Plaintiff brought this action in district court charging that the federal agency had committed an unfair labor practice in refusing to implement an arbitrator's award of an 8.53% wage increase, and instead following the government-wide 5.5% pay cap. The district court held that the agency had discretion not to implement the arbitrator's award, which in any event was not binding until approved by the agency. Plaintiff appealed. The court of appeals held that under the Civil Service Reform Act of 1978, jurisdiction over this union complaint lay exclusively with the Federal Labor Relations Authority and directed the dismissal of the complaint on that basis.

Marc Richman (Civil Division)
(FTS) 633-4052

Mark Chavez (Federal Programs)
(FTS) 633-4107

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Augusta Aviation Inc. v. United States, No. 81-7029, 11th Circuit (March 23, 1982). D.J. #145-151-588.

VA EDUCATIONAL BENEFITS: ELEVENTH CIRCUIT HOLDS THAT VETERANS ADMINISTRATION'S ALLEGED PROMISE TO PAY BENEFITS, IN EXCESS OF THE VETERAN'S ENTITLEMENT, TO A SCHOOL PROVIDING EDUCATIONAL INSTRUCTION TO ELIGIBLE VETERANS IS VOID FOR LACK OF AUTHORIZATION.

A veteran applied to the Veterans Administration (VA) for education benefits to take a flight training course from plaintiff. The VA concluded that the veteran had 31 1/2 months of entitlement to benefits and issued a certificate of eligibility so indicating. In reliance on this certificate plaintiff enrolled the veteran and the veteran received the flight training instruction. Thereafter, prior to the payment of benefits, the VA discovered that the veteran had only four months of entitlement to benefits. Accordingly, it paid him less benefits than it represented it would in the certificate of eligibility. Plaintiff sued the United States to recover the amount of benefits indicated in the certificate of eligibility. The district court granted plaintiff damages on the theory that there was an implied-in-fact contract between the VA and the institution providing an educational course to an eligible veteran. The Eleventh Circuit has just reversed. The court held that even if there was an implied-in-fact contract between plaintiff and the VA, the VA had no authorization to award benefits in excess of the amount allowed by statute and regulation.

Attorney: Fred Geilfuss (Civil Division)
(FTS) 633-5425

LAND AND NATURAL RESOURCES DIVISION
Assistant Attorney General Carol E. Dinkins

Kenai Oil and Gas, Inc. v. Department of the Interior, ____ F.2d ____, No. 81-2141 (10th Cir., February 17, 1982) DJ 90-2-4-732.

Oil and gas leases; automatic termination of leases on Indian Lands sustained.

The court of appeals affirmed the district court's denial of a preliminary injunction aimed at preventing the automatic termination of certain oil and gas leases on Indian lands. The leases all had 10-year terms, which expired in the spring of 1981. The lessees attempted to extend the lease terms by pooling the Indian lands, on which no drilling was occurring, with non-Indian lands where production had begun. They proffered communitization agreements to the BIA Superintendant, who refused to approve them because they would have locked the Indians into the unfavorable royalty provisions of the old leases. The court of appeals held that it was within the Superintendent's lawfully exercised discretion to turn down the communitization agreements on the ground that they were not in the best economic interests of the Indians. The Court also held that in the circumstances of this case, where the Superintendent was presented with the communitization agreements only a few days before the leases expired, he did not have to engage in extensive consultation with experts before reaching his decision. The Court noted that the Superintendent's action did not amount to rulemaking under the APA so as to require notice and comment. Kenai's argument that the government was estopped from changing its alleged longstanding practice of approving communitization agreements was summarily dismissed, as was its argument that the decision required an environmental assessment under NEPA. Judge Barrett concurred based on "the specific facts of this case," but cautioned that there may be circumstances where a refusal to communitize, based solely on economic considerations, would be "contrary to the public interest."

Attorneys: David C. Shilton and Anne S. Almy
(Land and Natural Resources Division)
FTS 633-4519/4427

Navajo Nation v. United States, ____ F.2d ____, Nos. 80-5471 and 80-5837 (9th Cir., February 24, 1982) DJ 90-6-2-35.

Jurisdiction over United States in water rights adjudication in State court sustained.

The Navajo Nation brought this action in federal district court seeking an adjudication of the Tribe's water rights to the Little Colorado River. Arizona moved to dismiss for lack of federal jurisdiction, arguing that the Tribe's claims should be adjudicated in a state court general stream adjudication. The district court denied the motion, but stayed further proceedings pending the state court adjudication.

