



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

United States Attorneys' Bulletin



**EXECUTIVE
OFFICE FOR
UNITED
STATES
ATTORNEYS**

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For the use of all U.S. Department of Justice Attorneys*

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COMMENDATIONS

Assistant United States Attorney EDMUND A. BOOTH, JR., Southern District of Georgia, was commended by Chief Probation Officer Jerry P. Morgan, United States District Court for the Southern District of Georgia, for his successful handling of a law suit against several probation officers.

Assistant United States Attorney WILLIAM BRANIFF, Southern District of California, was commended by Mr. Joseph A. Sickon, Inspector General, General Services Administration, for his successful prosecution of First New Hampshire Corporation. This was a fraud case involving GSA car rental contracts.

Assistant United States Attorneys ANTHONY C. DIGIOIA and JAMES E. O'NEIL, District of Rhode Island, were commended by Mr. James W. Greenleaf, Special Agent in Charge, Federal Bureau of Investigation, for their successful prosecution of high ranking state officials for public corruption.

Assistant United States Attorney LYNNE R. LASRY, Southern District of California, was commended by Kenneth W. Ingleby, Special Agent in Charge, U.S. Customs Service, for her efforts, dedication and professionalism exhibited during the course of a complex and sensitive investigation and subsequent prosecution of a conspiracy case. The case involved an attempt to export hundreds of tons of munitions items.

Assistant United States Attorneys MICHAEL J. O'LEARY and MARK D. STUAAN, Central District of Illinois, were commended by Mr. Stanley E. Morris, Director, United States Marshals Service, for their assistance to the mission of the United States Marshals Service in representing the government in a demonstration at the Rock Island Arsenal.

Assistant United States Attorney DONALD F. SHANAHAN, Southern District of California, was commended by Mr. John A. Mintz, Assistant Director, Legal Counsel Division, Federal Bureau of Investigation, for his outstanding defense work in Guy A. Taylor v. United States of America, a Bivens type case.

Assistant United States Attorneys CHARLES W. STUCKEY and WILLIAM W. YOUNGMAN, District of Oregon, were commended by Mr. Peter J. Rumore, Assistant Regional Commissioner (Criminal Investigation), Internal Revenue Service, for their successful prosecution of Ray A. Cook, for tax evasion.

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS
William P. Tyson, Director

POINTS TO REMEMBER

Personnel

On October 5, 1984, Donn Frank Baker was court appointed as United States Attorney for the Eastern District of Oklahoma.

Vacancies In Public Integrity Section

The Public Integrity Section of the Criminal Division presently has openings for experienced criminal litigators. Based in Washington, D.C., the Section investigates and prosecutes selected political corruption cases throughout the nation. Among recent cases handled by the Section are the prosecution of two federal judges, a Congressman, a FBI agent, and numerous state, local and federal officials at almost all levels.

Specifically, we are seeking attorneys for two distinct vacancies:

1. Assistant Chief for Operations--In the past the incumbent Assistant Chief for Operations has supervised all election crime matters. He has been responsible for investigating and evaluating all allegations against high executive officials pursuant to the Independent Counsel Provisions of the Ethics in Government Act, 28 U.S.C. §591 et seq., and for advising Department of Justice officials on all such matters. The incumbent has also had lead operational responsibility in selected investigations and prosecutions in highly sensitive cases. The Assistant Chief has also been responsible for several administrative duties including hiring, personnel, general policy matters and liaison with other offices. Applicants for position of Assistant Chief should have substantial prosecutive experience, good legal writing skills and appropriate interest in administrative matters. The position is a GM-15 (Merit Pay).

2. Trial Attorneys--Trial attorneys in the Section handle the actual investigation and prosecution of political corruption and certain fraud matters. Substantial travel is often necessary. Applicants should have criminal trial experience. The pay level is up to and including GS-15, depending on present salary.

Assistant United States Attorneys interested in these positions should contact Gerald E. McDowell, Chief, Public Integrity Section, Post Office Box 50168, F Street Station, Washington, D.C. 20004-0168, Phone (202) 724-6963.

