



## General Legal Activities Environment and Natural Resources Division (ENRD)

### FY 2010 Budget Request At A Glance

FY 2009 Enacted:	\$103.1 million (445 positions; 423 attorneys)
Current Services Adjustments:	+\$2.5 million (2.4% above FY 2009 Enacted)
Program Changes:	+\$4.2 million
FY 2010 Budget Request:	\$109.8 million (459 positions; 433 attorneys)
Change from FY 2009 Enacted:	+\$6.7 million (+6.5%) (+14 positions; +10 attorneys)

#### Mission:

ENRD's mission is to enforce civil and criminal environmental laws and programs protecting the health and environment of the United States and to defend suits challenging those laws and programs. ENRD oversees all federal environmental and natural resources litigation arising under more than 150 federal statutes. These statutes include the Clean Air Act, Clean Water Act, Comprehensive Environmental Response, Compensation and Liability Act (Super-fund), the Endangered Species Act, National Environmental Protection Act, and many others. The Division's work entails bringing civil and criminal enforcement actions to stop polluters and recover clean-up costs, defending federal agencies in their administration of federal programs including management of federal lands and other natural resources, defending federal regulatory agencies that issue environmental regulations, resolving disputes related to Indian tribes and their lands, and acquiring real property by eminent domain for congressionally authorized purposes.

#### Resources:

The budget request for FY 2010 totals \$109.8 million, which is a 6.5 percent increase from the FY 2009 enacted level.

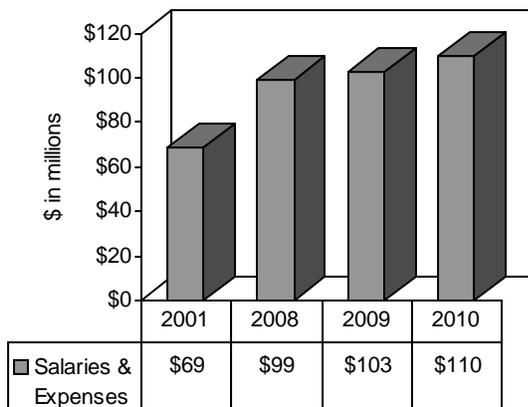
#### Organization:

ENRD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG oversees a Division that is organized into 10 different sections with primary responsibility for litigation on behalf of the United States regarding: Prevention and Clean Up of Pollution; Environmental Challenges to Federal Programs and Activities; Stewardship of Public Lands and Natural Resources; Acquisition of Property for Federal Needs; Wildlife Protection; and Indian Rights and Claims. With offices across the United States, the Division is the nation's environmental lawyer, and the largest environmental law firm in the country. ENRD has field offices in Denver, San Francisco, Sacramento, Seattle, Boston, Anchorage, Boise, Missoula, Albuquerque, Portland and Concord, NH.

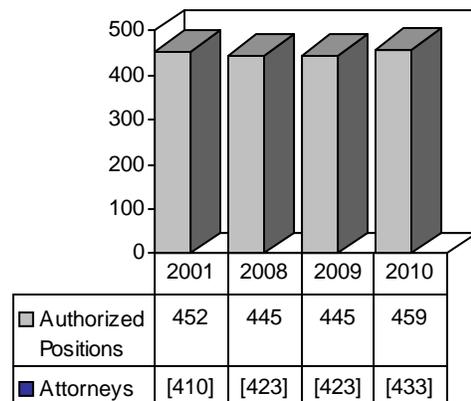
#### Personnel:

ENRD's direct authorized positions for FY 2010 total 459 positions, including 433 attorneys, all located domestically. ENRD's FY 2010 request includes an increase of 14 positions, including 10 attorneys over the FY 2009 level of 445 direct authorized positions.

**Funding (FY 2001 - 2010)**



**Personnel (FY 2001 - 2010)**



\*Includes reimbursable attorneys

**FY 2010 Strategy:**

ENRD focuses on both civil and criminal litigation regarding the defense and enforcement of environmental laws and regulations. The Division serves as the nation's environmental litigator and represents many federal agencies in environmental litigation (e.g., the Environmental Protection Agency, Department of Agriculture, Department of the Interior, Department of Defense, and Department of Homeland Security.)