The Tribe appealed. We argued that the district court did not have jurisdiction over the United States, because the McCarran Amendment only waives sovereign immunity for general stream adjudications in which the United States is a defendant. The Ninth Circuit reversed and remanded, following the court's very recent decision in San Carlos Apache Tribe v. Arizona (No. 80-5139, Feb. 23, 1982), which held that Arizona had disclaimed jurisdiction over Indian water rights, and thus the Tribe's rights could not be adjudicated in state court. The court found it unnecessary to reach our argument that the federal court lacked jurisdiction over the United States.

Attorneys: Jerry L. Jackson and Dirk D. Snel
(Land and Natural Resources Division)
FTS 724-7377 and 633-4400

Hotel Employers Assoc. of San Francisco v. Gorsuch, ____ F.2d ____, No. 80-4413 (9th Cir., February 24, 1982) DJ 90-5-1-6-119.

Clean Water Act; city's sewer user charge system does not violate Section 204(b)(1)(A) on EPA's regulations.

HEA claimed that San Francisco's sewer user charge system violated Section 204(b)(1)(A) of the Clean Water Act, which requires that the City have a system which charges each recipient of waste treatment services its "proportionate share of the costs of operation and maintenance" of waste treatment services. The City charges hotels for treating "wet-weather flow" (i.e., storm runoff) on the basis of the amount of tap-water the hotels use; the hotels claimed that this charge was not proportional. The Ninth Circuit agreed with the district court that the charge does not violate the proportionality requirement. The court of appeals noted that the legislative history of 204(b)(1)(A) suggested that Congress did not require strict proportionality. The court also held that the charge system did not violate EPA regulations or the United States and California constitutions' guarantees of equal protection and due process.

Attorneys: Thomas H. Pacheco and Dirk D. Snel
(Land and Natural Resources Division)
FTS 633-2767/4400

Merrill Ditch-Liners, Inc. v. Nat Pablo, et al., ____ F.2d ____, No. 80-6058 (9th Cir., February 16, 1982) DJ 90-6-7-330.

Administrative Law; Secretary's approval of contract by Indian Tribe is committed to agency discretion by law under APA, hence not judicially reviewable.

An Indian Tribe awarded the contract for the construction of a irrigation ditch to the second lowest bidder, which award was approved by the Secretary of the Interior. The lowest bidder brought an action against the Tribe and the Secretary, contending that the Secretary was required by the example of the Federal Procurement Regulations to require the Tribe to accept the lowest bid. The district court dismissed the federal defendants for lack of subject matter jurisdiction. The court of appeals affirmed. The Court held that since the Federal Procurement Regulations apply only to federal agencies, and since an Indian Tribe is not a federal agency, they do not provide the court with a standard to apply. Finding that no statute provides a legal standard against which a court can judge the Secretary's action in approving the award to the second lowest bidder, the court concluded that the Secretary's action was "committed to agency discretion by law," and thus was by express provision of the Administrative Procedure Act (5 U.S.C. 701(a)(2)) not subject to judicial review.

Attorneys: Martin Green and Jacques B. Gelin
(Land and Natural Resources Division)
FTS 633-2827/2762

VOL. 30 APRIL 16, 1982 No. 7

OFFICE OF LEGISLATIVE AFFAIRS
Assistant Attorney General Robert A. McConnell

SELECTED CONGRESSIONAL AND LEGISLATIVE ACTIVITIES

MARCH 23, 1982 - APRIL 1, 1982

Regulatory Reform. On March 25, the Senate passed S.1080 by a 94-0 vote, the Regulatory Reform bill. The measure includes an unconstitutional two-House legislative veto device (adopted 69-25) and a compromise amendment expanding the federal judiciary's review of the Administration's rule making. Prospects for the House regulatory reform measure, H.R. 746, are uncertain because of the retirement of the bill's chief sponsor, Representative Danielson, even though it was reported out of the House Judiciary Committee last December.

Voting Rights. On March 24 the Senate Judiciary Subcommittee on the Constitution unanimously reported to the full committee S. 1992, the Kennedy-Mathias bill to extend the Voting Rights Act. Before reporting the bill, its language was amended so that it provides for a straight, 10 year extension of the Voting Rights Act including a 10 year extension of the bilingual provisions (under amended S. 1992 Section 2 of the Act would remain as is). Full Judiciary Committee markup will not be until after the Easter recess.