(Criminal Division)

Teletypes To All United States Attorneys

A listing of the teletypes sent by the Executive Office during the period from October 5, 1984, through October 19, 1984, is appended to this issue of the Bulletin. If a United States Attorney's office has not received one or more of these teletypes, copies may be obtained by contacting Ms. Theresa Bertucci, Chief of the Communications Center, Executive Office for United States Attorneys, at FTS 633-1020.

(Executive Office)

OFFICE OF THE SOLICITOR GENERAL
Solicitor General Rex E. Lee

The Solicitor General has authorized the filing of a petition for:

A writ of certiorari in United States v. Riverside Bayview Homes, Inc., No. 81-1405 (6th Cir. Mar. 7, 1984). The question presented is whether the jurisdiction of the Corps of Engineers under the Clean Water Act to regulate the dredging and filling of "wetlands" is limited to areas that support aquatic vegetation only by virtue of "frequent flooding" from adjacent streams and seas.

A writ of certiorari in EEOC v. Mayor & City Council of Baltimore, (4th Cir. Apr. 4, 1984). The question presented is whether, under the Age Discrimination in Employment Act, Baltimore must prove that age is a bona fide occupational qualification in order to justify a mandatory retirement policy for firefighters, or whether the City may instead rely on the fact that Congress has established a mandatory retirement age for federal firefighters. The government contends that the BFOQ exemption must be strictly construed and that Baltimore must prove its case without regard to the mandatory retirement age established for federal firefighters by Congress.

A writ of certiorari in United States v. Lane, No. 83-1742 (5th Cir. Aug. 22, 1984). The question presented is whether misjoinder of defendants under Federal Rules of Criminal Procedure 8(b) is so inherently prejudicial that reversal of the conviction is required without regard to whether the error may have been harmless.

A writ of certiorari in United States v. Montoya de Hernandez, 731 F.2d 1369 (9th Cir. 1984). The question presented is whether a person reasonably suspected of smuggling narcotics within his body and who refuses to consent to an x-ray may be detained by Customs officers at the border for the period of time necessary to examine his bowel movements.

A writ of certiorari in United States v. National Bank of Commerce, 726 F. 2d 1292 (8th Cir. 1984). The question presented is whether, where a delinquent taxpayer has an unrestricted right under his contract with a bank and state banking law to withdraw without notice to his co-depositors the full amount on deposit in a joint checking or savings account, the IRS has a corresponding right to levy on the account in satisfaction of that taxpayer's tax liability, or whether (as the court of appeals held) the IRS must negate or qualify the potential claims of all the delinquent taxpayer's co-depositors as a precondition to a valid administrative levy.

CIVIL DIVISION

Acting Assistant Attorney General Richard K. Willard.

Delta Data Systems Corp. v. William H. Webster, F.2d _____, No. 84-5356 (D.C. Cir. Sept. 21, 1984). D.J. # 145-12-5587.

D.C. CIRCUIT ISSUES OPINION IN FBI COMPUTER CONTRACT CASE.

The D.C. Circuit has now issued its opinion (per Scalia, J.) explaining its order of July 16, 1984, that reversed the injunction of the district court requiring the FBI to cancel a \$50 million computer contract with Burroughs System Development Corp. and to award it to the plaintiff Delta Data. The court held that the FBI could properly consider Delta Data's financial condition, but that the FBI improperly denied Delta Data an opportunity to explain its finances. The court held that it "should prudently consider" but it had "no obligation to defer" to GAO's decision that financial considerations could not be comparatively evaluated. Where, unlike the FBI here, an agency acquiesces in an adverse GAO decision, a court may be precluded from holding that the agency acted arbitrarily, even if the GAO decision is incorrect, the court added.

As to the appropriate remedy, the D.C. Circuit held that a court can order an award to a disappointed bidder only where "it is clear that, but for the illegal behavior of the agency, the contract would have been awarded to the" plaintiff. Even then, a court cannot order specific performance because the Tucker Act limits contract relief against the government to money damages.

This opinion should be a very helpful precedent to us, particularly on the two points regarding judicial deference to GAO decisions upholding agency decisions, but not to GAO decisions rejecting agency decisions, and the limitations on judicial remedies when an agency does violate procurement law.

