



United States Attorneys' Bulletin



**EXECUTIVE
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UNITED
STATES
ATTORNEYS**

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COMMENDATIONS

The following Assistant United States Attorneys have been commended:

SAMUEL D. ARMSTRONG (Florida, Southern) by Special Agent-in-Charge Diogenes Galanos, Drug Enforcement Administration, for his successful handling of a pharmacy case involving violations of the Controlled Substances Act.

ROBERT A. BEHLEN, JR. (Ohio, Southern) by Rear Admiral R. T. Nelson, United States Coast Guard, for his successful efforts in a Federal Water Pollution Control Act case.

SUSAN A. EHRLICH (Arizona) by Special Agent-in-Charge Herbert H. Hawkins, Jr., Federal Bureau of Investigation, for her assistance in Organized Crime Enforcement Task Force prosecutions.

NATHAN A. FISHBACH (Wisconsin, Eastern) by Criminal Investigation Division Chief Elliott E. Lieb, Internal Revenue Service, for his outstanding efforts and successful prosecution of a tax case.

CHARLES F. FLYNN and ROYCE C. LAMBERTH (District of Columbia) by Director William P. Tyson, Executive Office for United States Attorneys, Department of Justice, for their successful representation of a complaint before the District of Columbia Board of Professional Responsibility.

THERESA J. FLYNN, MARK V. JACKOWSKI, ROBERT KENNEDY, GARY H. MONTILLA, WARREN A. ZIMMERMAN, and TERRY A. ZITEK (Florida, Middle) by Special Agent-in-Charge Robert W. Butler, Federal Bureau of Investigation, for their participation in the development and execution of the Moot Court/Witness Enhancement Training Session for FBI agents.

ADAM KURLAND (California, Eastern) by Criminal Investigation Division Chief Wayne A. McEwan, Internal Revenue Service, for his successful prosecution of a nationwide tax refund scheme; and by Deputy Chief United States Probation Officer William A. Barrett, United States District Court, for his successful presentation of probation violation charges against David Phillips.

MICHAEL L. MARTINEZ (District of Columbia) by Director Norman A. Carlson, Federal Bureau of Prisons, for his excellent assistance in a Bivens-type action.

K. ALLEN MCLEAN (Montana) by Special Agent Richard C. Branzell, Jr., Fish and Wildlife Service, Department of the Interior, for his successful conclusion of an Endangered Species Act violations case.

PAUL J. MORIARTY (Florida, Middle) by Assistant Attorney General F. Henry Habicht II, Land and Natural Resources Division, Department of Justice, for his successful prosecution of a mail fraud, environmental, and false claims case.

ERNST D. MUELLER and PETER J. STRIANSE (Florida, Middle) by Regional Director Jack T. Brawner, National Oceanic and Atmospheric Administration, Department of Commerce, for their exceptional job in prosecuting an endangered species case.

MARK E. NAGLE (District of Columbia) by Brigadier General John L. Fugh, United States Army, for his successful conclusion of a case involving a disappointed communications equipment contract bidder.

RICARDO R. PESQUERA (Puerto Rico) by Special Agent-in-Charge James C. Esposito, Federal Bureau of Investigation, for his successful prosecution of a significant "fence" of property stolen in Puerto Rico.

MIOGENE D. QUATRARO and MARK ST. ANGELO (California, Eastern) by General Counsel Gerald M. Auerbach, United States Marshals Service, for their successful defense of a constitutional claims and Federal Tort Claims Act case.

PETER B. ROBINSON (California, Northern) by Chief of Police O.R. Shipley and Fire Chief Vern Cooney, City of Eureka, California, for his successful prosecution of an arson-for-profit case.

SUE LEWIS ROBINSON (Delaware) by Regional Inspector General for Investigation Robert S. Cavanaugh, Department of Health and Human Services, for her successful prosecution of the first Medicare case in the District of Delaware.

ERIC WM. RUSCHKY and DAVID J. SLATTERY (South Carolina) by Inspector General Richard P. Kusserow, Department of Health and Human Services, for their outstanding prosecution of Medicaid fraud.

JAMES C. SABALOS and STEVEN A. SHAW (Texas, Southern) by Director W. Preston Smith, Office of Inspector General, Johnson Space Center, NASA, for their successful prosecution of a government property theft case.

RICHARD L. SCHEFF (Pennsylvania, Eastern) by Inspector-in-Charge D.A. Planey, United States Postal Service, for his successful prosecution of an 18 U.S.C. §2252 (knowing receipt of child pornography) case.

JAMES L. SUTHERLAND (Oregon) by Regional Forester James F. Torrence, Department of Agriculture, for his excellent representation of a lawsuit involving the Three Horn Fire on the Umpqua National Forest.

MARY C. WILLIAMS (District of Columbia) by Inspector General Richard P. Kusserow, Department of Health and Human Services, for her successful conclusion of a federal personnel matter.

POINTS TO REMEMBER

Disclosure of USA Form 792, Report on Convicted Prisoner.

An agreement between the Parole Commission and the Executive Office for United States Attorneys regarding the disclosure of USA Form 792 pursuant to requests for access under the Freedom of Information/Privacy Act was confirmed in an April 7, 1986 memorandum. It was agreed that when the author of the form indicates it may be disclosed to the prisoner, the Parole Commission will no longer refer the form to the Executive Office for disclosure determination, but will simply provide a copy to the prisoner. The Executive Office is in the process of revising the form to reflect this change in procedure.

(Executive Office)

D. C. Circuit Holds Presentence Reports Properly Withheld Under Exemption 5 of FOIA.

The District of Columbia Court of Appeals held that presentence reports can be withheld from disclosure under exemption 5 of the Freedom of Information Act (FOIA), 5 U.S.C. §552(b)(5). Durns v. Bureau of Prisons, ___ F.2d ___, No. 85-5704, (D.C. Cir. September 12, 1986).

In Durns, the court considered the government's appeal from four district court decisions compelling disclosure of presentence reports to federal prisoners. Exemption 5 of FOIA exempts from disclosure "inter-agency or intra-agency memoranda or letters which would not be available by law to a party . . . in litigation with the agency." The government contended that there is a civil discovery presentence report privilege incorporated into exemption 5 and, therefore, presentence reports can be properly withheld under that exemption. The court agreed and, in so ruling, indicated that the report can be withheld irrespective of whether the requester or a third party is the subject of the report, whether the requester was previously given access to the report, or whether the requester could show special need which would defeat a qualified privilege, permitting access to the report in a civil proceeding.

