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 AUGUST 6, 1982 NO. 15

VOL. 30 AUGUST 6, 1982 NO. 15

TABLE OF CONTENTS

COMMENDATIONS

Assistant United States Attorney SAMUEL M. FORSTEIN, Eastern District of Pennsylvania, has been commended by Mr. Norton J. Wilder, Special Agent-in-Charge, Drug Enforcement Administration, Philadelphia, Pennsylvania, for the successful prosecution of three pharmacists convicted of conspiracy and five counts of illegal distribution of controlled substances.

Assistant United States Attorneys MICHAEL GOLD and VIVIAN SHEVITZ, Eastern District of New York, have been commended by Mr. Richard T. Bretzing, Special Agent-in-Charge, Federal Bureau of Investigation, Los Angeles, California, for their admirable qualities displayed during the highly complex trial involving the New York City Transit Authority in United States v. O'Grady.

Special Assistant United States Attorney VICKI GOLDEN and Assistant United States Attorney ROBERT SHELDON, District of Columbia, have been commended by Mr. George M. White, FAIA, Architect of the Capitol, for their extraordinary efforts put forth in the Civil Action, Interface Flooring Systems, Inc. v. George M. White and B. Shehadi & Sons, Inc., calling for a restraining order by an unsuccessful bidder.

Assistant United States Attorney HARVEY GOLUBOCK, Eastern District of New York, has been commended by J.F. Williamson, Inspector in Charge, United States Postal Service, New York, New York, for exceptional conduct during the complex mail fraud trial of United States v. Cancilla, involving car insurance claims.

Assistant United States Attorney JOHN E. MURPHY, Chief of the Controlled Substances Unit, Western District of Texas, has been commended by DEA and was presented a Certificate of Appreciation by Chuck Carter, Special Agent-in-Charge, Western District of Texas, for his outstanding service in handling major drug cases.

Assistant United States Attorney SUE ELLEN TATTER, District of Alaska, has been commended by Mr. William H. Webster, Director, Federal Bureau of Investigation, for the professionalism and diligence displayed in the prosecution of James B. Goodman, who was found guilty of 21 counts of fraud against the Government.

EXECUTIVE OFFICE FOR U. S. ATTORNEYS
William P. Tyson, Director

POINTS TO REMEMBER

Illicit Export of Critical Military Technology to the Soviet Bloc

As you are aware, the Administration has assigned a high priority to controlling the export of critical militarily-applicable technology to the Soviet Union and its allied countries. The President has directed that immediate, forceful, and coordinated actions be taken by all concerned government agencies to stop the flow of critical technology transfers to the Soviet Bloc.

Seizures of high technology equipment destined for Soviet Bloc countries have been made and prosecutions are presently pending. Furthermore, investigations are being vigorously pursued against organizations and persons engaged in the illegal exportation of such equipment. The two statutes relating to this area are the Arms Export Control Act (22 U.S.C. 2728) and the Export Administration Act (50 U.S.C. App. 2401 et seq.).

In view of the high priority nature of these programs, you are requested to undertake speedy and vigorous prosecutions of violations of federal laws involving the transfers of strategic technology to the Soviet Bloc. You are also requested to seek the imposition of appropriate sentences and to solicit appropriate media coverage of these prosecutions, in accordance with Department regulations, in order to maximize the deterrent effect of this essential program.

The Criminal Division has created the Export Control Enforcement Unit, in the Internal Security Section. Should you require assistance in developing specific cases, you should contact Mr. Joseph J. Tafe, Unit Chief (FTS 724-7103). The Export Control Enforcement Unit should be informed of all significant cases under the export control laws, and you should coordinate with this unit before initiating prosecution in significant cases.

Finally, the Department should be kept advised of all such investigations through utilization of the Department of Justice Urgent Report. The procedures are set forth in the United States Attorneys' Manual (USAM 1-5.600(B)). Verbal communications of major developments should be directed to me (FTS 633-2121), or Laurence S. McWhorter, Acting Deputy Director (FTS 633-2123).