Attorneys: Thomas Porter
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CIVIL DIVISION
Acting Assistant Attorney General Richard K. Willard

Murray v. Weinberger, ___ F.2d ___, No. 83-1680. (D.C. Cir. Aug. 24, 1984). D.J. # 35-16-688.

D.C. CIRCUIT BARS UPWARD FEE ADJUSTMENTS WHEN
NOT SOUGHT AND LIMITS ANY UPWARD ADJUSTMENT
TO CASES SHOWN TO BE "RARE" OR "EXCEPTIONAL."

Following success on the merits in this Title VII action, plaintiff was awarded attorney's fees by the district court. For three attorneys, plaintiff sought awards plus a multiplier (80% for the contingent nature of payment). Cutting a few hours from those claimed by plaintiff, the court awarded fees ranging from \$55 per hour in 1975 to \$100 per hour in 1982. The court then adjusted the lodestar for quality of representation, contingent nature of the payment and delay in payment.

In an opinion by Judge Wilkey, the court of appeals reversed. Noting that a fee applicant must specifically claim an adjustment based upon a particular factor and that it is only the "rare" or "exceptional" case in which an upward adjustment to the lodestar figure is appropriate, the court reversed the adjustment for quality of representation because it had not been sought. The court vacated the upward adjustments for contingency and directed the District Court to explain why this was a rare or exceptional case that would justify such adjustments.

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CIVIL DIVISION
Acting Assistant Attorney General Richard K. Willard

Nichols v. Pierce, F.2d, Nos. 81-1160, 83-1154. (D.C. Cir. Aug. 10, 1984). D.J. # 145-17-2628.

D.C. CIRCUIT HOLDS SOVEREIGN IMMUNITY BARS
ATTORNEYS FEES UNDER EAJA WHEN ONLY FEES WERE
PENDING ON OCTOBER 1, 1981, THE EFFECTIVE DATE
OF EAJA.

Plaintiffs successfully challenged the sufficiency of procedural protections to tenants receiving housing subsidies under HUD regulations. Thereafter, they sought fees, first under the FOIA, and then, more than one year later, under the EAJA. The District Court disallowed both petitions. It held that the action was not brought under the FOIA and that the EAJA application was untimely. The Court of Appeals affirmed.

In an opinion by Judge Wilkey, the court found that plaintiffs never relied upon the FOIA until it sought fees for their successful merits litigation. The court, thus, affirmed the denial of fees under FOIA. Looking to the EAJA, the court addressed the question of whether an action is "pending on or commenced on or after" October 1981 when the only matter pending on the effective date of EAJA was a fee application. Although the court acknowledged that plaintiffs' interpretation was not specifically excluded by the EAJA, the court held that, as a waiver of sovereign immunity, the Act must affirmatively authorize entitlement to fees. Finding no explicit waiver, the court held that fees were barred. The court also examined the legislative history and found that Congress announced no intention to burden the Treasury for payment of fees in previously resolved law suits when the only remaining question was entitlement to fees.

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CIVIL DIVISION
Acting Assistant Attorney General Richard K. Willard

Agent Orange Product Liability Litigation v. United States,
F.2d, No. 84-6139 (2d Cir. Sept. 21, 1984). D.J. #
157-0-107.

SECOND CIRCUIT REJECTS COHEN COLLATERAL ORDER
APPEAL IN "AGENT ORANGE" PRODUCT LIABILITY
LITIGATION.

This case involves the government's use of Agent Orange during the Vietnam War. A large class of veterans and their spouses and children sued the chemical companies that manufactured the herbicide; the companies in turn sued the United States as a third-party defendant. The plaintiffs' claims are for direct injuries to the veterans and for genetic injuries to the children; the wives sue for damages suffered when they miscarried genetically deformed children. In 1980, Judge Pratt granted the government's motion to dismiss all claims against it on the basis of the Feres/Stencel Aero doctrine. In 1984, about 11 weeks before the trial, Judge Weinstein, who had succeeded Judge Pratt on the case, reversed Judge Pratt as to the claims of the wives and children, thus bringing the United States back into the case to that extent. The government filed a petition for a writ of mandamus to compel Judge Weinstein to abide by the law of the case, and a notice of appeal. A panel of the Second Circuit denied mandamus and rejected the attempt to take a collateral appeal under the Cohen rule.

