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Citations for the slip opinions are available on FTS 739-3754.	

COMMENDATIONS

United States Attorney W. H. Dillahunty and Assistant United States Attorney Samuel Perroni, Eastern District of Arkansas, have been commended by Donald E. Wilkinson, Governor, Farm Credit Administration, for their successful prosecution of the case United States v. Griffin.

Assistant United States Attorney Nathaniel L. Gerber, Southern District of New York, has been commended by Major General Wilton B. Persons, Jr., Judge Advocate General, Department of the Army, for his outstanding representation of the Army in Ringgold v. United States, in which the court upheld the Army's handling of the West Point honor cases and reaffirmed the validity of the Cadet Honor Code.

Assistant United States Attorney Stephen G. Nelson, Southern District of California, has been commended by Evelle J. Younger, Attorney General of the State of California, for his outstanding presentation on legal matters at the California Department of Justice Air and Marine Narcotic Smuggling Course.

Assistant United States Attorney Frank Dunham, Eastern District of Virginia, has been commended by F. M. McDonnell, Acting Special Agent in Charge, Washington Field Office, United States Secret Service, for his outstanding assistance and cooperation which was instrumental in the successful prosecution of a counterfeit currency case.

Assistant United States Attorney Stephen V. Petix, Southern District of California, has been commended by Donald J. Cunningham, Acting Special Agent in Charge, United States Customs Service, for his outstanding assistance and cooperation in the successful conclusion of a criminal case against Authentic Furniture Products.

Assistant United States Attorney Barbara S. Jones, Southern District of New York, has been commended by Clarence M. Kelley, Director, Federal Bureau of Investigation, for her outstanding work in the successful prosecution of Russell Bufalino.

SEPTEMBER 30, 1977

NOTICE

In early September, William B. Gray resigned as Director of the Executive Office for U. S. Attorneys. Effective September 12, 1977, William P. Tyson was designated to serve as Acting Director of the Executive Office.

POINTS TO REMEMBER

UNITED STATES ATTORNEY APPOINTMENTS

The following Presidentially-appointed United States Attorneys have entered on duty. The Executive Office staff takes this opportunity to extend its hearty welcome.

<u>DISTRICT</u>	<u>UNITED STATES ATTORNEY</u>	<u>ENTERED ON DUTY</u>
Oklahoma, N.	Hubert H. Bryant	9/23/77
Texas, S.	J. A. (Tony) Canales	9/23/77

(Executive Office)

* * *

PAYMENT OF JUDGMENTS AND COMPROMISE SETTLEMENTS UNDER FEDERAL TORT CLAIMS ACT

United States Attorneys have experienced delays in obtaining checks in payment of judgments or compromise settlements in Federal Tort Claims Act cases. Delay is frequently caused by failure to follow the procedure set forth in the United States Attorneys' Manual. USAM 4-3.220 states that "[j]udgments under the Federal Tort Claims Act, which qualify for payment under 31 U.S.C. 724a, may be sent directly to GAO by the United States Attorneys." A form for the transmittal letter to GAO is also set forth in that section of the Manual. When a judgment against the United States arises out of activities of the U. S. Postal Service, it should be forwarded to the Postal Service for payment, in lieu of the General Accounting Office. The form letter set forth at USAM 4-3.220 includes a statement that the Solicitor General has determined that further review will not be sought. This requires that adverse judgments be forwarded to GAO or the Postal Service only after the adverse Order has been forwarded to the Torts Section and to the Appellate Section of the Civil Division, and the Solicitor General determines not to appeal from the adverse order and judgment. In all cases, a copy of the judgment or settlement agreement should be forwarded to the Torts Section along with a copy of the letter to GAO or the Postal Service seeking payment.