(Executive Office)

CASENOTES

OFFICE OF THE SOLICITOR GENERAL

The Solicitor General has authorized the filing of:

A petition for certiorari in Secretary of HHS v. Wilson, 796 F.2d 36 (3d Cir. 1986). The issue is the validity of regulations established by the Secretary to determine the severity of disability of individuals applying for Social Security benefits.

A petition for a writ of certiorari in Hodel v. Missouri, 787 F.2d 270 (8th Cir. 1986). The question is whether the Secretary of Interior may enter into a contract, pursuant to the federal reclamation laws, to supply unutilized irrigation water from a Missouri River mainstream reservoir for industrial use.

A petition for a writ of certiorari in United States v. Messina Builders and Contractors Co., 801 F.2d 1029 (8th Cir. 1986). The question presented is whether the IRS, as a prerequisite to a civil suit under Section 3505 of the Internal Revenue Code, must send to the lender a copy of the tax bill that is required to be sent to the employer under Section 6303(a) of the Code.

A petition for a writ of certiorari in INS v. Abudu, 802 F.2d 1096 (9th Cir. 1986). The issue is whether the Board of Immigration Appeals, in ruling on a motion to reopen deportation proceedings, must draw all reasonable inferences in favor of the alien.

A petition for certiorari in Bowen v. Cubanski, 794 F.2d 540 (9th Cir. 1986). The question is whether the Secretary of Health and Human Services correctly determined that a proposed amendment to California's Medicaid plan violates Section 1903(f) of the Social Security Act and the Secretary's own regulations.

A protective petition for certiorari in Potts v. Heathcoat, 790 F.2d 1540 (11th Cir. 1986). The question presented is whether the immunity recognized in Barr v. Mateo, 360 U.S. 564 (1959), protects defendants from liability under state tort law for injuries allegedly caused by their official acts.

A jurisdictional statement in Baldwin v. Ledbetter, No. 85-4340a (N.D. Ga. Oct. 17, 1986). The issue is whether Section 402(a)(38) of the Social Security Act, which provides that all parents, brothers and sisters who live together shall constitute a single AFDC filing unit, violates the Takings Clause, the Due Process Clause or the Equal Protection component of the Fifth Amendment.

A brief amicus curiae in Shearson/American Express v. McMahon, 788 F.2d 94 (2d Cir. 1986). The question presented is whether a federal district court is barred from enforcing agreements to arbitrate claims arising out of contractual relationships if those claims assert an implied right of action under Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. §78j(b).

A brief amicus curiae in Union Gas Co. v. Pennsylvania, 792 F.2d 372 (3d Cir. 1986). The question is whether the Eleventh Amendment bars suit against a state for monetary damages in an action arising under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9601 et seq.

A brief amicus curiae in O'Lone v. Estate of Shabazz, 782 F.2d 1233 (5th Cir. 1986). The issue is whether a public employer violates the Constitution by discharging an employee who speaks out in favor of the assassination of the President of the United States.

A brief amicus curiae in Arizona v. Adamson, 789 F.2d 722 (9th Cir. 1986). The question is whether the Double Jeopardy Clause bars a state from reinstating murder charges when the defendant breaches a plea agreement to cooperate in an investigation but later refuses to do so.

CIVIL DIVISION

D. C. CIRCUIT REMANDS TO DISTRICT COURT IN CASE CHALLENGING HHS'S MEDICARE MALPRACTICE RULE.

This is the lead case in the second round of litigation challenging HHS's 1979 Medicare Malpractice Rule, which provided that reimbursement under the Medicare program for a hospital's malpractice insurance costs was to be based upon the percentage of malpractice claims paid to its Medicare patients compared to its total paid malpractice claims. The district court held the 1979 Rule invalid, as have many other courts, and ordered the hospitals paid under the prior rule. The Secretary then issued a new interim final rule retroactively superseding the 1979 Rule. The government then appealed and moved to dismiss the cases as moot so that

the Secretary could apply the new Rule to the claims in dispute. The hospitals opposed, contending that the new Rule was invalid and could not properly be applied retroactively.

The D. C. Circuit in a short per curiam order remanded the cases to the district court. The court stated that it was deferring decision on the government's suggestion of mootness and remanding for the district court to consider "the validity of the promulgation and application of the 1986 rule." Upon completion of the remand, the district court is to return the case to the court of appeals.

Walter O. Boswell Memorial Hospital v. Bowen, Secretary of HHS, F.2d, No. 86-5099 (D.C. Cir. Nov. 21, 1986). D. J. # 137-8-433. Attorneys: Anthony J. Steinmeyer (FTS 633-3388) and Mark Gallant (FTS 472-3216), Civil Division.

THIRD CIRCUIT REVERSES DISTRICT COURT RULING THAT A NATIONAL GUARDSMAN IS NOT ENTITLED TO HOLIDAY PAY FOR HOLIDAYS WHICH FELL WHILE HE WAS ON ACTIVE DUTY FOR TRAINING.

Kenneth Waltermyer, an employee of ALCOA and a member of the Pennsylvania Air National Guard, was denied holiday pay twice while he was on active duty for training. When his employer failed to pay him holiday pay for those two days, Mr. Waltermyer, represented by the government, filed suit claiming that ALCOA had denied him an "incident or advantage of employment" protected by 38 U.S.C. §2021(b)(3). The district court noted that, under the applicable collective bargaining agreement, several categories of ALCOA employees were eligible for holiday pay despite their absence from work and that reservists/National Guardsmen on active duty for training did not fit into any of those categories. It ruled, therefore, that Waltermyer had not suffered any discrimination by being denied any benefit to which other employees are entitled. The government appealed, arguing that if any classes of absent ALCOA employees received holiday pay, then reservists should as well. In a split decision, the court of appeals reversed. It looked at the various classes of absent employees who received holiday pay and noted that in most cases, they involved employees who were absent for reasons beyond their own control. The court then held that reservists were entitled to equal treatment. This case is one of the first following the Supreme Court's decision in Monroe v. Standard Oil Co., 452 U.S. 549 (1981) to consider the scope of the protection afforded by section 2021(b)(3).

Waltermyer v. ALCOA, F.2d, No. 86-3156 (3rd Cir. Nov. 7, 1986). D. J. # 151-64-948. Attorneys: John F. Cordes (FTS 633-3380) and Mary T. Koehmstedt (FTS 633-5431), Civil Division.

FIFTH CIRCUIT AFFIRMS DISTRICT COURT'S INTERPRETATION OF FEDERAL STATUTE OF LIMITATIONS AND FEDERAL USURY STATUTE.