We filed a rehearing petition pointing out that the Cohen issue had been argued but not briefed, and the panel decided that the issue should be fully briefed and heard by another panel. The court also stayed the trial against the United States. (In the meantime, the plaintiffs and defendants reached a \$180 million settlement, in which we are not participating.) The panel heard argument on June 22, 1984, on the following issues: whether a Cohen appeal lies from denial of a motion to dismiss based on the Feres doctrine, and whether that doctrine encompasses genetic claims of children based on genetic injuries to their fathers and the related claims of the wives. On September 21, 1984, the court of appeals held that a Cohen appeal does not lie, and it dismissed our appeal without reaching the merits. We are presently considering rehearing and/or certiorari.

Attorneys: Robert S. Greenspan

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CIVIL DIVISION
Acting Assistant Attorney General Richard K. Willard

L & C Marine Transport v. United States, F.2d _____, No. 83-8328 (11th Cir. Sept. 4, 1984). D.J. # 223-076-1257.

ELEVENTH CIRCUIT UPHOLDS OSHA'S REFUSAL TO DISCLOSE, UNDER FOIA EXEMPTIONS 7(C) AND (D), NAMES OF WORKERS INTERVIEWED IN THE COURSE OF AN ACCIDENT INVESTIGATION.

L & C Marine brought this FOIA request seeking the names of workers interviewed by OSHA in the course of an accident investigation. OSHA released the workers' statements, but refused to disclose their names and other identifying information, citing FOIA Exemptions 7(C) and (D). The district court ordered OSHA to release the information. The lower court noted that L & C Marine is the defendant in a personal injury action brought by the injured worker, and would be able to deduce the identities of the workers interviewed by OSHA through civil discovery procedures. Therefore, the court concluded, the workers were not "confidential sources" under 7(D), and release of their names would not be an "invasion of privacy" under 7(C).

The court of appeals reversed. In an opinion which adopted all of our arguments, the court held that an individual does not lose his privacy interest under 7(C) because his identity may be discovered through other means. The court also rejected plaintiff's argument that the "privacy interest" is restricted to intimate details about a person's life. Privacy, the court held, also protects workers' identities when the workers gave information to OSHA which might cause problems for their job and livelihoods. The court further held that L & C Marine's private need for documents in connection with litigation did not outweigh the workers' privacy interests. With regard to Exemption 7 (D), the court held that the assurances of confidentiality given the workers by OSHA were necessary to encourage workers to speak candidly to the agency. Accordingly, the court held, the workers were confidential sources, and their identities were exempt from disclosure.

FOIA requests for OSHA's accident investigation files have generated a large number of cases in the district courts. This is the first court of appeals decision, and should be quite

CIVIL DIVISION
Acting Assistant Attorney General Richard K. Willard

helpful in establishing OSHA's right to protect its files from FOIA disclosure. In addition, the court's holding that individuals do not lose their privacy interest under 7(C), or their status as confidential sources under 7(D), when their identity may be deduced through other means, should be useful in a variety of FOIA cases.

Attorneys: Leonard Schaitman
FTS 633-3441

Jenny Sternbach
FTS 633-3180

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS
Assistant Attorney General Robert A. McConnell

SELECTED CONGRESSIONAL AND LEGISLATIVE ACTIVITIES

SEPTEMBER 25, 1984 - OCTOBER 19, 1984

HIGHLIGHTS

The President's anti-crime package has finally been approved as a rider to the Continuing Resolution. This legislation is the most far-reaching and significant criminal justice reform ever enacted, one that fundamentally and profoundly readjusts the balance between the forces of law and the forces of lawlessness.

The following is a capsule summary of the crime package as cleared by the Congress.