DOJ Authorization. The Senate-passed version of the Department's FY 1982 authorization bill, S. 951, was taken from the Speaker's table and referred to the House Judiciary Committee on March 22. Congressmen Moore, Mottl, Bafalis and Hubbard had pressed for action on the bill on March 11 by introducing a resolution to have S. 951 taken from the Speaker's table and brought to the House floor immediately for consideration.

INS Authorization. On March 25, the Subcommittee on Immigration, Refugees, and International Law of the House Judiciary Committee held a hearing on authorization for the Immigration and Naturalization Service. Alan C. Nelson, Commissioner, INS, represented the Department of Justice.

H.R. 4482, Court of Appeals for the Federal Circuit. On March 22, the Senate concurred in the amendment of the House to the Senate amendment to the Department of Justice supported bill H.R. 4482, establishing a U.S. Court of Appeals for the Federal Circuit and establishing a U.S. Claims Court. This action clears the bill for consideration by the President.

Extradition. The House Judiciary Subcommittee on Crime reported out H.R. 5227, a new extradition statute. The Department is in favor of reforming the extradition laws but is concerned that the bail provisions in the House bill are too lenient. The Senate version is awaiting markup by the full Senate Judiciary Committee.

Agents Identities Protection. On March 17, the Senate adopted the Chafee "objective intent" amendment to S. 391, the proposed Intelligence Agents Identities Protection Act, by a vote of 55 to 39. The Chafee amendment also requires "a pattern of activities intended to identify and expose covert agents." The Senate passed the bill by a vote of 90 to 6. The differences between S. 391 and the House-passed version of this legislation, (H.R. 4), are not significant.

Refugee and Immigration Policy. On March 16, the Foreign Affairs Committee of the House of Representatives held a hearing concerning the foreign implications of U.S. refugee and immigration policy. Alan Nelson, Commissioner, Immigration and Naturalization Service, represented the Department of Justice.

Mineral Leasing. The Select Committee on Indian Affairs of the Senate held a hearing on March 16 concerning S. 1894. Assistant Attorney General Carol E. Dinkins, Land and Natural Resources Division, represented the Department of Justice.

Criminal Code. On March 16, the House Judiciary Subcommittee on Criminal Justice held a markup/hearing on Congressman Sensenbrenner's version of Criminal Code reform. There were enough votes in the Subcommittee to report out the Sensenbrenner bill. However, the Chairman, Congressman Conyers, refused to allow the vote and insisted that the clerk read the bill line by line. He then adjourned the meeting.

H.R. 2329. H.R. 2329 would confer jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation. The bill would waive the applicable statutes of limitations to the claims held by the Cherokee tribe. The Department opposes this bill. The bill failed on the suspension calendar of the House by a vote of 174-215 on Thursday, March 18.

H.R. 4491, Capitol Historical Society. H.R. 4491, granting a D.C. sales tax exemption for the Capitol Historical Society, was pulled from the Suspension Calendar in the House at the request of the Judiciary Committee. The Department of Justice is currently representing the Capitol Historical Society in litigation involving this issue.

S. 1422, Surplus Property Bill. On March 16, the Senate Committee on Governmental Affairs reported out S. 1422, a bill to authorize the donation of surplus property to any state for the construction and modernization of criminal justice facilities. The bill is part of the Attorney General's program to assist the states in combatting violent crime.

Nominations: On March 18, 1982, the U.S. Senate confirmed the following nominations:

John L. Coffey, of Wisconsin, to be U.S. Circuit Judge for the Seventh Circuit.

William W. Caldwell, to be U.S. District Judge for the Middle District of Pennsylvania.

Glen E. Mencer, to be U.S. District Judge for the Western District of Pennsylvania.

Carol Los Mansmann, to be U.S. District Judge for the Western District of Pennsylvania.

On March 31, 1982, the Senate confirmed the following nominations:

Robert E. Coyle, to be U.S. District Judge for the Eastern District of California.

W. Asa Hutchinson, to be U.S. Attorney for the Western District of Arkansas.

Charles H. Turner, to be U.S. Attorney for the District of Oregon.

Earl L. Rife, to be U.S. Marshal for the Northern District of Ohio.

Charles H. Gray, to be U.S. Marshal for the Eastern District of Arkansas.