(Executive Office)

Immunity of Federal Officials

On June 24, 1982, the Supreme Court issued a major decision concerning the immunity of federal officials from personal liability for conduct undertaken in the course and scope of federal employment. In Harlow, et al. v. Fitzgerald, ___ U.S. ___ (50 USLW 4815), the Supreme Court, in an 8-1 decision (the holding could be considered unanimous since the Chief Justice agreed with the majority but dissented because the majority did not go far enough), expanded the potential availability of absolute immunity, drastically altered the test for qualified immunity (making it an easier defense to establish on motion), restricted discovery and emphasized to the lower courts that many cases against federal officials should be dismissed on threshold immunity motions. Individual federal defendants represented by the Department of Justice are entitled to have all briefs in support of presently pending or future immunity motions reflect the holding in Harlow and district judges must be advised of the admonition of the Supreme Court that "public policy at least mandates an application of the qualified immunity standard that would permit the defeat of insubstantial claims without resort to trial." The Torts Branch Monograph entitled Damage Suits Against Federal Officials, Department of Justice Representation, Immunity will be revised to reflect the Harlow decision and other developments; in the interim, the following guidance is offered:

1. Qualified Immunity: In Butz v. Economou, 438 U.S. 478 (1978), the Supreme Court held that in suits alleging constitutional violations, federal officials were entitled to an affirmative defense of qualified immunity if they established two elements. The first was objective: a reasonable belief in the propriety of the conduct in question; the second was subjective: that the official acted in good faith and without malice. The holding in the 5-4 Butz decision represented the striking of a balance between competing interests and it was premised upon the express belief that the district judges would terminate "insubstantial lawsuits" quickly. However, this premise proved erroneous; district courts were reluctant to reach decisions on the subjective, good faith of the federal defendants, believing it a jury question and broad discovery was permitted on the issue. Citing the adverse impact this result had upon the governmental process, the court in Harlow eliminated the subjective element and defined "the limits of qualified immunity essentially in objective terms." If, on summary judgment, it is determined that the law was not clearly established, then the case must be dismissed. Moreover, "[u]ntil this threshold immunity question is resolved, discovery should not be allowed." In view of this development, it

is even more imperative that we continue aggressively to seek threshold dismissals through properly supported motions pursuant to Rules 12 and 56 of the Federal Rules of Civil Procedure and to resist all efforts to take discovery from or about our clients.

2. Absolute Immunity In Constitutional Tort Suits: The Harlow opinion expands the potential availability of absolute immunity. To date, the courts of appeal have been reluctant to recognize absolute official immunity in suits alleging constitutional violations for executive officers beyond those who exercised prosecutorial or judicial functions. The Harlow opinion holds that "[f]or aides entrusted with discretionary authority in such sensitive areas as national security or foreign policy, absolute immunity might well be justified to protect the unhesitating performance of functions vital to the national interest." 50 USLW at 4818. We view this as a clear signal by the Court to the lower courts that their prior view was unduly narrow. The burden of establishing entitlement to absolute immunity rests upon the defendant and, in view of the importance which must be attached to proper development of this area of the law, we reiterate that Departmental consultation is required before the defense of absolute immunity is asserted in suits alleging constitutional violations. For cases within the cognizance of the Civil Division, please contact Torts Branch Director John J. Farley, III (724-6805) or Assistant Directors John L. Euler (724-6729) or R. Joseph Sher (724-6731).

3. Absolute Immunity In Common Law Tort Suits: The holding of Barr v. Matteo, 360 U.S. 564 (1959), that federal officials are absolutely immune from common law tort suits, appears to have been reaffirmed and strengthened in Harlow. 50 USLW 4817.