The Comprehensive Crime Control Act of 1984

The Comprehensive Crime Control Act, approved as Title II of H.J. Res. 648, contains the following provisions:

Chapter I - Bail Reform amends the Bail Reform Act of 1966 to:

- permit courts to consider danger to the community in setting bail conditions and to deny bail altogether where the government proves by clear and convincing evidence that no conditions of release will reasonably assure the safety of the community and the appearance of the defendant at trial;
- tighten the criteria for post-conviction release pending sentencing and appeal;
- provide for revocation of release and increased penalties for crimes committed while on release; and
- increase penalties for bail jumping.

Chapter II - Sentencing Reform revises the sentencing system to:

- establish a determinate sentencing system with no parole and limited "good time" credits;

- promote more uniform sentencing by establishing a commission to set narrow sentencing ranges based on the offense and pertinent offender characteristics;
- require courts to explain in writing any departure from sentencing guidelines; and
- authorize defendants to appeal sentences harsher, and the government to appeal sentences more lenient, than the sentencing commission guidelines.

Chapter III - Forfeiture Reform strengthens and clarifies criminal and civil forfeiture laws by providing for:

- forfeiture of profits and proceeds of organized crime (RICO) offenses;
- criminal forfeiture in all drug felony cases;
- transfer of forfeited property to state and local law enforcement agencies participating in the investigation leading to seizure and forfeiture;
- expanded procedures for "freezing" forfeitable property pending judicial proceedings;
- forfeiture of land used to grow, store and manufacture dangerous drugs; and
- expanded use of efficient administrative forfeiture procedures in noncontested cases.

Chapter IV - Insanity Defense Reform narrows the insanity defense currently available in the federal system to:

- limit the defense to those who are unable to appreciate the nature or wrongfulness of their acts;
- place the burden on the defendant to establish the defense by clear and convincing evidence;
- prevent expert testimony on the ultimate issue of whether the defendant had a particular mental state or condition; and
- establish procedures for federal civil commitment of a person found not guilty by reason of insanity if no state will commit him/her.

Chapter V - Drug Enforcement Amendments:

- strengthen federal penalties applicable to narcotics offenses;
- reduce the regulatory burden on law-abiding manufacturers and distributors of legitimate controlled substances; and
- strengthen the ability of the Drug Enforcement Administration to prevent diversion of legitimate controlled substances.

Chapter VI - Justice Assistance Act, Missing Children and Juvenile Justice Reauthorization would:

- authorize a modest program of financial assistance to state and local law enforcement to help finance anti-crime programs of proven effectiveness;
- extend and revise the Office of Juvenile Justice and Delinquency Prevention; and
- establish a new missing children program including a missing children "hot line."

Chapter VII - Surplus Property Amendments facilitate donation of surplus federal property to state and local governments for urgently needed prison space.

Chapter VIII - Labor Racketeering Amendments strengthen federal laws with respect to labor-related racketeering activity by:

- raising from five to thirteen years the maximum period of time that a corrupt official can be debarred from union or trust fund positions; and
- making debarment effective upon the date of conviction rather than the date all appeals are exhausted.

Chapter IX - Foreign Currency Transaction Amendments improve federal laws designed to prevent international "money laundering" by:

- adding an "attempt" provision to existing laws prohibiting transportation of currency out of the United States in violation of reporting requirements;

-- strengthening penalties for currency violations and authorizing payment of rewards for information leading to the conviction of money launderers; and

-- clarifying the authority of U.S. Customs agents to conduct border searches related to currency offenses.

Chapter X - Miscellaneous Violent Crime Amendments

- A. Establishes federal jurisdiction over murder-for-hire and crimes in aid of racketeering.
- B. Establishes federal jurisdiction over solicitation to commit a crime of violence.
- C. Expands the felony-murder rule (18 U.S.C. §1111) to include "escape, murder, kidnapping, treason, espionage and sabotage."
- D. Establishes a minimum-mandatory 5-year sentence for use of a firearm in a federal crime of violence.
- E. Establishes an additional minimum-mandatory 5-year sentence for use of armor-piercing bullets in a federal crime of violence.
- F. Expands 18 U.S.C. §1201 to include kidnapping of federal officials.
- G. Establishes a new federal offense for crimes against family members of federal officials.
- H. Expands the Major Crimes Act, which sets out offenses in Indian country, to include maiming and sodomy.
- I. Expands 18 U.S.C. §31 to cover destruction of trucks.
- J. Establishes federal sanctions for causing serious damage to an energy facility.
- K. Expands 18 U.S.C. §1114 to include attempted assaults and assaults upon United States intelligence and probation officers, and to allow the Attorney General to designate other federal officials for coverage.
- L. Creates federal penalties for escape from custody resulting from civil commitment.