(Civil Division)

* * *

PAYMENT FOR DOCUMENTS SUPPLIED TO THE GRAND JURY OR FOR TRIAL

Occasionally, banks and other businesses request to be paid their costs for supplying documentary materials to a grand jury or for trial. Presently there are no provisions for such payments beyond those contained in the statute for witness fees. See 28 U.S.C. 1821; Rule 19, F.R.Cr.P., Rule 26(b)(4)(C), F.R. Civ.P. Accordingly, there is no statutory authority to pay business organizations or individuals for out-of-pocket expenses incurred in complying. However, since such costs may be substantial, all United States Attorneys should be careful when subpoenaing documents that may entail expenditures that we request only those items that are absolutely essential to our prosecution.

(Criminal Division)

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UNITED STATES ATTORNEYS' MANUAL--BLUESHEETS

The following is the quarterly cumulative listing of all current bluesheets which have been issued pursuant to USAM 1-1.550. Those sent to press since the last issue of the Bulletin have been marked with an asterisk. This may be removed from the Bulletin and used as a check list to assure that your U. S. Attorneys' Manual contains all bluesheets in effect.

<u>DATE</u>	<u>AFFECTS USAM</u>	<u>SUBJECT</u>
Undtd	1-1.200	Authority of Manual; A.G. Order 665-76
9/30/76	1-2.200	Advisory Committee of U.S. Attorneys; Subcommittee on Indian Affairs
6/21/77	1-3.100	Assigning Functions to the Associate Attorney General
6/21/77	1-3.102	Assignment of Responsibility to DAG re INTERPOL
6/21/77	1-3.105	Reorganize and Redesignate Office of Policy and Planning as Office for Improve- ments in the Administration of Justice
4/22/77	1-3.108	Selective Service Pardons
6/21/77	1-3.113	Redesignate Freedom of Information Appeals Unit as Office of Privacy and Information Appeals
6/21/77	1-3.301	Director, Bureau of Prisons; Authority to Promulgate Rules
6/21/77	1-3.402	U.S. Parole Commission to replace U.S. Board of Parole
Undtd	1-5.000	Privacy Act Annual Fed. Reg. Notice; Errata
4/28/77	1-6.200	Representation of DOJ Attorneys by the Department: A.G. Order 693-77
8/30/77	1-9.000	Case Processing by Teletype with Social Security Administration
Undtd	3-4.000	Sealing and Expungement of Case Files Under 21 U.S.C. 844

<u>DATE</u>	<u>AFFECTS USAM</u>	<u>SUBJECT</u>
7/21/77	4-4.230	Award of Attorneys' Fees to Prevailing Governmental Defendant in Federal Employment Discrimination Cases
2/18/77	4-6.400	Coordination of Fraud Against the Government Cases (Cross Reference to USAM 9-42.000)
4/18/77	4-12.253	Priority of Liens
6/21/77	4-13/364	Procedures to be Followed in Case of Suits Against Certain Federal Employees (Swine Flu Immunization Program of 1976)
9/6/77	*5-2.310(a) and (b); 5-2.312	Representation of the Environmental Protection Agency
9/6/77	*5-3.321; 5-3.322	Category 1 Matters and Category 2 Matters - Land Acquisition Cases
5/26/77	6-3.181	Order for Entry to Effect Levy
5/31/77	6-3.355	Suits to Review Jeopardy and Termination Assessments Under Section 7429
9/8/77	6-3.356	Judicial Review of Jeopardy Assessment Procedures
5/26/77	6-3.380	Suits Against U. S. Officers and Employees; 26 U.S.C. 7217
6/21/77	7-2.000	Part 25-Recommendations to President on Civil Aeronautic Board Decisions, Procedures for Receiving Comments by Private Parties
6/21/77	8-2.000	Part 55-Implementation of Provisions of Voting Rights Act re Language Minority Groups (interpretive guidelines)
6/21/77	8-2.000	Part 42-Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs
4/27/77	9-1.202	Supervision and Enforcement Responsibilities for Federal Regulation of Lobbying Act Transferred to the Internal Security Section (Registration Unit)