The United States commenced this action against McReynolds to collect over \$221,000 due on a loan made under the SBA loan guaranty program. The district court granted the government's motion for summary judgment. On appeal, McReynolds argued that (1) Mississippi's specific one-year statute on deficiency suits after foreclosure should govern, and (2) the interest rate on the loan exceeded the maximum rate allowed by law in 12 U.S.C. §869(a). The Fifth Circuit rejected both

arguments, holding that the six-year limitation in 28 U.S.C. §2415, which applies to "every action for money damages brought by the United States . . . which is founded upon any contract," was applicable and could not be displaced by state law. The court found sufficient evidence in the record to support the 22.5% interest rate, and found the rate within the ceiling established by the federal usury statute.

United States v. McReynolds, ___ F.2d ___, No. 86-4367 (5th Cir. Oct. 23, 1986).
D. J. # 105-40-143. Attorneys: Robert S. Greenspan (FTS 633-5428) and E. Roy
Hawkins (FTS 633-4331), Civil Division.

EIGHTH CIRCUIT RULES DAMAGE SUIT FOR WRONGFUL TERMINATION OF DISABILITY
BENEFITS BARRED BY DISCRETIONARY FUNCTION EXCEPTION.

Plaintiff's disability benefits were terminated when a routine review by medical personnel indicated that he was no longer disabled. Upon review, plaintiff's benefits were restored. However, plaintiff sought damages, under the Federal Tort Claims Act (FTCA), for intentional infliction of emotional distress and the breach of a duty of fair dealing to an insured.

The Eighth Circuit held that the claim was barred by the discretionary function exception to the FTCA. It held that employees who undertake medical review of social security cases are necessarily engaged in the exercise of professional judgment and the discretionary application to a particular case of a system of administrative decisions grounded in social, economic and political policy.

Pierce v. United States, ___ F.2d ___, No. 86-5022 (8th Cir. Oct. 28, 1986).
D. J. # 157-69-208. Attorneys: John F. Cordes (FTS 633-3380) and Mary T.
Koehmstedt (FTS 633-5431), Civil Division.

NINTH CIRCUIT REDUCES FEDERAL TORT CLAIMS ACT DAMAGE AWARD BY \$3.1
MILLION.

The United States Court of Appeals for the Ninth Circuit reduced a \$6.3 million Federal Tort Claims Act judgment by nearly \$3.1 million solely on the basis of errors made in the calculation of non-economic and economic damages. In Trevino v. United States, the court made substantial reductions in non-economic damages that it reasoned were excessive in light of the relative severity of the injuries suffered and the amount awarded in comparable cases within the State of Washington. In addition, the court found several errors in the calculation of economic damages. First, the court found that the use of a negative two percent discount rate in the calculation of the present value of the damage award was unsupported by the evidence in the record. In particular, the court noted that the lower court's calculation had been based on economic data that understated interest rates and that overstated the impact of inflation. Second, the court concluded that the district court's \$1.8 million award for the services of a home attendant was clearly erroneous in light of the record as a whole.

Trevino v. United States, ___ F.2d ___, No. 85-4136 (9th Cir. Nov. 28, 1986).
D. J. # 157-82-1126. Attorneys: Robert L. Willmore (FTS 633-4015), Robert S.
Greenspan (FTS 633-5428) and Jeffrey Clair (FTS 633-4027), Civil Division.

LAND AND NATURAL RESOURCES DIVISION

MISTAKE OF COUNSEL IN FILING LATE NOTICE OF APPEARANCE DOES NOT SATISFY EXCUSABLE NEGLIGENCE STANDARD.

Notice of summary judgment against Alaska Limestone was sent to only one of the two counsel representing the Corporation. The receiver of the notice was away and, consequently, a notice of appeal was filed 95 days after entry of judgment. The district court denied the motion for an extension of time in which to file the notice of appeal. The court held that even if the motion had been timely, Alaska Limestone had not made a showing of good cause or excusable neglect required by Federal Rules of Appellate Procedure 4(a)(5).

The court of appeals, affirming, held that mistake of counsel or staff did not satisfy the excusable neglect standard. Further, the court held that "[a] party has an independent duty to keep informed and mere failure of the clerk to notify the parties that judgment has been entered does not provide grounds for excusable neglect or warrant an extension of time." (But see, Rodgers v. Watt, 722 F.2d 456 (9th Cir. 1983) (en banc) where the court of appeals held that Rodgers was entitled to relief where the clerk's office failed to notify Rodgers' counsel of the entry of judgment.) The court also issued an order dismissing as moot the appeal now found untimely.

Alaska Limestone Corporation v. Hodel, ___ F.2d ___, No. 85-4131 (9th Cir. Sept. 18, 1986). D. J. # 90-1-18-3598. Attorney: Jacques B. Gelin (FTS 633-2762) Land and Natural Resources Division.

DESIGN MEMORANDUM PLACED LANDOWNERS ON NOTICE OF SCOPE OF THE PROJECT.

In 1959, the Corps of Engineers issued a design memorandum for the Keystone Reservoir Project indicating that the government would acquire a flowage easement on all lands below 759 msl. However, due to a mapping error, the United States failed to acquire all portions of the Frates tract, and others, below 759 msl.

In 1974, the reservoir rose for the first time to 759 msl and the Corps realized that it had not acquired all lands below that level. The United States then initiated condemnation proceedings to acquire flowage easements on the remaining lands. The landowners in this action and a related one contended that they were entitled to compensation as measured by the value of the taken lands in their present status as lakefront property on the Corps' reservoir.

The district court decided the related action first, and ruled that the landowners were entitled to enhanced value. The Tenth Circuit reversed, holding that the Corp's design memorandum placed the landowners on notice that the Corps intended to acquire flowage easements on all lands below 759 msl. Accordingly, the taken land was within the scope of the original project and must be valued without attributing any enhanced value stemming from the reservoir. United States v. 49.01 Acres, Osage County, Oklahoma (Anderson), 669 F.2d 1364 (10th Cir. 1982).

The Tenth Circuit affirmed the district court's judgment in Frates which awarded compensation based on the value of the tract without any enhancement by the lake. On the merits, however, the court ruled that the Frates landowners had not

shown any factual differences of such significance as to distinguish their case from Anderson.

United States v. 49.01 Acres, Osage County, Oklahoma (Alexander-Frates Co.),
F.2d, No. 83-2195 (10th Cir. Sept. 30, 1986). D. J. # 33-37-268-1407.
Attorney: Robert L. Klarquist (FTS 633-2731) Land and Natural Resources
Division.