4. Application: While the Harlow opinion was decided with respect to high level White House aides, the actual holding (50 USLW at 4820) strongly indicates that the decision is to be given broad applicability: "We therefore hold that government officials performing discretionary functions generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." (Emphasis added.) Therefore, we must seek to establish the discretionary nature of the responsibilities of the federal defendant and seek to secure for the defendant

the benefit of the Harlow opinion. Please note our view that the term "discretionary functions" is entitled to broader construction and application for purposes of qualified immunity than it has been given under the Federal Tort Claims Act (28 U.S.C. 2680(a)). Any attempt confuse the two concepts or to incorporate the body of law developed under the FTCA into an immunity analysis should be vigorously resisted. Finally, as always, care must be taken to insure that all personal and immunity defenses, including qualified and absolute immunity, arguably available to our clients are raised in responsive pleadings or initial motions to prevent their being waived pursuant to Rule 12 (h), Fed. R. Civ. P.

(Civil Division)

Elimination of Legal Size Paper for Court Submissions

A list indicating the mandatory dates for each district to effect the change from legal to 8 1/2 x 11 paper has been published in the appendix of this issue of the USAB.

(Executive Office)

Commendation - Debt Collection

The following is a letter of commendation from Attorney General William French Smith to United States Attorney Charles R. Brewer, Western District of North Carolina, in recognition of his achievements and determination in debt collection efforts.

(Executive Office)

400
VOL. 30 AUGUST 6, 1982 NO. 15

Office of the Attorney General
Washington, D. C. 20530

July 16, 1982

Charles R. Brewer, Esq.
United States Attorney
for the Western District
of North Carolina
P.O. Box 132
Asheville, North Carolina 28802

Dear Charles:

I recently became aware of your outstanding debt collection efforts and the acclaim they have elicited in the June 7 edition of the Asheville Times. I commend your achievements.

As you know, the collection of delinquent debts is a major initiative of this Administration and a personal priority of mine for this Department. I was gratified by your statement that you give debtors 30 days to pay in full and if they do not pay, then "we sue them." That is policy that I have pledged U.S. Attorneys would follow with respect to cases referred from the Department of Education for collection.

Congratulations to you and your entire debt collection staff. Please keep up the good work.

Sincerely,

Bill

William French Smith
Attorney General

VOL. 30 AUGUST 6, 1982 NO. 15

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Pratte v. NLRB, 7th Cir. No. 82-1064 (July 8, 1982). D.J. #35-23-261.

REVOCATION OF OFFER OF GOVERNMENT EMPLOYMENT/ ESTOPPEL: SEVENTH CIRCUIT HOLDS GOVERNMENT IS NOT ESTOPPED FROM REVOKING OFFER OF EMPLOYMENT.

Plaintiff, a Harvard Law School graduate, was offered a position as a law clerk-trainee with the National Labor Relations Board's Chicago Regional Office. The offer was revoked pursuant to the President's January 1981 hiring freeze but was later extended again and accepted again. Shortly before plaintiff was to have entered on duty, the President ordered another round of budget cuts, and the NLRB was forced to take several cost-saving measures, including revoking all job offers. Plaintiff filed suit in district court claiming that the NLRB was estopped from revoking her unconditional offer because she had relied on it to her detriment. The district court issued a preliminary injunction ordering the NLRB to hire plaintiff.

On our appeal, the Seventh Circuit vacated the injunction and ordered the district court to dismiss the action. Without addressing the threshold question of irreparable injury, the court held as a matter of law that no estoppel would lie against the government in this case because plaintiff's inference that her unconditional offer was irrevocable was unjustified and therefore was not reasonable reliance. In addition, the court held that the NLRB's actions "could hardly be characterized as affirmative misconduct or bad faith in light of the on-going budgetary crisis."

The court also reaffirmed the principle that "where the availability of a preliminary injunction turns on the interpretation of law rather than on the facts, the appellate court is free to review de novo the district court's judgment."