<u>DATE</u>	<u>AFFECTS USAM</u>	<u>SUBJECT</u>
4/27/77	9-1.246	Supervision and Enforcement Responsibilities re Employment of Persons to Appear before Congress or Governmental Agency Transferred to the Internal Security Section (Registration Unit)
4/28/77	9-2.020	Controlled Substance Prosecutions-- Referral to State or Local Prosecutions
5/5/77	9-2.133	Policy Limitations on Institution of Proceedings: Hobbs Act
7/28/77	9-2.140	Compromise of Civil or Tax Liability
6/21/77	9-2.166	Grand Jury Subpoenas for Telephone Toll Records; Certifications
9/15/77	*9-4.110	Federal Telephone Search Warrant System (Cross Reference to USAM 9-27.000--same subject)
5/5/77	9-4.205	Mail Covers; Excludability of Evidence Obtained
5/5/77	9-4.541	Guide to Practice Under the Treaty on Mutual Assistance in Criminal Matters Between the U. S. and Switzerland
6/21/77	9-4.541	Designation of Assistant Attorney General, Criminal Division, as Central Authority Under Treaty on Mutual Assistance with Switzerland
7/12/77	9-7.012	Electronic Surveillance; Scope of Title III
7/12/77	9-7.013	Consensual Monitoring
6/17/77	9-8.100	Diversion of Juvenile Cases to State Authorities
5/31/77	9-11.230	Grand Jury Subpoena for Telephone Toll Records
6/8/77	9-11.351	Grand Jury; Presence of Government Attorneys
8/16/77	9-27.000	Amendments to the Federal Rules of Criminal Procedure--H. R. 5864

<u>DATE</u>	<u>AFFECTS USAM</u>	<u>SUBJECT</u>
9/15/77	*9-27.000	Federal Telephone Search Warrant System
2/18/77	9-42.000	Coordination of Fraud Against the Government Cases
7/19/77	9-42.450	H.E.W. Project Integrity
9/6/77	*9-42.450	Fraud Against the Government - Medicaid Fraud
9/6/77	*9-42.450	Fraud Against the Government; 18 U.S.C. 287
4/13/77	9-42.510	Referral of Social Security Violations
5/5/77	9-75.140	Obscenity: Prosecutive Priority
6/6/77	9-90.320	Communication or Receipt of Classified Information Prohibited; 50 U.S.C. 783(b)
6/6/77	9-90.500	Fishery Conservation and Management Act of 1976
4/22/77	9-90.700	Selective Service Pardons (Cross Reference to USAM 1-3.108)
6/6/77	9-90.700	Selective Service Act
4/28/77	9-101.000	Domestic Operations Guidelines for the Drug Enforcement Administration: Comments on Selective Provisions
5/5/77	9-131.030	Hobbs Act: Authorizing Prosecution

(Executive Office)

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CIVIL DIVISION
Assistant Attorney General Barbara Allen Babcock

Anderson v. Veterans Administration, F.2d _____ (C.A. 5, No. 75-3926, decided August 16, 1977). DJ 151-32-783.

Veterans Benefits; No Review Statute.

Plaintiff brought this action for damages against V.A. officials challenging on constitutional grounds the procedures employed in denying his claim for Veteran's disability benefits. The district court granted the government's motion to dismiss, finding no cause of action for the alleged Fifth Amendment violations. The Fifth Circuit has affirmed the decision of the district court, holding that the "no review" provisions of 38 U.S.C. § 211(a) were applicable. The court accepted our argument that Johnson v. Robison, 415 U.S. 361 (1974), was not controlling because the complaint challenged only the constitutionality of the Administrator's actions, and not, as in the Johnson case, the constitutionality of the statutes underlying the Veteran's benefits program.

Attorney: Michael F. Hertz (Civil Division),
FTS 739-3425.

Bell v. United States, F.2d _____ (C.A. 1, No. 77-1142 decided September 9, 1977). DJ 145-15-849.

Freedom of Information Act; Exemption 1.