FEDERAL COURT JURISDICTION TO REVIEW EPA GRANT DECISION FOUND LACKING.

The Environmental Protection Agency's (EPA) former Board of Assistance Appeals found a local New Jersey sewage authority eligible for funding under Title II of the Clean Water Act. However, EPA's regional administrator would not approve the grant application because the proposed project was not currently certified by the State of New Jersey as entitled to priority under Section 303(e)(3)(H) of the Clean Water Act, 33 U.S.C. §1313(e)(3)(H). The local agency filed a "citizen suit," pursuant to Section 505(b)(1)(A) of the Act, 33 U.S.C. §1365(b)(1)(A), to enforce EPA's supposed "nondiscretionary duty" to approve the grant application.

The district court ruled that it had "citizen suit" jurisdiction, and ruled in EPA's favor. On appeal, the Third Circuit reversed, holding that the district court lacked "citizen suit" jurisdiction under the Clean Water Act. Moreover, the district court lacked federal question jurisdiction under 28 U.S.C. §1331, because the local agency's claim was one for money in excess of \$10,000 and thus belonged exclusively in the Claims Court pursuant to the Tucker Act, 28 U.S.C. §1346(a)(2), §1491.

In resolving the jurisdictional issues, the court determined that EPA "properly insisted on a current [State] certification" of the project as a precondition of grant approval. This determination was deemed binding on the local agency.

The majority's jurisdictional ruling conflicts with Sarasota, Fla. v. EPA, F.2d, No. 85-3637 (11th Cir. Sept. 15, 1986).

Atlantic City Municipal Utilities Authority v. Regional Administrator, Region II, EPA, F.2d, No. 85-5638 (3d Cir. Oct. 14, 1986). D. J. # 90-5-1-1-2294. Attorneys: Dirk D. Snel (FTS 633-2762) and Robert L. Klarquist (FTS 633-2731), Land and Natural Resources Division.

OFFICES OF UNITED STATES ATTORNEYS

DELAWARE

THIRD CIRCUIT HOLDS THAT ETHICS IN GOVERNMENT ACT PROHIBITS APPEARANCES
BY FORMER FEDERAL EMPLOYEES FOR TWO YEARS ON MATTERS THEY HAD HANDLED
WHILE EMPLOYED BY THE GOVERNMENT

A criminal prosecution of a former IRS Revenue Officer who accompanied taxpayers to meetings with present IRS Revenue Officers trying to collect back taxes

was brought pursuant to 18 U.S.C. §207(b)(i), which prohibits a former federal employee, within two years after the end of his employment, from "knowingly act[ing] as agent or attorney for, or otherwise represent[ing]" someone on a matter that had been under his official responsibility during the year prior to leaving government employment. The evidence at trial showed that at one such meeting the former Revenue Officer said nothing at all, but was paid for his services, and that at two other meetings he was not paid but did oppose unsuccessfully the payment plan proposed by the new Revenue Officer.

The Third Circuit held that an appearance by a former employee constitutes a violation of 18 U.S.C. §207(b)(i) even if the former employee does not act as agent, attorney, or other form of advocate. The court's holding was based primarily on analysis of the legislative history of the 1978 amendments to the Ethics in Government Act, and the court's analysis suggests the "appearance of a conflict of interest" was what Congress sought to prohibit in this subsection and other subsections of 18 U.S.C. §207.

United States v. Coleman, ___ F.2d ___, No. 86-5346 (3d Cir. Nov. 17, 1986).
Attorney: Richard G. Andrews, Assistant United States Attorney, Delaware (FTS 487-6277).

ILLINOIS, SOUTHERN

SEVENTH CIRCUIT ORDERS GOVERNMENT TO DISCLOSE CONFIDENTIAL INFORMATION TO INMATE'S ATTORNEYS IN PRISON DISCIPLINARY HEARINGS.

The petitioner, an inmate at the United States Penitentiary in Marion, Illinois [USP-Marion], filed this habeas corpus lawsuit contesting an Institution Disciplinary Committee's [IDC] finding that he killed another inmate. In making this finding, the IDC relied on information from confidential sources. The court refused to allow the petitioner's attorney to review the documents filed in camera although the court found the attorney "trustworthy." The court denied the petition on the merits.

The Seventh Circuit reversed, holding that the first step for the lower court was to determine if the opposing attorney was "trustworthy." In the absence of specific evidence of an attorney's untrustworthiness, the lower court should determine what options exist to allow the attorney access to the confidential information. Attorneys are officers of the court and as such are not expected to disclose such information. If they do, the remedy is disciplinary action. This decision is expected to have a chilling effect on information provided by confidential informants in prisons in the future.

Wagner v. Williford, ___ F.2d ___, No. 86-1049 (7th Cir. Nov. 4, 1986).
Attorney: Laura J. Jones, Assistant United States Attorney, Illinois, Southern (Benton: FTS 958-6686).

SEVENTH CIRCUIT HOLDS THAT 1) ALTHOUGH AN INMATE'S DEATH SAVES THE GOVERNMENT MONEY, RESTITUTION DOES NOT DEPEND ON NET LOSS AND 2) WHEN AN ORDER OF RESTITUTION DOES NOT ESTABLISH A SCHEDULE OF PAYMENTS, IT IS NOT LIMITED AS TO WHEN IT CAN BE COLLECTED.

George House, Jr. was an inmate incarcerated at the United States Penitentiary in Marion, Illinois [USP-Marion], when he killed another inmate. House pled guilty to manslaughter pursuant to a plea bargain, and was sentenced to 10 years and ordered to pay restitution for the victim's funeral expenses. When the Bureau of Prisons subsequently froze House's prison commissary account, House filed a Rule 35 motion. He contended, inter alia, that the death of another inmate actually saved the government money. He also contended that the order of restitution should have provided a time limit within restitution was due.

The Seventh Circuit affirmed, finding that the defendant's real punishment was the deprivation of potato chips and chocolate due to the freezing of his commissary account since an additional ten years would not matter to him. The court found the award of funeral expenses compensable under 18 U.S.C. §3579(b)(3) although House may have saved the government money. An order of restitution does not depend on net loss, and "although chutzpah sometimes pays off, House cannot escape so easily." In addition, if the order of restitution under Title 18 U.S.C. §3579(f) does not include a schedule of payments, but is rather a lump sum, then there is no time limit within which restitution may be collected. Previous dicta from United States v. Fountain, 768 F.2d 790 (7th Cir.), modified on other grounds, 777 F.2d 345 (1985), cert. denied, 106 S.Ct. 1647 (1986), indicating otherwise is not binding.