Attorneys: J. Paul McGrath, Assistant Attorney General (Civil Division)
FTS (633-3301)

Freddi Lipstein (Civil Division)
FTS (633-4825)

CIVIL DIVISION
Assistant Attorney General J. Paul McGrath

Douglas Glynn Payton v. United States, 11th Cir. No. 79-2052 (July 1, 1982). D.J. #157-16-5630

FTCA/DISCRETIONARY FUNCTION: ELEVENTH CIRCUIT, EN BANC, RULES THAT THE BOARD OF PAROLE'S DECISIONS ARE WITHIN THE DISCRETIONARY FUNCTION EXCEPTION TO THE FTCA BUT OPENS DOOR TO CLAIMS AGAINST BUREAU OF PRISONS.

A murder victim's husband and children brought suit under the Federal Tort Claims Act, alleging that a federal prisoner was paroled in total disregard of medical reports indicating that he was a homicidal psychotic, and that thereafter he brutally raped, murdered and mutilated three women. The district court dismissed for lack of jurisdiction, holding the cause of action barred by the discretionary function exception. A panel of the court of appeals reversed. Rehearing en banc was granted.

A five-member plurality of the en banc court has held that the trial court did not have jurisdiction of the counts of the complaint alleging that the Board of Parole was negligent in releasing the prisoner, in failing to supervise him on parole, or in failing to give adequate consideration to records showing his homicidal tendencies because of the discretionary nature of the parole statutes. However, the majority ruled that the trial court did have jurisdiction over certain counts alleging that the Bureau of Prisons failed to supply the prisoner's complete prison records to the Board of Parole, failed to conduct a mental examination, and failed to afford psychiatric treatment. In a vigorous concurring and dissenting opinion, four members maintained that the discretionary function exception requires the dismissal of all counts of the complaint. They opined that the plurality decision "not only misconceives Congress' intent, but also invites litigation that may debilitate our system of criminal justice administration." Three judges, dissenting, would have affirmed the initial panel opinion.

We are considering whether to petition for certiorari.

Attorney: Eloise E. Davies (Civil Division)
FTS (633-3425)

VOL. 30 AUGUST 6, 1982 No.15

OFFICE OF LEGISLATIVE AFFAIRS
Assistant Attorney General Robert A. McConnell

SELECTED CONGRESSIONAL AND LEGISLATIVE ACTIVITIES

JULY 23, 1982 - AUGUST 4, 1982

Insanity Defense Reform. On Monday, July 19, Attorney General Smith and Associate Attorney General Giuliani appeared before the Senate Judiciary Committee in support of insanity defense reforms proposed in S. 2572, the Violent Crime and Drug Enforcement Improvements Act of 1982. On Wednesday, Mr. Giuliani appeared before a House Judiciary Subcommittee for the same purpose. The mens rea approach endorsed by the Administration was well received by both the Senate and House Committees. While there is intense Congressional interest in reforming existing insanity procedures, the major impediment to prompt reform is the fact that Members of Congress disagree as to the best approach to take.

Extradition Amendments. On July 21, the House Foreign Affairs Committee held a hearing on extradition amendments reported by the House Judiciary Committee. Deputy Assistant Attorney General Roger Olson of the Criminal Division represented the Department of Justice and pointed out the need for changes in the bail and political offense provisions of the House Judiciary Committee bill. The changes supported by the Department (and by the State Department witness) would enhance the ability to secure extradition of international terrorists and narcotics traffickers who are found within the United States.

Arson Amendments. The House Judiciary Committee has favorably reported amendments to federal arson laws to clarify federal jurisdiction over certain serious arson offenses affecting interstate commerce; under present law, federal jurisdiction does not attach unless arson involves an "explosive" (interpreted in some Circuits to include gasoline). This House bill is substantially similar to the arson amendments included within the miscellaneous title of the omnibus crime bill, S. 2572 and H.R. 6497.