Plaintiff brought this Freedom of Information Act case to compel disclosure of certain documents gathered and collected under the "ULTRA" program during World War II. The United States maintained that the documents had been properly classified pursuant to an Executive Order, and that disclosure would cause grave damage to the national security because it would disclose complex cryptographic and communications intelligence systems, methods, and sources. The First Circuit has just affirmed the district court's decision in favor of the government. Deferring to the agency determination as to potentially grave damage, the court held that whether disclosure of material obtained by cryptographic espionage during war time will or will not jeopardize national security "is a judgment that a court simply should not" make. Accordingly, the district court's decision not to order in camera inspection was not erroneous.

Attorney: Irving Jaffe (Civil Division),
739-3306.

Cooper v. Wilson, _____ F.2d _____ (C.A. 5, No. 75-3100, decided August 29, 1977). DJ 145-6-1483.

Freedom of Information Act; Exemption 5.

In this Freedom of Information Act suit the plaintiff sought disclosure of a Navy Aircraft Accident Report, which is prepared solely for safety purposes, and also the undisclosed portion of a JAG Manual investigation report. The Fifth Circuit accepted our contention that exemption 5 protects the entire Aircraft Accident Report from disclosure because production of the report would destroy the confidentiality upon which the report was based. The court, noted, however, that the JAG Manual investigation report was "fact-oriented," and remanded for an in camera inspection to determine whether the portions remaining undisclosed needed to be withheld in order to protect the deliberative process of the Navy.

Attorney: Thomas G. Wilson (Civil Division),
FTS 739-3395.

Kimbell Foods, Inc. v. Republic National Bank of Dallas, _____ F.2d _____ (C.A. 5, No. 75-4105, decided August 12, 1977). DJ 101-73-129.

Small Business Administration; Lien Priorities.

In 1966 and 1968 Kimbell Foods obtained security interests in O.K. Supermarket's present and future inventory to secure a loan to O.K., and to secure payment of "all other indebtedness at any time hereafter" In 1969 O.K. borrowed \$300,000 from Republic National Bank, with the SBA guaranteeing 90% of the loan. When O.K. defaulted on this latter loan, 90% of the loan was assigned to the SBA, which claimed a priority in the proceeds from the sale of O.K.'s inventory. The district court ruled Kimbell's lien inchoate because it had not been reduced to a judgment before SBA guaranteed the loan from Republic. The Fifth Circuit, while noting other courts of appeals' decisions to the contrary, reversed, concluding that the choateness doctrine did not apply in this case. The court reasoned that the choateness doctrine which tends to favor federal liens should not be extended beyond those specific situations where the Supreme Court has held it applicable-- i.e., 31 U.S.C. § 191 insolvency cases and tax lien cases.

Attorney: Charles Cabaniss (Assistant U.S.
Attorney, N. D. Texas)
FTS 749-1923

United States v. Bender Welding & Machine, _____ F.2d _____,
(C.A. 5, Nos. 76-1770, 1916, decided September 1, 1977).
DJ 83-44; Texas Employers' Insurance Assoc. v. United
States, _____ F.2d _____ (C.A.5, No. 76-2056, decided
September 1, 1977). DJ. 77-0-1-4.

VA Medical Care; Workmen's Compensation.

Three veterans who were injured at work in private industry, and who could not pay for medical treatment, were given care at Veterans Administration hospitals pursuant to 38 U.S.C. § 610(a)(1)(B) (Supp. IV, 1974). That statute authorizes the V.A. to provide hospital care to "any veteran for non-service-connected disability if [he or she] is unable to defray the expenses of necessary hospital or nursing home care." The three were covered by workmen's compensation statutes, and, in accordance with V.A. regulations, they assigned to the V.A. their statutory rights for recovery of medical care costs. The workmen's compensation carriers for the employers of the injured veterans refused to pay the V.A. bills, on the ground that the veterans had received "free" care from the V.A. and had incurred no medical costs of their own. The Fifth Circuit held that the United States had standing to petition for review from the decision of the Department of Labor's Benefits Review Board, notwithstanding our lack of participation at the administrative level. On the merits the court held that the United States, as subrogee, was entitled to reimbursement from the workmen's compensation benefits.