- M. Amends 18 U.S.C. §844 to clarify present law to ensure that tougher penalties for arson are applicable where firemen suffer personal injury.
- N. Includes obscenity offenses as predicate crimes triggering application of the RICO (racketeering) statute.

Chapter XI - Serious Non-Violent Offenses.

- A. Amends 18 U.S.C §2232 to cover warning the subject of a search.
- B. Establishes federal sanctions for theft or bribery involving federal program funds.
- C. Establishes federal sanctions for counterfeiting of state and corporate securities.
- D. Amends 18 U.S.C. §2113 to cover receipt of stolen bank property.
- E. Adds a new §215 to Title 18 to cover bank-related bribery.
- F. Adds a new §1344 to Title 18 to cover bank fraud including check kiting.
- G. Improves penalties for trafficking in drugs, weapons or other contraband in federal prisons.
- H. Establishes federal penalties for fraud of \$10,000 or more involving livestock.
- I. Amends the current ban against federal officers' or employees' acting as agents of a foreign power to clarify that the prohibition applies to Members of Congress.

Chapter XII - Procedural Amendments.

- A. Lowers from 16 to 15 the age at which a juvenile may be prosecuted as an adult, expands the list of predicate offenses to include serious crimes of violence and drug trafficking and eases restraints on use of juvenile fingerprints.
- B. Amends wiretap laws to permit emergency wiretaps in life-endangering situations and expands the range of

predicate offenses to include wire fraud, illegal currency transactions and crimes against victims and witnesses.

- C. Revises 18 U.S.C. §3237 to permit prosecution of threat offenses in any district from, to, or through which the threat travels.
- D. Authorizes civil injunctions against fraud pending criminal prosecutions.
- E. Authorizes government appeal of new trial orders.
- F. Improves the Witness Security Program through codification of case law and other changes.
- G. Amends the Foreign Agent Registration Act to shift to the Attorney General powers now held by the Secretary of State.
- H. Provides for federal jurisdiction over crimes by or against United States nationals in a place outside the jurisdiction of any nation.
- I. Directs the Attorney General to report to the Congress concerning use by criminal defendants of internal Department of Justice guidelines as the basis for challenging criminal prosecutions.
- J. Requires notice on social security checks and envelopes that forgery of government checks is a federal offense.
- K. Facilitates acquisition and admissibility of foreign evidence in connection with criminal proceedings.

Chapter XIII - National Narcotics Act

-- establishes a National Drug Enforcement Policy Board, chaired by the Attorney General and made up of Cabinet Officers with drug enforcement responsibilities, to coordinate and oversee federal drug enforcement efforts. Popularly referred to as the "drug tsar" proposal, this new language acknowledges the coordination achieved by this Administration through the current Cabinet Council on Legal Policy. The legislation essentially codifies the drug enforcement program of that Cabinet Council under the new name of National Drug Enforcement Policy Board.

Chapter XIV - Victims of Crime Act of 1984

- establishes a Crime Victim Fund comprised primarily of federal criminal fine collections from which up to \$100 million per year may be allocated among the states, half for victim compensation (up to 35% of prior year state victim compensation payments) and half for victim assistance;
- authorizes up to \$5 million per year to fund federal victim assistance activities; and
- provides for forfeiture to the Fund of profits derived by convicted persons for the sale of their criminal stories (so-called "Son-of-Sam" provision).