United States v. House, ___ F.2d ___, No. 86-1120 (7th Cir. Oct. 29, 1986).
Attorney: Laura J. Jones, Assistant United States Attorney, Illinois,
Southern (Benton: FTS 958-6686).

CUMULATIVE LIST OF CHANGING FEDERAL CIVIL POSTJUDGMENT INTEREST RATES

(As provided for in the amendment to the Federal Postjudgment Interest Statute, 28 U.S.C. §1961, effective October 1, 1982.)

<u>Effective Date</u>	<u>Annual Rate</u>
12-20-85	7.57%
01-17-86	7.85%
02-14-86	7.71%
03-14-86	7.06%
04-11-86	6.31%
05-14-86	6.56%
06-06-86	7.03%
07-09-86	6.35%
08-01-86	6.18%
08-29-86	5.63%
09-26-86	5.79%
10-24-86	5.75%
11-21-86	5.77%
12-24-86	5.93%

NOTE: When computing interest at the daily rate, round $(5/4)$ the product (i.e., the amount of interest computed) to the nearest whole cent.

For cumulative list of those federal civil postjudgment interest rates effective October 1, 1982, through December 19, 1985, see United States Attorneys' Bulletin, Vol. 34, No. 1, Page 25, January 17, 1986.

LISTING OF ALL BLUESHEETS IN EFFECT
DECEMBER 26, 1986

<u>AFFECTS USAM</u>	<u>TITLE NO.</u>	<u>DATE</u>	<u>SUBJECT</u>
1-11.350*	TITLE 1	5/06/86	Policy with Regard to Defense Requests for Jury Instruction on Immunized Witnesses
2-3.110	TITLE 2	2/03/86	Prompt Notification of Contrary Recommendations
9-1.177	TITLE 9	12/31/85	Authorization for Negotiated Concessions in Organized Crime Cases
9-2.132*	TITLE 9	12/31/85	Policy Limitations on Institution of Proceedings - Internal Security Matters
9-2.133*	TITLE 9	4/09/84	Policy Limitation on Institution of Proceedings, Consultation Prior to Institution of Criminal Charges
9-2.136	TITLE 9	6/04/86	Investigative and Prosecutive Policy for Acts of International Terrorism
9-2.136	TITLE 9	10/24/86	Investigative and Prosecutive Policy for Acts of International Terrorism
9-2.151*	TITLE 9	12/31/85	Policy Limitations - Prosecutorial and Other Matters, International Matters
9-2.160	TITLE 9	7/18/85	Policy with Regard to Issuance of Subpoenas to Attorneys for Information Relating to the Representation of Clients
9-11.220 C.8.*	TITLE 9	4/14/86	All Writs Act Guidelines
9-11.368(A)*	TITLE 9	2/04/86	Amendment to Rule 6(e) Federal Rules of Criminal Procedure Permitting Certain Disclosure to State and Local Law Enforcement Officials
9-20.215*	TITLE 9	2/11/86	Policy Concerning State Jurisdiction Over Certain Offenses in Indian Reservations

* Approved by Advisory Committee, being permanently incorporated.

LISTING OF ALL BLUESHEETS IN EFFECT
DECEMBER 26, 1986

<u>AFFECTS USAM</u>	<u>TITLE NO.</u>	<u>DATE</u>	<u>SUBJECT</u>
9-103.132; 9-103.140	TITLE 9	6/30/86	Revisions to the Prosecutive Guidelines for the Controlled Substance Registrant Protection Act Concerning Consultation Prior to Prosecution
9-110.800*	TITLE 9	7/07/86	Murder-for-Hire and Violent Crimes in Aid of Racketeering Activity
9-131.030*	TITLE 9	5/13/86	Consultation Prior to Consultation
9-131.040; 9-131.180	TITLE 9	10/06/86	Hobbs Act Approval
9-131.110*	TITLE 9	5/13/86	Hobbs Act Robbery
10-2.186	TITLE 10	9/27/85	Grand Jury Reporters
10-2.315	TITLE 10	11/17/86	Veterans Readjustment Appointment (VRA) Authority
10-2.534*	TITLE 10	3/20/86	Compensatory Time
10-2.614*	TITLE 10	7/10/86	Non-Attorney Performance Rating Grievance Procedure
10-2.615*	TITLE 10	10/24/86	Performance Rating Grievance by Assistant U.S. Attorneys and Attorneys within the Executive Office for U.S. Attorneys
10-6.213*	TITLE 10	11/22/85	Reporting of Immediate Declinations of Civil Referrals
10-8.120*	TITLE 10	1/31/86	Policy Concerning Handling of Agency Debt Claim Referrals Where the Applicable Statute of Limitations has Run

UNITED STATES ATTORNEYS' MANUAL--TRANSMITTALS

The following United States Attorneys' Manual Transmittals have been issued to date in accordance with USAM 1-1.500.

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 1	(Transmittals A2 through A10 have been superseded.)			
	A11	2/22/84	2/10/84	Complete revision of Ch. 1, 2
	A12	3/19/84	2/17/84	Complete revision of Ch. 4
	A13	3/22/84	3/9/84	Complete revision of Ch. 8
	A14	3/23/84	3/9 & 16/84	Complete revision of Ch. 7, 9
	A15	3/26/84	3/16/84	Complete revision of Ch. 10
	A16	8/31/84	3/02/84	Complete revision of Ch. 5
	A17	3/26/84	3/26/84	Complete revision of Ch. 6
	A18	3/27/84	3/23/84	Complete revision of Ch. 11, 13, 14, 15
	A19	3/29/84	3/23/84	Complete revision of Ch. 12
	A20	3/30/84	3/23/84	Index to Title 1, Table of Contents to Title 1
	A21	4/17/84	3/23/84	Complete revision of Ch. 3
	A22	5/22/84	5/22/84	Revision of Ch. 1-6.200
	AAA1	5/14/84		Form AAA-1
	B1	7/01/85	8/31/85	Revision to Ch. 1-12.000
	B2	8/31/85	7/01/85	Revisions to Ch. 11
	B3	4/15/86	4/01/86	New Ch. 16
	B4	11/01/86	10/31/86	Revisions to Chs. 1, 2, 4, 6, 10 and 13
	B5	6/23/86	12/31/85	Revisions to Ch. 5
TITLE 2	(Transmittals A2 through A4 have been superseded.)			
	A5	2/10/84	1/27/84	Complete revision of Title 2- replaces all previous transmittals

*Transmittal is currently being printed.