Attorney: Neil H. Koslowe (Civil Division),
FTS 739-5325.

OFFICE OF LEGISLATIVE AFFAIRS
Assistant Attorney General Patricia M. Wald
SELECTED CONGRESSIONAL AND LEGISLATIVE ACTIVITIES
AUGUST 5 - SEPTEMBER 20, 1977

On August 15 the President signed S. 1377, a bill extending time for commencing actions on behalf of Indians for settlement of monetary damages on outstanding Indian Claims. (Public Law 95-103).

On September 16 the Senate passed S. 995, to prohibit discrimination based on pregnancy or related medical conditions.

On September 14 the Senate Judiciary Committee reported out S. 1585, the proposed Child Exploitation Act. The bill, which has several provisions designed to protect children against sexual exploitation, was reported with amendments, one of which provides minimum mandatory sentences for violations of the legislation. Senate Majority Leader Byrd has indicated that the bill will be placed on the calendar for consideration by the Senate before the end of this session of Congress. There are several similar bills pending in the House; however, none of these measures have been reported out of committee.

The House Judiciary Subcommittee on Monopolies and Commercial Law will hold hearings during the week of September 26 on the issue of reorganizing the Fifth Circuit into two separate circuits. The Attorney General is scheduled to testify on September 27. When the hearings are completed, the subcommittee will decide whether to add a provision to the House version of the omnibus judgeship bill, H.R. 7843, which would split the Fifth Circuit. The Senate-passed version of the omnibus judgeship bill, S. 11, already contains such a provision. As a result of the planned hearings on the Fifth Circuit issue, the full House Judiciary Committee is not expected to consider H.R. 7843 before October 4.

On September 26 the House is expected to pass H.R. 7769, a bill which would authorize INS to adjust the status of aliens paroled into the United States as refugees from Vietnam, Laos, or Cambodia to that of aliens lawfully admitted for permanent residence. A comparable Senate bill, S. 694, was introduced by Senator Kennedy early in this session of Congress. No hearings have been held on S. 694, but staff members for the Senate Judiciary Immigration Subcommittee believe that a bill dealing with this problem will be enacted in this session of Congress.

INS has assigned a high priority to the passage of this legislation. In the coming weeks and months at least 160,000 men, women and children will be eligible for 5,100 adjustment opportunities available annually under Section 203(a)(7) of the Immigration and Nationality Act. Therefore, in addition to the importance of the bill as a vehicle for facilitating the adjustment process among refugee families, it is also needed to avoid the administrative chaos which will result if the refugees apply for adjustment of status under present law. Similar special legislation was enacted on behalf of refugees from Hungary and Cuba.

On September 14 the Attorney General testified before the Senate Judiciary Subcommittee on Improvements in Judicial Machinery regarding S. 1423, the proposed Judicial Tenure Act. The Attorney General testified in favor of the bill, which is designed to establish new procedures for the censure or removal of Federal judges or justices as an alternative to impeachment. No hearings have been scheduled on the current House version of the Judicial Tenure Act, H.R. 1850. However, Chairman Kastenmeier of the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice introduced a new bill on the subject, H.R. 9092, on September 12. This revised bill was worked out by his staff after informal consultations with the Office of Legislative Affairs and the Office for Improvements in the Administration of Justice.

Department of Justice representatives met informally with Hill staff members during the week of September 6 to discuss a draft proposal by Senators Kennedy, Metzenbaum and Ribicoff to expand standing to sue. We are in the process of formulating a more formal position on the matter in light of the President's endorsement, in his April 6 consumer message, of legislation which would give citizens broader standing to initiate suits against the government.

Civil Rights Improvements Act (S. 35). Hearings on this bill before the Senate Judiciary Subcommittee on the Constitution have been postponed until October 20. AAG Days will testify.

