

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Assistant Attorney General
Land and Natural Resources Division

DATE: April 24, 1969

FROM : Henry D. Rogers
Chief, Administrative Section



SUBJECT: Functions of the Administrative Section and Statistics
concerning Land and Natural Resources Division Personnel,
Funds and Workload.

The Administrative Section is responsible for all matters pertaining to Land and Natural Resources Division administration involving personnel, budget, accounting, vouchers, expenditures of funds, physical facilities, supplies, equipment, statistics and all other administrative matters. In addition, all citizens mail is answered by this Section.

Funds:

For the current fiscal year which ends on June 30, 1969, the Division has funds available as follows:

Appropriation	\$3,829,000.00
Proposed Supplementals	
Pay Act	164,400.00
Reassignment of 5 positions to other Divisions	(-) 60,000.00
Appropriation adjusted	<u>3,933,400.00</u>
Anticipated reimbursements during 1969 fiscal year	25,000.00
Reserve placed on expenditures by Assistant Attorney General	

The details of the 1970 Budget Request are explained in the attached book.

Personnel:

For the current fiscal year, the Division has 215 authorized positions. Of these positions, 109 are attorneys and 106 are nonlegal such as stenographers, typists, clerks, messengers, full-time appraisers, and research analysts. For the next fiscal year, we have requested 2 less nonlegal positions because of the proposal to transfer certain functions to the Assistant Attorney General for Administration.

On March 31, 1969, there were 99 full-time attorneys and 86 full-time nonlegal employees on our payroll. In addition there are 3 attorneys employed on a part-time basis and paid for the days they actually work. These 3 employees are not counted against our positions mentioned above. As of today we do not have any appointments pending. However, a letter of commitment has been issued by the Deputy Attorney General to employ 1 attorney provided the F. B. I. investigation is satisfactory and funds are available at that time. The attorney and his grade and salary is as follows:

<u>Name</u>	<u>Grade</u>	<u>Salary</u>
Edward A. Infante	GS-12	\$12,174

In addition, I understand that offers have been made to 2 attorneys under the Honor Recruit Program. These would not enter on duty until after their graduation from Law School in June 1969. Honor Recruits are employed in grade GS-11, \$10,203 per annum.

Although our budget authorizes 215 full-time positions and we have 185 full-time employees as of March 31, 1969, we do not have 30 vacant positions that can be filled at the present time. The Expenditure Control Act P. L. 90-364 limited our positions to the number of full-time permanent employees on the payroll on July 1, 1968. The Act also provides that for employees that leave to go to another Government Agency we can hire replacements on a one-for-one basis. However, we can only fill 7 out of every 10 vacancies where employees leave the Government service.

On July 1, 1968 we had 188 full-time permanent employees. Because of this regulation which reduces your number of positions, we have 11 vacancies as of today. If the 1 commitment of the Deputy Attorney General is approved after the character investigation by the F. B. I., we will have 10 vacant positions. Two positions will be required for the 2 commitments on Honor Recruits which reduces our vacant positions to 8 as of today.

All positions except Schedule C and attorney positions require Civil Service Status. The only requirement on attorney positions is that the incumbent be a Member of the Bar. The only nonlegal position under Schedule C is your personal Secretary. Attorney positions that were previously under Schedule C are now classified as Noncareer Executive Assignment. These positions are as follows:

Deputy Assistant Attorney General
Chief, Land Acquisition Section
Chief, Indian Claims Section
Chief, Appellate Section

All attorneys appointments and promotions must be approved by the Deputy Attorney General. Appointments and promotions of all nonlegal personnel must be approved by the Assistant Attorney General for Administration.

Location of Employees:

All of our full-time employees except 7 are located in Washington, D. C. The Indian Claims Section and the Direct Purchase Unit of the Land Acquisition Section are located on the 8th floor of the Star Building. This is on the corner of 11th and Pennsylvania Ave., N. W., and is about one block away. Four employees handling condemnation in the District of Columbia are located in the Courthouse Building at 3rd and Constitution Ave., N. W., which is about 6 short blocks away. However, these employees will be moved to the Indiana Building on April 30th. This building is only two blocks away. The balance of our employees in Washington are located in this building on the 2nd floor.

The 3 field attorneys are located in Brooklyn, New York; Denver, Colorado; and Sacramento, California. Three of the secretaries are located in New York and one is located in Denver, Colorado. All of these employees are employed in connection with condemnation cases.

The 3 attorneys employed on a part-time basis are located in Orlando, Florida; San Diego, California; and Jackson, Mississippi. All of these attorneys are employed in connection with specific cases and their appointments will be terminated when those cases are concluded.

Daily Time Reports:

All attorneys including Assistant Attorneys General are required to execute Daily Time Summary Sheets and turn them in the following morning. Memorandum of instructions from the Deputy Attorney General dated February 27, 1969 are attached. Your secretary will have a supply of the necessary forms.

Work:

Through April 18th of the current fiscal year, the Division received 13,106 tracts (3,801 condemnation and 9,305 direct purchase) of land for acquisition. For the same period last year, we received 2,422 tracts in condemnation and 9,834 tracts to be acquired by direct purchase or a total of 12,256. During the same period of the current year, we closed 2,666 tracts in condemnation and 8,390 in direct purchase for a total closing of 11,056. For the same period last year, we closed 3,672 tracts in condemnation and 8,565 tracts in direct purchase for a total closing of 12,237. As of April 18, 1969, there were 14,005 condemnation tracts pending or an increase of 1,692 over the 12,313 pending on April 18, 1968. During this fiscal year, we have written 7,697 final opinions approving the title to 476,079 acres of land costing \$143,500,000.00.

As of March 31, 1969, there were 5,234 condemnation tracts pending where the amount deposited as estimated just compensation was less than \$1,000.00. This is 41% of the 12,553 tracts pending on that date. 8,636 tracts pending or 68% of the total had deposited as estimated just compensation less than \$7,000.00.

In the General Litigation Section, 574 cases have been received and 507 cases have been closed this fiscal year. On April 18, 1969 there were 1,168 cases pending. For the same period last fiscal year, 557 cases were received and 564 cases were closed. At the same date last year there were 1,180 cases pending.

The Appellate Section has received 116 cases and closed 103 leaving 163 pending on April 18, 1969. For the same period last year, 119 cases were received and 114 cases were closed and there were 170 cases pending.

During the current fiscal year, 6 cases have been received and 25 have been closed in the Indian Claims Section. As of April 18, 1969 there remained 358 cases in this Section. Of the 358 cases pending, the Government has been held liable in 77 cases for compensation of an estimated 176,670,015 acres of land. This leaves 281 cases in which the Indian Claims Commission must determine whether the Government is or is not liable. Since the enactment of the Indian Claims Commission Act, 139 cases have had final judgment determined. Included in the 139 cases were claims for compensation for 473,590,238 acres of land. The total dollar value of their claims amounts to \$738,834,334.09. The net final judgments on the claims amounted to \$290,544,763.05.