Court Reform Legislation. On July 21, the House Judiciary Subcommittee on Courts, Civil Liberties, and the Administration of Justice approved H.R. 2401, a bill to abolish mandatory Supreme Court jurisdiction, and H.R. 4396, a bill to eliminate statutory priorities for civil cases. The Department recently supported both bills in testimony before the Subcommittee.

Bankruptcy Judges. On July 21, Assistant Attorney General Jonathan C. Rose, Office of Legal Policy, appeared before the Sub-

committee on Monopolies and Commercial Law of the House Judiciary Committee to discuss the recent Marathon Oil Pipeline case where the Supreme Court invalidated the bankruptcy court scheme found in the 1978 Act, which reformed the bankruptcy laws. In addition to discussing the case, Mr. Rose reviewed several alternative proposals.

Debt Collection. On July 21, Robert N. Ford, Deputy Assistant Attorney General, Civil Division, and Francis Keating, U.S. Attorney, Northern District of Oklahoma, appeared before the Subcommittee on Energy, Nuclear Proliferation, and Government Processes of the Senate Governmental Affairs Committee to discuss the Department's efforts in the debt collection area. Also appearing with Mr. Ford and Mr. Keating were George Williams, Assistant U.S. Attorney, District of Columbia, and Charles Dause, Assistant U.S. Attorney, Western District of Kentucky.

Clear Water Act. On July 16, Carol E. Dinkins, Assistant Attorney General, Land and Natural Resources Division, appeared before the Subcommittee on Environmental Pollution of the Senate Committee on Environment and Public Works to discuss section 404 of the Clean Water Act.

Surplus Property Legislation. The Senate passed the Military Construction Authorization (S. 2586) on June 30, 1982. Section 804 of this Act would have a serious impact on a legislative initiative dealing with the transfer of surplus Department of Defense (DOD) properties to states and localities for correctional purposes, supported by the Administration and by this Department (S. 1422 and H.R. 6207).

The Department strongly endorses in principle the facilitation of such dispositions. In addition, we recently recommended enactment of S. 1422 with redrafting. S. 1422 passed in the Senate on May 26, 1982.

Section 804 of the Military Construction Act (MCA) would, among other things, authorize: The President or his designee, if he determines it to be in the public interest or necessary for national defense purposes, to sell or exchange any real property under the jurisdiction of the military departments.

Section 804 was included in S. 2586 which passed the Senate. The provisions of section 804 are not included in the House version of the MCA which is presently being considered by the House Rules Committee. If the House bill passes without the provision, it will go to a conference committee for resolution of the differences.

The Department believes that section 804 of MCA would make it much more difficult for state and local governments to utilize excess or surplus Department of Defense properties for corrections. Department of Defense properties are often the surplus federal properties most suitable for correctional conversions.

Federal Tort Claims Act Amendments. The House Committee on the Judiciary Subcommittee on Administrative Law and Government Relations reported H.R. 24 on Thursday, July 29. As reported, the bill contains the "good faith" defense.

Selective Service Prosecution Policy. On Wednesday, July 28, Representative Kastenmeier's House Judiciary Subcommittee held an oversight hearing on prosecution of persons who have failed to register with the Selective Service System. The Department witness, Lawrence Lippe, Chief of the Criminal Division's General Litigation and Legal Advice Section, testified that four indictments have been filed to date and that several hundred other cases are under investigation with further indictments expected. The Department witness made clear that the purpose of these prosecutions is to encourage registration. Questions about the details of the Department's prosecution policy were not answered, as to do so would undermine the purpose of enforcement efforts by creating a "roadmap" for those inclined to violate the law. Most of the Subcommittee's questions were directed to the Director of the Selective Service System.

Relief of the Coushatta Tribes - H.R. 2337 and H. Res. 114. On July 28, the Subcommittee on Administrative Law and Governmental Relations of the House Judiciary Committee held a hearing on H.R. 2337 and H. Res. 114. H.R. 2337 provides for the payment of an undetermined sum of money to certain tribal chiefs and members in full settlement of all claims of the tribes. H. Res. 114 refers H.R. 2337 to the U.S. Claims Court. Anthony Liotta, Deputy Assistant Attorney General, Lands and Natural Resources, represented the Department.