As the nation's chief environmental litigator, ENRD strives to obtain compliance with environmental and conservation statutes. To this end, ENRD seeks to obtain redress of past violations that harmed the environment, establish credible deterrence against future violations of these laws, recoup federal funds spent to abate environmental contamination, and obtain money to restore or replace natural resources damaged through oil spills or the release of other hazardous substances. ENRD ensures illegal emissions are eliminated, leaks and hazardous wastes are cleaned up, and drinking water is safe. Our actions, in conjunction with the work of our client agencies, enhance the quality of the environment in the United States and the health and safety of its citizens.

**FY 2010 Program Changes:**

**Tribal Trust Litigation:** 10 positions (7 attorneys) and \$3,300,000 to defend the United States in the high-profile, high-stakes Indian Tribal Trust litigation. As of March 2009, 94 pending Tribal Trust cases have been filed by 121 Tribes in various U.S. District Courts and in the Court of Federal Claims, and 5 cases are on appeal in the Federal Circuit. Total FY 2010 current services for the Tribal Trust Initiative are 22 positions, including 18 attorneys and \$1.9 million.

**Protecting America's Health By Cleaning Up the Nation's Air and Water:** 3 positions (2 attorneys) and \$650,000 to promote and expand the division's civil environmental enforcement of the Clean Air Act and the Clean Water Act. There are no FY 2010 current services for this initiative.

**Vigorously Prosecuting Violations of The Nation's Environmental Laws:** 1 attorney and \$250,000 to build upon the success of its criminal environmental prosecution initiatives such as Worker Endangerment, Vessel Pollution, and Illegal Timber Harvests. There are no FY 2010 current services for this initiative.

**Financial Snapshot 2008**

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	None

**GENERAL LEGAL ACTIVITIES**  
**ENVIRONMENT AND NATURAL RESOURCES DIVISION**

(Dollars in Thousands)

	Salaries and Expenses		
	Pos.	FTE	Amount
<b>2008 Enacted</b>	<b>436</b>	<b>490</b>	<b>\$95,093</b>
<b>2009 Enacted</b>	<b>445</b>	<b>499</b>	<b>103,093</b>
<b>2010 Request</b>	<b>459</b>	<b>507</b>	<b>109,785</b>
<b>Change 2010 from 2009 Enacted with Rescission</b>	<b>14</b>	<b>8</b>	<b>6,692</b>
<b>Adjustments to Base</b>			
Increases:			
Pay and Benefits	0	0	2,298
Domestic Rent and Facilities	0	0	155
Other Adjustments	0	0	39
<b>Total Adjustments to Base</b>	<b>0</b>	<b>0</b>	<b>2,492</b>
<b>2010 Current Services</b>	<b>445</b>	<b>499</b>	<b>105,585</b>
<b>Program Changes</b>			
Increases:			
Tribal Trust	10	5	3,300
Protecting America's Health, Clean Air and Water	3	2	650
Vigorously Prosecuting Environmental Laws	1	1	250
<b>Total Program Changes</b>	<b>14</b>	<b>8</b>	<b>4,200</b>
<b>2010 Request</b>	<b>459</b>	<b>507</b>	<b>109,785</b>
<b>Change 2010 from 2009 Enacted with Rescission</b>	<b>14</b>	<b>8</b>	<b>6,692</b>

**GENERAL LEGAL ACTIVITIES  
ENVIRONMENT AND NATURAL RESOURCES DIVISION  
SALARIES AND EXPENSES**

(Dollars in thousands)

Comparison by activity and program	2009 Enacted with Rescission			2010 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Environment and Natural Resources	445	499	\$103,093	445	499	\$105,585
<b>Total</b>	<b>445</b>	<b>499</b>	<b>103,093</b>	<b>445</b>	<b>499</b>	<b>105,585</b>
Reimbursable FTE	0	184	0	0	184	0
<b>Grand Total</b>	<b>445</b>	<b>683</b>	<b>\$103,093</b>	<b>445</b>	<b>683</b>	<b>\$105,585</b>

Comparison by activity and program	Total Program Changes			2010 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Environment and Natural Resources	14	8	\$4,200	459	507	\$109,785
<b>Total</b>	<b>14</b>	<b>8</b>	<b>4,200</b>	<b>459</b>	<b>507</b>	<b>109,785</b>
Reimbursable FTE	0	0	0	0	184	0
<b>Grand Total</b>	<b>14</b>	<b>8</b>	<b>\$4,200</b>	<b>459</b>	<b>691</b>	<b>\$109,785</b>