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 2	A11	3/30/84	1/27/84	Summary Table of Contents to Title 2
	AAA2	5/14/84		Form AAA-2
	B1	6/10/86	12/31/85	Revisions to Ch. 3
TITLE 3	(Transmittal A2 has been superseded.)			
	A3	10/11/83	8/4/83	Complete revision of Title 3- replaces all previous transmittals
	AAA3	5/14/84		Form AAA-3
TITLE 4	(Transmittals A2 through A6 have been superseded.)			
	A7	4/16/84	3/26/84	Complete revision of Ch. 7, 8, 12
	A8	4/16/84	3/28/84	Complete revision of Ch. 2, 14, 15
	A9	4/23/84	3/28/84	Complete revision of Ch. 3
	A10	4/16/84	3/28/84	Complete revision of Ch. 10
	A11	4/30/84	3/28/84	Complete revision of Ch. 1, 9, Index to Title 4
	A12	4/21/84	3/28/84	Complete revision of Ch. 6
	A13	4/30/84	3/28/84	Complete revision of Ch. 4
	A14	4/10/84	3/28/84	Complete revision of Ch. 13
	A15	3/28/84	3/28/84	Complete revision of Ch. 5
	A16	4/23/84	3/28/84	Complete revision of Ch. 11
	AAA4	5/14/84		Form AAA-4
	B1	11/05/85	8/01/85	Revisions to Chapters 1-8, and 11-15
TITLE 5	(Transmittal A2 has been superseded.)			
	A3	3/22/84	3/5/84	Complete revision of Ch. 1, 2, 3 (was 2A)
	A4	3/28/84	3/12/84	Complete revision of Ch. 12 (was 9C)
	A4	undated	3/19/84	Complete revision of Ch. 5 (was Ch. 4), 6, 8
	A5	3/28/84	3/20/84	Complete revision of Ch. 9, 11 (was 9B)

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 5	A6	3/28/84	3/22/84	Complete revision of Ch. 7
	A7	3/30/84	3/20/84	Complete revision of Ch. 10 (was 9A)
	A8	4/3/84	3/22 & 3/26/84	Complete revision of Ch. 13, 14, 15, Table of Contents to Title 5
	A9	12/06/84	11/01/84	Revisions to Chapter 1
	A11	4/17/84	3/28/84	Complete revision of Ch. 4 (was Ch. 3)
	A12	4/30/84	3/28/84	Index to Title 5
	AAA5	5/14/84		Form AAA-5
	B1	6/03/85	5/01/85	Revisions to Ch. 1 and Ch. 4
	B2	6/30/86	12/31/85	Revisions to Chs. 1-10
TITLE 6	A2	3/23/84	3/2/84	Complete revision of Title 6-replaces all prior transmittals
	A3	12/19/84	12/14/84	Revision to Ch. 4 and Index
	AAA6	5/14/84		Form AAA-6
	B1	2/14/86	10/01/85	Revisions to Chapters 1-4, 6
TITLE 7	(Transmittals A2 and A3 have been superseded.)			
TITLE 7	A4	1/6/84	11/22/83	Complete revision to Title 7-replaces all prior transmittals
	A12	3/3/84	12/22/83	Summary Table of Contents to Title 7
	AAA7	5/14/84		Form AAA-7
	B1	3/24/86	3/05/86	Revision to Chapters 1-5
TITLE 8	AAA8	5/14/84		Form AAA-8
	B1	10/01/85	6/01/85	Complete revision to Title 8 (Supersedes A1, A2, and A12)
TITLE 9	(Transmittals A5 through A12, A14, A47, A49 A50, A56 and A61 have been superseded.)			
TITLE 9	A13	1/26/84	1/11/84	Complete revision of Ch. 132, 133
	A14	2/10/84	1/27/84	Revisions to Ch. 1 (Superseded by A78)

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 9	A15	2/1/84	1/27/84	Complete revision of Ch. 8
	A16	3/23/84	2/8/84	Complete revision of Ch. 135, 136
	A17	2/10/84	2/2/84	Complete revision of Ch. 39
	A18	2/3/84	2/3/84	Complete revision of Ch. 40
	A19	3/26/84	2/24/84	Complete revision of Ch. 21
	A20	3/23/84	2/8/84	Complete revision of Ch. 137, 138
	A21	3/19/84	2/13/84	Complete revision of Ch. 34
	A22	3/30/84	2/01/84	Complete revision of Ch. 14
	A23	8/31/84	2/16/84	Revisions to Ch. 2
	A24	3/23/84	2/28/84	Complete revision of Ch. 65
	A25	3/26/84	3/7/84	Complete revision of Ch. 130
	A26	3/26/84	2/8/84	Complete revision of Ch. 44
	A27	3/26/84	3/9/84	Complete revision of Ch. 90
	A28	3/29/84	3/9/84	Complete revision of Ch. 101
	A29	3/26/84	3/9/84	Complete revision of Ch. 121
	A30	3/26/84	3/19/84	Complete revision of Ch. 9
	A31	3/26/84	3/16/84	Complete revision of Ch. 78
	A32	3/29/84	3/12/84	Complete revision of Ch. 69
	A33	3/29/84	3/9/84	Complete revision of Ch. 102
	A34	3/26/84	3/14/84	Complete revision of Ch. 72
	A35	3/26/84	2/6/84	Complete revision of Ch. 37
	A36	3/26/84	2/6/84	Complete revision of Ch. 41
	A37	4/6/84	2/8/84	Complete revision of Ch. 139
	A38	3/29/84	2/28/84	Complete revision of Ch. 47
	A39	3/30/84	3/16/84	Complete revision of Ch. 104
	A40	4/6/84	3/9/84	Complete revision of Ch. 100