Diversity. Our proposal to amend the jurisdiction of the federal district courts in diversity of citizenship cases was transmitted to Congress on September 14. It was introduced in the Senate by Chairman Eastland the same day as S. 2094 and in the House as H.R. 9123 on September 15 by Congressman Kastenmeier. Hearings on the proposal are scheduled for September 28 before the Kastenmeier Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice. AAG Meador and Deputy AAG Nejelski of OIAJ will testify.

Federal Insurance Commission. Deputy Assistant Attorney General Joe Sims testified on September 12 before the Senate Committee on Banking, Housing, and Urban Affairs on S. 1710, a bill to establish a federal system for the guarantee of insurance obligations and the formation of federally chartered companies to be regulated by a new independent federal agency, the Federal Insurance Commission. The Department advanced such a proposal in its January, 1977, report on "The Pricing and Marketing of Insurance," as one possible approach to fostering competition in the insurance industry. Mr. Sims urged the Committee to use the proposed legislation as a format to examine the public policy considerations favoring the adoption of a fully competitive pricing system in the insurance industry.

Franchising. Mr. Sims also testified on September 16 before the Consumer Protection and Finance Subcommittee of the House Committee on Interstate and Foreign Commerce on H.R. 5016, the "Franchising Termination Practices Act." Mr. Sims recommended against enactment of the bill due to its potential for protecting inefficient franchisees and preventing the development of competitive systems of distribution. He also discussed how the legislation might not be effective in redressing the inequality of bargaining power between franchisors and franchisees.

Federal Criminal Code Reform. September 15 the Attorney General kicked off the House hearings on the revision of the federal criminal code. The Senate bill, S. 1437, is hopefully going to be considered by the full Senate Judiciary Committee in September or October.

Arbitration. On September 8 we forwarded to OMB for clearance a legislative proposal to provide for arbitration of certain federal civil cases. We want to send this measure to Congress at an early date.

DEA Appropriations Authorization, H.R. 5742, S. 1232. In order to avoid the necessity of appointing a conference committee, Senator Bayh, the sponsor of S. 1232, and Chairman Rogers, the sponsor of H.R. 5742 have reached a compromise which would provide for an extension of appropriations authorization for two years at the funding levels contained in H.R. 5742. In its original version S. 1232 reflected the Administration's position and provided for a specific level of funding for FY 78 and "such sums as are necessary" for FY 79. H.R. 5742 provides specific levels of funding for FY 78, 79 and 80. On September 15 the Senate Judiciary Committee voted to report out Senator Bayh's bill amended in accordance with the compromise agreement. The measure will now be placed on the consent calendar for

consideration by the Senate. After Senate passage the House is expected to accede to the amended Senate version.

Prisoner Exchange. On September 15 the Senate Judiciary Committee reported favorably S. 1682, to implement the prisoner exchange treaties with Mexico and Canada. On September 16 Deputy Attorney General Flaherty testified before the House Judiciary Subcommittee on Immigration, Citizenship and International Law on H.R. 7147, the House counterpart.

Associate Attorney General. On September 14 the Senate Judiciary Committee reported an original bill, S. 2089, creating the position of Associate Attorney General as third ranking in the Department. The comparison bill, H.R. 9105, was introduced by Chairman Rodino the same day.

Witness Fees. Our proposal to increase fees and expenses for witnesses before United States courts was transmitted to the Hill on September 14. Our bill was introduced in the Senate by Senator DeConcini of Arizona (for himself and Mr. Wallop) as S. 2049 and it was introduced in the House by Congressman Kastenmeier as H.R. 9122. Hearings on the proposal -- and also on our bill to increase fees for services performed by United States Marshals (S. 2016)-- are scheduled for September 26 before Senator DeConcini's Judiciary Subcommittee on Improvements in Judicial Machinery. AAG Kevin Rooney will testify.

Institutionalized Persons. The House Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice held markup sessions on September 15 and 16 on H.R. 2439, a bill to authorize actions by the Attorney General to redress deprivations of constitutional and other federally protected rights of institutionalized persons. We anticipate that the bill will be reported favorably to the full Judiciary Committee.