Chapter XV - Trademark Counterfeiting Act:

- creates criminal penalties for those involved in trademark counterfeiting; and
- strengthens civil sanctions by permitting seizure of allegedly counterfeit articles on an ex parte basis and allowing trademark owners to bring suit against trademark counterfeiters for treble damages or treble profits, which ever is greater.

Chapter XVI - Counterfeit Access Device Act creates new federal criminal offenses covering counterfeiting or alteration of credit and debit cards, misuse of credit or debit card numbers, and trafficking in stolen or counterfeit cards.

Chapter XVII - Salaries of U.S. Attorneys sets U.S. Attorneys' pay at the rate provided for Level IV of the Executive Schedule, 5 U.S.C. §5315 and deletes special provisions for S.D.N.Y., D.C., N.D. IL and C.D. CA.

Chapter XVIII - Armed Career Criminal Act amends the felon firearm statute to authorize a minimum-mandatory fifteen-year prison sentence for defendants with three prior convictions who use a firearm in the course of a crime of violence.

Chapter XIX - Criminal Justice Act Attorneys' Fees raises CJA fees for defense counsel from \$30 to \$60 per hour for in-court time and from \$20 to \$40 per hour for out-of-court time; per-case caps are also doubled.

Chapter XX - Anti-Terrorism Amendments strengthen federal aircraft piracy and kidnapping laws consistent with our obligations under international conventions on aircraft safety and hostage taking.

Chapter XXI - Computer Fraud and Abuse creates new federal criminal penalties for offenses involving federal computers, federally insured bank computers and classified information stored in computers.

Chapter XXII - Non-Preemption Provision for State Labor-Racketeering Prosecutions clarifies that federal labor racketeering laws do not preclude state or local prosecution of labor racketeering activity.

Chapter XXIII - Further Forfeiture Amendments create Justice and Treasury revolving funds into which forfeiture proceeds are channeled and from which forfeiture-related expenses may be paid.

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS
William P. Tyson, Director

Teletypes To All United States Attorneys

10/11/84--From D. Lowell Jensen, Associate Attorney General, re:
"Enactment of Crime Legislation: H.J. Res. 648."

10/12/84--From William P. Tyson, Director, Executive Office for
United States Attorneys, by Susan A. Nellor, Assistant
Director for Legal Services, re: "Comprehensive Crime
Legislation Contact Points."

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	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	Robert C. Bonner
California, S	Peter K. Nunez
Colorado	Robert N. Miller
Connecticut	Alan H. Nevas
Delaware	Joseph J. Farnan, Jr.
District of Columbia	Joseph E. diGenova
Florida, N	W. Thomas Dillard
Florida, M	Robert W. Merkle, Jr.
Florida, S	Stanley Marcus
Georgia, N	Larry D. Thompson
Georgia, M	Joe D. Whitley
Georgia, S	Hinton R. Pierce
Guam	David T. Wood
Hawaii	Daniel A. Bent
Idaho	William R. Vanhole
Illinois, N	Dan K. Webb
Illinois, S	Frederick J. Hess
Illinois, C	Gerald D. Fines
Indiana, N	R. Lawrence Steele, Jr.
Indiana, S	John D. Tinder
Iowa, N	Evan L. Hultman
Iowa, S	Richard C. Turner
Kansas	Benjamin L. Burgess
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. Frederick 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

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Nevada	Lamond R. Mills
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New Jersey	W. Hunt Dumont
New Mexico	William L. Lutz
New York, N	Frederick J. Scullin, Jr.
New York, S	Rudolph W. Giuliani
New York, E	Raymond J. Dearie
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	Patrick M. McLaughlin
Ohio, S	Christopher K. Barnes
Oklahoma, N	Layn R. Phillips
Oklahoma, E	Donn F. Baker
Oklahoma, W	William S. Price
Oregon	Charles H. Turner
Pennsylvania, E	Edward S. G. Dennis, Jr.
Pennsylvania, M	David D. Queen
Pennsylvania, W	J. Alan Johnson
Puerto Rico	Daniel F. Lopez-Romo
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	Helen M. Eversberg
Utah	Brent D. Ward
Vermont	George W. F. Cook
Virgin Islands	James W. Diehm
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