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TITLE 9	A41	4/6/84	3/9/84	Complete revision of Ch. 110
	A42	3/29/84	3/14/84	Complete revision of Ch. 64
	A43	4/6/84	3/14/84	Complete revision of Ch. 120
	A44	4/5/84	3/21/84	Complete revision of Ch. 122
	A45	4/6/84	3/23/84	Complete revision of Ch. 16
	A46	2/30/84	2/16/84	Complete revision of Ch. 43
	A47	4/16/84	3/28/84	Revisions to Ch. 7 (Superseded by A63)
	A48	4/16/84	3/28/84	Complete revision of Ch. 10
	A49	4/16/84	3/28/84	Revisions to Ch. 63 (Superseded by A74)
	A50	4/16/84	3/28/84	Revisions to Ch. 66 (Superseded by A60)
	A51	4/6/84	3/28/84	Complete revision of Ch. 76, deletion of Ch. 77
	A52	4/16/84	3/30/84	Complete revision of Ch. 85
	A53	6/6/84	3/28/84	Revisions to Ch. 4
	A54	7/25/84	6/15/84	Complete revision of Ch. 11
	A55	4/23/84	4/6/84	Complete revision of Ch. 134
	A56	4/30/84	3/28/84	Revisions to Ch. 42 (Superseded by A87)
	A57	4/16/84	3/28/84	Complete revision of Ch. 60, 75
	A58	4/23/84	4/19/84	Summary Table of Contents of Title 9
	A59	4/30/84	4/16/84	Entire Index to Title 9
	A60	5/03/84	5/03/84	Complete revision of Ch. 66 (Supersedes A50)
	A61	5/03/84	4/30/84	Revisions to Ch. 1, section .103 (Superseded by A78)
	A62	12/31/84	12/28/84	Revisions to Ch. 123
	A63	5/11/84	5/9/84	Complete revision to Ch. 7 (Supersedes A47)

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 9	A64	5/11/84	5/11/84	Revision to Ch. 64, section .400-700
	A65	5/17/84	5/17/84	Revisions to Ch. 120
	A66	5/10/84	5/8/84	Complete revision to Ch. 131
	A67	5/11/84	5/09/84	Revisions to Ch. 121, section .600
	A68	5/28/84	5/08/84	Revisions to Ch. 104
	A69	5/09/84	5/07/84	Revisions to Ch. 21, section .600
	A70	5/17/84	5/16/84	Revisions to Ch. 43, section .710
	A71	5/21/84	5/21/84	Complete revision of Ch. 20
	A72	5/25/84	5/23/84	Complete revision of Ch. 61
	A73	6/18/84	6/6/84	Complete revision of Ch. 17
	A74	6/18/84	6/7/84	Complete revision of Ch. 63 (Supersedes A49)
	A75	6/26/84	6/15/84	Complete revision of Ch. 27
	A76	6/26/84	6/15/84	Complete revision of Ch. 71
	A77	7/27/84	7/25/84	Complete revision of Ch. 6
	A78	9/10/84	8/31/84	Complete revision of Ch. 1 (Supersedes A14 and A61)
	A79	8/02/84	7/31/84	Complete revision of Ch. 18
	A80	8/03/84	8/03/84	Complete revision of Ch. 79
	A81	8/06/84	7/31/84	Revisionsto Ch. 7
	A82	8/02/84	7/31/84	Revisions to Ch. 75
	A83	8/02/84	7/31/84	Revisionsto Ch. 90
	A84	9/10/84	9/7/84	Complete revision of Ch. 2
	A85	7/25/84	2/17/84	Revisionsto Ch. 136
	A86	8/02/84	7/31/84	Revisions to Ch. 60
	A87	11/14/84	11/09/84	Revisions to Ch. 42 (Supersedes A56)
	A88	8/31/84	8/24/84	Complete revision of Ch. 12

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 9	A89	12/31/84	12/31/84	Complete revision of Ch. 4
	A90	10/10/84	10/01/84	Complete revision of Ch. 73
	A91	12/12/84	11/23/84	Revisions to Ch. 70
	A92	12/14/84	11/09/84	Revisions to Ch. 75
	A93	12/31/84	12/06/84	Revisions to Ch. 7
	A94	12/20/84	12/14/84	Correction to Ch. 27
	AAA9	5/14/84		Form AAA-9
	B1	3/15/85	01/31/85	Revisions to Ch. 60
	B2	3/29/85	01/31/85	Revisions to Ch. 61
	B3	3/29/85	01/31/85	Revisions to Ch. 71
	B4	6/24/85	4/01/85	Revisions to Ch. 63
	B5	6/24/85	4/04/85	Revisions to Ch. 11
	B6	6/27/85	4/01/85	Revisions to Ch. 139
	B7	6/27/85	5/01/85	Revisions to Ch. 12
	B8	7/01/85	4/01/85	Revision to Ch. 4
	B9	7/31/85	7/31/85	Revision to Ch. 130
	B11	9/27/85	7/01/85	Revision to Ch. 27 and Ch. 38
	B12	9/27/85	7/01/85	Revision to Ch. 2
	B13	10/01/85	7/01/85	Revision to Ch. 60
	B14	11/29/85	8/01/85	Revision to Ch. 2
	B15	10/21/85	7/01/85	Revision to Ch. 75
	B16	10/22/85	7/01/85	Revision to Ch. 64
	B17	10/21/85	8/30/85	Revision to Ch. 136
	B18	10/21/85	8/01/85	Revision to Ch. 63
	B19	11/05/85	8/01/85	Revision to Ch. 133
	B20	11/01/85	8/30/85	Revision to Ch. 134

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 9	B21	11/05/85	8/01/85	Revision to Ch. 11
	B22	11/01/85	8/01/85	Revision to Ch. 61
	B23	11/20/85	11/05/85	Revision to Ch. 71
	B24	11/20/85	11/05/85	Revision to Ch. 46
	B25	11/01/85	8/01/85	Revision to Ch. 90
	B26	11/29/85	8/01/85	Revision to Ch. 138
	B27	11/01/85	8/01/85	Revision to Ch. 48
	B28	11/29/85	8/01/85	Revision to Ch. 65
	B29	11/01/85	11/05/85	Revision to Ch. 103
	B30	11/29/85	11/05/85	Revision to Ch. 49
	B31	11/01/85	8/01/85	Revision to Ch. 7
	B32	12/01/85	8/01/85	Revision to Ch. 40
	B33	11/01/85	8/01/85	Revision to Ch. 69
	B34	02/14/86	12/31/85	Revision to Ch. 20
	B35	12/31/85	8/01/85	Revision to Ch. 132
	B36	11/29/85	8/01/85	Revision to Ch. 110
	B37	02/12/86	11/05/85	Revision to Ch. 8
	B38	3/20/86	12/31/85	Revision to Ch. 18
	B39	11/29/85	11/05/85	Revision to Ch. 60
	B40	02/12/86	11/05/85	Revision to Ch. 34
	B42	05/07/86	12/01/85	Revision to Ch. 15
	B43	04/08/86	3/01/86	Revision to Ch.6
	B44	04/18/86	03/01/86	Revision to Ch. 111
	B45	04/08/86	3/01/86	Revision to Ch. 21
	B46	02/14/86	12/31/85	Revision to Ch. 42
	B47	04/08/86	3/01/86	Revision to Ch. 60