VOL. 30 April 16, 1982 NO. 7

Federal Rules of Criminal Procedure

Rule 6(e)(3)(C)(i). The Grand Jury. Recording and Disclosure of Proceedings. Exceptions.

After the termination of criminal proceedings for tax offenses, the government made an ex parte motion under Rule 6(e)(3)(C)(i) for disclosure of grand jury materials to the Internal Revenue Service for the purpose of conducting a civil tax audit. The district court denied the motion, finding that disclosure would not be "preliminary to or in connection with a judicial proceeding" within the meaning of Rule 6(e)(3)(C)(i) because the civil audit might show no tax owed, or, if a deficiency is assessed, the taxpayer might elect to pay the assessment, in which event no judicial proceeding would occur. The government argued on appeal that, "the legislative history underlying Rule 6(e) and the better reasoned case law indicate that the examination, assessment, and collection of civil tax liability can be considered as preliminary to a judicial proceeding . . . regardless of the possibility of settlement of a tax dispute without trial."

After discussing the legislative history of the rule, the court turned to the contradictory case law on this issue, focusing particularly on In re Special February, 1975 Grand Jury (Baggot), 652 F.2d 1302 (7th Cir. 1981), discussed in 29 USAB 619 (No. 21; 10/9/81), which held that Rule 6(e)(3)(C)(i) did not permit disclosure of grand jury materials to the IRS for determination of civil tax liability. The Court concluded that Judge Pell's dissent in that case reflected its views that under a proper interpretation of the phrase "preliminarily to a judicial proceeding" a certainty of subsequent judicial proceedings is not required, and held that the disclosure in this case was sought preliminarily to a judicial proceeding under Rule 6(e)(3)(C)(i).

(Reversed and remanded with instructions to authorize disclosure.)

In Re Judge Elmo B. Hunter's Special Grand Jury Empaneled September 28, 1978, 667 F.2d 724 (8th Cir. December 29, 1981)

Federal Rules of Evidence

Rule 803(5). Hearsay Exceptions; Availability of Declarant Immaterial. Recorded Recollection.

Rule 801(d)(2)(A). Hearsay. Definitions. Statements Which Are not Hearsay. Admission by Party-Opponent.

After defendant's arrest on escape charges, he was interrogated, through an interpreter, by a U.S. Marshal. Sometime later, after the conclusion of the interview, the Marshal typed a statement containing the questions and translated answers as shown by his notes. At trial, the prosecution was allowed to introduce this statement into evidence over the defense's hearsay objections. On appeal, the defendant contended that the admission of the statement was reversible error.

Noting that the defendant never read or signed the statement, and that there was no conduct involved which might constitute an adoptive admission, the court preliminarily held that the document could not have been an admission outside the scope of the hearsay rule under Rule 801(d)(2)(A). Upon examining the exceptions to the hearsay rule, the court concluded that the only one which might be applicable to the statement in this case was Rule 803(5), the recorded recollection exception. The court, after a discussion of case law concerning this exception, noted that the Ninth Circuit follows the rule that before a prior hearsay statement of a witness who is testifying can be admitted into evidence under this exception, it must first be shown that the witness does not now have sufficient recollection as to the matters contained therein to enable him to testify fully and accurately regarding them. Noting that the purpose of this requirement is to prevent the use of statements carefully prepared for purposes of litigation under the supervision of attorneys or investigators, and that this is exactly the type of statement involved in this case, the court concluded that the failure to show the witness's insufficient recollection in this case rendered the admission of the statement reversible error.

(Reversed and remanded.)

United States v. Miguel Felix-Jerez, 667 F.2d 1297 (9th Cir. February 16, 1982)

VOL. 30 April 16, 1982 NO. 7

Federal Rules of Evidence

Rule 801(d)(2)(A). Hearsay. Definitions. Statements Which Are Not Hearsay. Admission by Party-Opponent.

See Rule 803(5) Federal Rules of Evidence, this issue of Bulletin for syllabus.

(Reversed and remanded.)