Nominations. The United States Senate has confirmed the following nominations:

Patrick E. Higginbotham, of Texas, to be U.S. Circuit Judge for the Fifth Circuit.

E. Grady Jolly, of Mississippi, to be U.S. Circuit Judge for the Fifth Circuit.

Richard A. Gadbois, Jr., to be U.S. District Judge for the Central District of California.

J. Lawrence Irving, to be U.S. District Judge for the Southern District of California.

Julio Gonzales, to be U.S. Marshal for the Central District of California.

James O. Golden, of Virginia, to be U.S. Marshal for the District of Columbia.

Eugene V. Marzullo, to be U.S. Marshal for the Western District of Pennsylvania.

VOL. 30 August 6, 1982 NO. 15

Federal Rules of Criminal Procedure

Rule 6(d). The Grand Jury. Who May Be Present.

During a grand jury which lasted 18 months, intrusions by unauthorized persons occurred on five occasions. On two occasions, a Deputy U.S. Marshal came in the room, handed a document to the prosecutor, and left promptly. On a third occasion, the Marshal entered and left immediately. On the fourth occasion, a woman entered, handed a document to the prosecutor, and left. On the last occasion, an air conditioning maintenance man entered the room in response to complaints about the heat, and left when instructed by the prosecutor. Each intrusion brought the proceedings to a halt and no testimony was taken in the presence of these unauthorized persons. The district court dismissed the indictment finding that the unauthorized entries violated Rule 6(d). The Government appealed.

The court held that the intrusions did not establish "demonstrable prejudice or substantial threat thereof" since there was no intrusion of significant duration nor any showing of deliberate rule disregard by the Government or prejudice to the defendant. The court stated that the duration of the entire proceeding was significant in assessing the specific interruptions. However, the court stated that the prosecutors were obviously not diligent in keeping the sanctity of the grand jury room inviolate in view of the fact that all of the intruders, except the maintenance man, were apparently under the prosecutor's control, and the court cautioned that prosecutors should scrupulously comply with Rule 6(d).

(Reversed and remanded.)

United States v. Computer Sciences Corporation, et al., ___ F.2d ___, Nos. 81-5053 and 81-5099 (4th Cir. June 16, 1982).

VOL. 30 August 6, 1982 NO. 15

Federal Rules of Criminal Procedure

Rule 11(e)(4). Plea Agreement Procedure. Rejection of a Plea Agreement.

Defendant was charged in a two count indictment and entered into a plea agreement with the Government in which he agreed to plead guilty to one count of robbery in return for dismissal of the second count of transporting a stolen vehicle and for the Government's silence at the time of sentencing. Defendant had been previously sentenced under a state court conviction and the possiblity of serving that sentence concurrently with the federal sentence was raised with the Government but not made a part of the agreement. The court initially accepted the plea agreement, but later vacated defendant's guilty plea on the basis that the written agreement did not fully reflect defendant's understanding that a promise of serving concurrent sentences was not part of the agreement, despite defendant's oral assertions at the hearing that he recognized the sentencing decision was solely that of the court. Defendant was subsequently convicted on both counts. He appealed, claiming the court had improperly ordered his guilty plea withdrawn.

The court of appeals held that while a defendant has no absolute right to have a guilty plea accepted, Rule 11(e)(4) does not require that all of the terms of a plea agreement be embodied in an integrated writing. Since every aspect of court proceedings is preserved in the court reporter's record, the public policies served by the parol evidence rule and the Statute of Frauds are not relevant here. Defendant's oral statements under questioning by the court that he fully understood all aspects and limits of the agreement obviated the need for a revised written agreement, and the withdrawal by the court of defendant's guilty plea was an abuse of its discretion which resulted in prejudicial error.