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<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>	
TITLE 9	B57	10/17/86	3/01/86	Revision to Ch. 111
TITLE 10	(Transmittal A2 through A7 have been superseded.)			
A8	4/5/84	3/24/84	Complete revision of Ch. 1	
A9	4/6/84	3/20/84	Complete revision of Ch. 7	
A10	4/13/84	3/20/84	Complete revision of Ch. 5	
A11	3/29/84	3/24/84	Complete revision of Ch. 6	
A12	4/3/84	3/24/84	Complete revision of Ch. 8	
A13	9/4/84	3/26/84	Complete revision of Ch. 10	
A14	4/23/84	3/28/84	Complete revision of Ch. 4	
A15	4/17/84	3/28/84	Complete revision of Ch. 3, 9	
A16	5/4/84	3/28/84	Index and Appendix to Title 10	
A17	3/30/84	3/28/84	Summary Table of Contents to Title 10	
A18	5/4/84	4/13/84	Complete revision to Ch. 2	
A19	5/02/84	5/01/84	Revisions to Ch. 4	
A20	8/31/84	5/24/84 & 7/31/84	Revisions to Ch. 2	
A21	6/6/84	5/1/84	Corrected TOC, Ch. 4 and pages 23, 24	
A22	7/30/84	7/27/84	Revision to Ch. 2	
A23	8/02/84	7/31/84	Revision to Ch. 2	
A24	11/09/84	10/19/84	Revision to Ch. 2	
A25	11/09/84	10/19/84	Revision to Ch. 2	
A26	11/28/84	11/28/84	Revision to Ch. 2	
A27	12/07/84	11/01/84	Revision to Ch. 2	
AAA10	5/14/84		Form AAA-10	
B1	3/15/85	1/31/85	Revision to Ch. 2	

<u>TRANSMITTAL AFFECTING TITLE</u>	<u>NO.</u>	<u>DATE OF TRANSMITTAL</u>	<u>DATE OF TEXT</u>	<u>CONTENTS</u>
TITLE 10	B2	5/31/85	5/01/85	Revision to Ch. 2
	B3	6/27/85	4/01/85	Revision to Ch. 2
	B4	7/23/85	4/01/85	Revision to Ch. 4
	B5	02/20/86	01/27/86	Revision to Ch. 3
	B7	7/31/85	5/01/85	Revision to Ch. 2 Appendix--Form Index
	B8	11/01/85	8/16/85	Revisions to Ch. 2 and Ch. 8
	B9	11/01/85	8/16/85	Revision to Ch. 2
	B10	11/29/85	8/21/85	Revision to Ch. 2
	B11	11/29/85	8/16/85	Revision to Ch. 2
	B12	11/29/85	8/01/85	Revision to Ch. 2
	B14	11/29/85	8/01/85	Revision to Ch. 2
	B15	01/14/86	12/17/85	Revision to Ch. 2
	B17	03/01/86	12/31/85	Revision to Ch. 7
	B19	03/20/86	12/31/85	Revision to Ch. 5
	B21	04/15/86	04/01/86	Revision to Ch. 3
	B24	06/24/86	06/01/86	Revision to Ch. 6
TITLE 1-10	A1	4/25/84	4/20/84	Index to USAM
TITLE 11	B1	6/02/86	4/30/86	New Title 11

If you have any questions regarding the above, please contact Judy Beeman at
FTS 673-6348.

UNITED STATES ATTORNEYS' LIST

<u>DISTRICT</u>	<u>U.S. ATTORNEY</u>
Alabama, N	Frank W. Donaldson
Alabama, M	John C. Bell
Alabama, S	J. B. Sessions, III
Alaska	Michael R. Spaan
Arizona	Stephen M. McNamee
Arkansas, E	George W. Proctor
Arkansas, W	J. Michael Fitzhugh
California, N	Joseph P. Russoniello
California, E	Peter A. Nowinski
California, C	Robert C. Bonner
California, S	Peter K. Nunez
Colorado	Robert N. Miller
Connecticut	Stanley A. Twardy, Jr.
Delaware	William C. Carpenter, Jr.
District of Columbia	Joseph E. diGenova
Florida, N	W. Thomas Dillard
Florida, M	Robert W. Merkle
Florida, S	Leon B. Kellner
Georgia, N	Robert L. Barr, Jr.
Georgia, M	Joe D. Whitley
Georgia, S	Hinton R. Pierce
Guam	K. William O'Connor
Hawaii	Daniel A. Bent
Idaho	Maurice O. Ellsworth
Illinois, N	Anton R. Valukas
Illinois, S	Frederick J. Hess
Illinois, C	J. William Roberts
Indiana, N	James G. Richmond
Indiana, S	John D. Tinder
Iowa, N	Charles W. Larson
Iowa, S	Christopher D. Hagen
Kansas	Benjamin L. Burgess, Jr.
Kentucky, E	Louis G. DeFalaise
Kentucky, W	Joseph M. Whittle
Louisiana, E	John Volz
Louisiana, M	P. Raymond Lamonica
Louisiana, W	Joseph S. Cage, Jr.
Maine	Richard S. Cohen
Maryland	Breckinridge L. Willcox
Massachusetts	Robert S. Mueller III
Michigan, E	Roy C. Hayes
Michigan, W	John A. Smietanka
Minnesota	Jerome G. Arnold
Mississippi, N	Robert Q. Whitwell
Mississippi, S	George L. Phillips
Missouri, E	Thomas E. Dittmeier
Missouri, W	Robert G. Ulrich

UNITED STATES ATTORNEYS

<u>DISTRICT</u>	<u>U.S. ATTORNEY</u>
Montana	Byron H. Dunbar
Nebraska	Ronald D. Lahners
Nevada	William A. Maddox
New Hampshire	Richard V. Wiebusch
New Jersey	Thomas W. Greelish
New Mexico	William L. Lutz
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New York, E	Andrew J. Maloney
New York, W	Roger P. Williams
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North Carolina, W	Charles R. Brewer
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Tennessee, W	W. Hickman Ewing, Jr.
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Texas, E	Robert J. Wortham
Texas, W	Helen M. Eversberg
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Virginia, E	Henry E. Hudson
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Washington, W	Gene S. Anderson
West Virginia, N	William A. Kolibash
West Virginia, S	Michael W. Carey
Wisconsin, E	Joseph P. Stadtmueller
Wisconsin, W	John R. Byrnes
Wyoming	Richard A. Stacy
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