United States v. Miguel Felix-Jerez, 667 F.2d 1297 (9th Cir. February 16, 1982)

U.S. ATTORNEY'S LIST AS OF April 16, 1982

## UNITED STATES ATTORNEYS

| DISTRICT | U.S. ATTORNEY |
|---|---|
| Alabama, N | Frank W. Donaldson |
| Alabama, M | John C. Bell |
| Alabama, S | J. B. Sessions, III |
| Alaska | Michael R. Spaan |
| Arizona | A. Melvin McDonald |
| Arkansas, E | George W. Proctor |
| Arkansas, W | W. Asa Hutchinson |
| California, N | Joseph P. Russoniello |
| California, E | Donald B. Ayer |
| California, C | Stephen S. Trott |
| California, S | Peter K. Nunez |
| Canal Zone | Frank J. Violanti |
| Colorado | Robert N. Miller |
| Connecticut | Alan H. Nevas |
| Delaware | Joseph J. Farnan, Jr. |
| District of Columbia | Stanley S. Harris |
| Florida, N | Nickolas P. Geeker |
| Florida, M | Gary L. Betz |
| Florida, S | Stanley I. Marcus |
| Georgia, N | James E. Baker |
| Georgia, M | Joe D. Whitley |
| Georgia, S | Hinton R. Pierce |
| Guam | David T. Wood |
| Hawaii | Daniel Bent |
| Idaho | Guy G. Hurlbutt |
| Illinois, N | Dan K. Webb |
| Illinois, S | Frederick J. Hess |
| Illinois, C | Gerald D. Fines |
| Indiana, N | R. Lawrence Steele, Jr. |
| Indiana, S | Sarah Evans Barker |
| Iowa, N | James H. Reynolds |
| Iowa, S | Richard C. Turner |
| Kansas | Jim J. Marquez |
| Kentucky, E | Louis G. DeFalaise |
| Kentucky, W | Ronald E. Meredith |
| Louisiana, E | John Volz |
| Louisiana, M | Stanford O. Bardwell, Jr. |
| Louisiana, W | Joseph S. Cage |
| Maine | Richard S. Cohen |
| Maryland | J. Fredrick Motz |
| Massachusetts | William F. Weld |
| Michigan, E | Leonard R. Gilman |
| Michigan, W | John A. Smietanka |
| Minnesota | James M. Rosenbaum |
| Mississippi, N | Glen H. Davidson |
| Mississippi, S | George L. Phillips |
| Missouri, E | Thomas E. Dittmeier |
| Missouri, W | Robert G. Ulrich |

## UNITED STATES ATTORNEYS

| DISTRICT | U.S. ATTORNEY |
|---|---|
| Montana | Byron H. Dunbar |
| Nebraska | Ronald D. Lahners |
| Nevada | Lamond R. Mills |
| New Hampshire | W. Stephen Thayer, III |
| New Jersey | W. Hunt Dumont |
| New Mexico | William L. Lutz |
| New York, N | George H. Lowe |
| New York, S | John S. Martin, Jr. |
| New York, E | Edward R. Korman |
| New York, W | Roger P. Williams |
| North Carolina, E | Samuel T. Currin |
| North Carolina, M | Kenneth W. McAllister |
| North Carolina, W | Charles R. Brewer |
| North Dakota | Rodney S. Webb |
| Ohio, N | J. William Petro |
| Ohio, S | Christopher K. Barnes |
| Oklahoma, N | Francis A. Keating, II |
| Oklahoma, E | Betty O. Williams |
| Oklahoma, W | John E. Green |
| Oregon | Charles H. Turner |
| Pennsylvania, E | Peter F. Vaira, Jr. |
| Pennsylvania, M | David D. Queen |
| Pennsylvania, W | J. Alan Johnson |
| Puerto Rico | Raymond L. Acosta |
| Rhode Island | Lincoln C. Almond |
| South Carolina | Henry Dargan McMaster |
| South Dakota | Philip N. Hogen |
| Tennessee, E | John W. Gill, Jr. |
| Tennessee, M | Joe B. Brown |
| Tennessee, W | W. Hickman Ewing, Jr. |
| Texas, N | James A. Rolfe |
| Texas, S | Daniel K. Hedges |
| Texas, E | Robert J. Wortham |
| Texas, W | Edward C. Prado |
| Utah | Brent D. Ward |
| Vermont | George W.F. Cook |
| Virgin Islands | Ishmael A. Meyers |
| Virginia, E | Elsie L. Munsell |
| Virginia, W | John P. Alderman |
| Washington, E | John E. Lamp |
| Washington, W | Gene S. Anderson |
| West Virginia, N | William A. Kolibash |
| West Virginia, S | David A. Faber |
| Wisconsin, E | Joseph P. Stadtmueller |
| Wisconsin, W | John R. Byrnes |
| Wyoming | Richard A. Stacy |
| North Mariana Islands | David T. Wood |