(Reversed and remanded.)

United States v. Rodney Delegal, 678 F.2d 47 (7th Cir. May 14, 1982).

VOL. 30 AUGUST 6, 1982 NO. 15

U.S. ATTORNEY'S LIST AS OF August 6, 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
Colorado	Robert N. Miller
Connecticut	Alan H. Nevas
Delaware	Joseph J. Farnan, Jr.
District of Columbia	Stanley S. Harris
Florida, N	K. M. Moore
Florida, M	Robert W. Merkle, Jr.
Florida, S	Stanley Marcus
Georgia, N	James E. Baker
Georgia, M	Joe D. Whitley
Georgia, S	Hinton R. Pierce
Guam	David T. Wood
Hawaii	Daniel A. 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	Evan L. Hultman
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, Jr.
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	Gustave J. DiBianco
New York, S	John S. Martin, Jr.
New York, E	Edward R. Korman
New York, W	Salvatore R. Martoche
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	Gary L. Richardson
Oklahoma, W	William S. Price
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	Hugh P. Mabe, III
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

Elimination of Legal Size Paper for Court Submissions

All United States Attorneys' offices have been queried as to the effective date for mandatory use of 8 1/2 x 11 paper for court submitted documents.

The following districts have a mandatory date of January 1, 1983:

Middle District of Alabama
Northern District of Alabama
Southern District of Alabama
District of Alaska
Eastern District of Arkansas
Western District of Arkansas
Eastern District of California
Northern District of California
Southern District of California
District of Columbia
District of Connecticut
District of Delaware
Middle District of Florida
Northern District of Florida
Southern District of Florida
Middle District of Georgia
Northern District of Georgia
Southern District of Georgia
District of Hawaii
District of Idaho
Central District of Illinois
Northern District of Indiana
Southern District of Indiana
Northern District of Iowa
Southern District of Iowa
District of Kansas
Eastern District of Kentucky
Western District of Kentucky
Eastern District of Louisiana
Middle District of Louisiana
Western District of Louisiana
District of Maine
District of Maryland
District of Massachusetts
Eastern District of Michigan
Western District of Michigan
Northern District of Mississippi
Southern District of Mississippi
Eastern District of Missouri
Western District of Missouri
District of Montana
District of Nebraska
District of New Hampshire
District of New Jersey
District of New Mexico
Eastern District of New York
Northern District of New York
Southern District of New York
Western District of New York
Middle District of North Carolina
Western District of North Carolina
District of North Dakota
Northern District of Ohio
Southern District of Ohio
Eastern District of Oklahoma
Northern District of Oklahoma
District of Oregon
Middle District of Pennsylvania
Western District of Pennsylvania
District of Puerto Rico
District of Rhode Island
District of South Carolina
District of South Dakota
Middle District of Tennessee
Western District of Tennessee
Eastern District of Texas
Northern District of Texas
Southern District of Texas

Western District of Texas	Western District of Washington
District of Utah	Northern District of West Virginia
District of Vermont	Southern District of West Virginia
Western District of Virginia	Eastern District of Wisconsin
District of Virgin Islands	Western District of Wisconsin
Eastern District of Washington	District of Wyoming

The following districts have a mandatory date other than January 1, 1983. These mandatory dates are noted.

District of Arizona	October 1, 1982
Central District of California	November, 1977
District of Colorado	October 1, 1982
District of Guam	July 1, 1982
Northern District of Illinois	July 1, 1980
Southern District of Illinois	January 1, 1982
District of Minnesota	July 1, 1982
District of Nevada	May 1, 1982
Eastern District of North Carolina	July 1, 1982
Northern Mariana Islands	July 1, 1982
Western District of Oklahoma	September 1, 1982
Eastern District of Pennsylvania	September 1, 1980
Eastern District of Tennessee	March 1, 1982
Eastern District of Virginia	October 1, 1982