Special Prosecutor. The House Judiciary Subcommittee on Criminal Justice held a markup session on September 20 on H.R. 2835, establishing a special prosecutor. Another markup is set for September 22.

Illinois Brick Case. The Senate Judiciary Antitrust Subcommittee intends to markup during the week of September 26 S. 1874, to amend the Clayton Act so as to remedy the Supreme Court decision in the Illinois Brick case, where the Court ruled that only persons who purchase goods directly from an antitrust violator may recover damages. We strongly support S. 1874.

Federal Tort Claims Act Amendments. Our proposal to amend the Federal Tort Claims Act to protect federal employees from suits for money damages arising out of the performance of their duties was sent to Congress on September 16. The goal would be accomplished by making the government liable to the victims of common law and Constitutional torts committed by federal employees acting within the scope of the employees' office or in certain instances when the employees were acting "under color of" their office or employment.

Victims of Crime. The House completed all general debate on September 14 on H.R. 7010, to compensate victims of crime. Final consideration of the bill is likely during the week of September 19.

Nominations:

On August 16, 1977, the Senate received the following nominations:

Alvin B. Rubin, of Louisiana, to be U.S. Circuit Judge for the Fifth Circuit;
Eugene H. Nickerson, to be U.S. District Judge for the Eastern District of New York;
Charles P. Sifton, to be U.S. District Judge for the Eastern District of New York;

On August 25, 1977, the Senate received the following nominations:

Gilbert S. Merritt, of Tennessee, to be U.S. Circuit Judge for the Sixth Circuit;
Edward H. Johnstone, to be U.S. District Judge for the Western District of Kentucky;

On August 29, 1977, the Senate received the following nominations:

Procter R. Hug, Jr., of Nevada, to be U.S. Circuit Judge for the Ninth Circuit;
Thomas Tang, of Arizona, to be U.S. Circuit Judge for the Ninth Circuit;

On September 14, 1977, the Senate received the following nomination:

Robert J. Del Tufo, to be U.S. Attorney for the District of New Jersey;

On September 9, 1977, the Senate received the following nominations:

Ronald L. Rencher, to be U.S. Attorney for the District of Utah;
Edward L. Shaheen, to be U.S. Attorney for the Western District of Louisiana;

September 9, 1977 Nominations (Continued)

M. Karl Shurtliff, to be U. S. Attorney for the District of Idaho.

On September 16, 1977, the Senate received the following nominations:

Louis F. Oberdorfer, of Virginia, to be U.S. District Judge for the District of Columbia;

Roxanne Barton Conlin, to be U.S. Attorney for the Southern District of Iowa;

Jacob V. Eskenazi, to be U.S. Attorney for the Southern District of Florida;

Julian K. Fite, to be U.S. Attorney for the Eastern District of Oklahoma;

Andrea M. Sheridan Ordin, to be U.S. Attorney for the Central District of California;

David T. Ready, to be U.S. Attorney for the Northern District of Indiana;

James H. Reynolds, to be U.S. Attorney for the Northern District of Iowa;

Barry E. Teague, to be U.S. Attorney for the Middle District of Alabama.

Confirmations:

On September 15, 1977, the Senate confirmed the following nominations:

John H. Shenefield of Virginia, to be Assistant Attorney General;

Jose A. Canales, to be U.S. Attorney for the Southern District of Texas;

Hubert H. Bryant, to be U.S. Attorney for the Northern District of Oklahoma;

Frank Jones, of Virginia, to be an Assistant Director of the Community Services Administration; and

Procter R. Hug, Jr., of Nevada, to be U.S. Circuit Judge for the Ninth Circuit.

James W. Moorman, of California, to be an Assistant Attorney General.

On September 16, 1977, the Senate confirmed the following nominations:

Alvin B. Rubin, of Louisiana, to be U.S. Circuit Judge for the Fifth Circuit; and

Harry H. MacLaughlin, to be U.S. District Judge for the District of Minnesota.