

# U.S. Department of Justice



## Environment and Natural Resources Division



**FY 2027  
PERFORMANCE BUDGET  
CONGRESSIONAL BUDGET SUBMISSION**

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# **I. Overview of the Environment and Natural Resources Division (ENRD)**

## **A. Introduction:**

The Environment and Natural Resources Division (ENRD) is headquartered in Washington, D.C., and has one field office located in Denver, Colorado. ENRD is organized into seven specialized litigating sections, an appellate section, and an administrative unit. The Division is responsible for enforcing and defending actions taken under more than 150 federal statutes. ENRD represents virtually every federal agency in cases arising in all 50 states and the United States' territories. Its docket is nationally significant and has expanded in recent years. ENRD's active docket includes more than 6,600 cases and matters.

ENRD's litigation responsibilities at present are broad and include:

- Acquiring land and real property for federal interests (i.e. Border Wall and Immigration);
- Enforcing the Nation's civil and criminal pollution-control laws;
- Defending environmental challenges to federal agency programs and activities;
- Protecting United States taxpayers in lawsuits seeking tens of billions of dollars from the federal fisc;
- Representing the United States in matters concerning the stewardship of the Nation's natural resources and public lands;
- Bringing and defending cases under the wildlife protection and animal welfare statutes; and
- Litigating cases concerning the resources and rights of Indian tribes and their members.

**To effectively execute its important mission in FY 2027, ENRD is requesting a total of \$115,031,000, 389 positions (including 260 attorneys), and 389 FTEs (including 32 reimbursable FTEs).** The FY 2027 President's Budget provides \$25,031,000 more than the FY 2026 Enacted funding level, which will allow the division to have the requisite base funding to meet mission critical requirements.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed and/or downloaded from the Internet via the following address: <https://www.justice.gov/doj/budget-and-performance>

## **B. Issues, Outcomes, and Strategies:**

The Division initiates and pursues legal action to fairly enforce federal pollution abatement laws and obtain compliance with environmental protection and conservation statutes. ENRD also represents the United States in all matters concerning protection, use, and development of the Nation's natural resources and public lands. The Division defends challenges to agency actions under the foregoing laws and fulfills the federal government's responsibility to litigate on behalf of Indian tribes and individual Indians. ENRD's efforts protect the federal fisc, engender fair competition across industries, reduce harmful discharges of hazardous chemicals and pollutants into the air, water, and land, enable clean-up of contaminated waste sites, and ensure proper disposal of solid and hazardous waste. The Division's work also protects American workers, directly and importantly supports the nation's military, and plays a key role in the United States' efforts in combatting illegal immigration.

### C. Current and Anticipated Workload Challenges:

In FY 2027, ENRD will continue to vigorously advance the President’s priorities, including unleashing American energy, promoting reliable and affordable electricity, facilitating timber production, promoting consumer choice in automobiles, cutting burdensome environmental regulations, and securing the Nation’s borders, all while protecting clean air and water for all Americans through evenhanded enforcement of the nation’s environmental laws.

As the Nation’s chief environmental litigator, ENRD strives to obtain compliance with environmental and conservation statutes, and defend important Executive Branch programs, while effectively implementing many key Presidential Executive Orders and Presidential Memoranda, including but not limited to EO 14165 “Securing Our Borders” (January 20, 2025), EO 14154 “Unleashing American Energy” (January 20, 2025), EO 14213 “Establishing the National Energy Dominance Council” (February 14, 2025), EO 14218 “Ending Taxpayer Subsidization of Open Borders” (February 19, 2025) and EO 14260 “Protecting American Energy From State Overreach” (April 8, 2025).

ENRD’s defensive caseload is expected to continue to vastly increase in FY 2027, as outside interest groups ramp up challenges to the Administration’s work to implement important Presidential directives. Historically, more than half of the Division’s workload has been comprised of defensive matters, with court schedules and deadlines driving the pace of work and the allocation of attorney resources. The federal government has no choice but to respond to lawsuits filed against it.

In the area of enforcement, in FY 2027, ENRD will continue to fairly enforce environmental regulations to protect human health; ensure the vigor of Superfund cleanup work; prosecute environmental crimes that harm the American people; and prosecute animal cruelty, which is often connected with gang violence, as well as drug and weapons offenses. ENRD’s civil and criminal enforcement cases are complex and often span several years. These cases result in significant benefits to public health and level the playing field for law-abiding individuals and businesses.

The Division’s important immigration-related work along the southwest U.S. border will also continue in earnest in FY 2027. ENRD’s Land Acquisition Section brings affirmative condemnation actions on behalf of the United States, conducts title work, promulgates the Attorney General’s Title Standards for all land acquired by federal agencies, and provides appraisal valuation services. The Division’s condemnation program is instrumental in securing land along the southwest U.S. border to build strategic infrastructure.

#### **External Challenges**

Environmental protection statutes and administrative law principles allow states, non-governmental organizations, and individuals to bring judicial challenges to federal agency action. This includes regulatory and deregulatory actions taken by federal agencies to implement the Administration’s priorities and initiatives and to modify or repeal prior Administration rules or programs. When such lawsuits are filed, ENRD’s mission is to defend its client agencies. **Defensive cases** make up more than half of the Division’s workload, with court schedules and deadlines driving the pace of work and attorney time in this type of litigation. These cases are non-discretionary – the federal government must respond to lawsuits filed against it. ENRD’s defensive caseload has increased

significantly in recent years and is expected to continue to increase in FY 2027. This defensive work is a specialized litigation docket that cannot be referred to the United States Attorneys' offices.

Below is a summary of some of the current and expected defensive challenges that will likely impact the Division through FY 2027, which in the aggregate are likely to require significant ENRD resources.

- The Division is actively litigating affirmative challenges to New York and Vermont's "Climate Superfund" laws and to Hawaii and Michigan's threatened climate-tort suits, all of which undermine the President's efforts to secure reliable sources of domestic energy to support our national and economic security. ENRD has filed amicus briefs and plans to participate in other ongoing climate tort suits across the country. *See Mayor & City Council of Baltimore v. B.P. p.l.c.* (Md.). ENRD is also advancing the President's commitment to end the electric vehicle mandate by challenging California's attempts to enforce emissions standards that are preempted by the Clean Air Act. *Daimler Truck North America LLC, et al. v. California Air Resources Board, et al.* (E.D. Cal.) and *American Free Enterprise Chamber of Commerce v. Engine Manufacturers Association* (E.D. Cal.).
- The Division brings affirmative condemnation actions on behalf of the United States and is instrumental in securing land along the southwest U.S. border to build strategic infrastructure. Currently ENRD is working with the Department of Homeland Security to acquire an additional 346 miles of fencing, gates, and buoy barrier in Texas, about 2,000 tracts of non-federal land. This important immigration-related work along the southwest U.S. border will continue to ramp up in FY 2027. ENRD is also defending challenges related to construction of immigration-related facilities, including a migrant detention center known as "Alligator Alcatraz" in the Florida Everglades. *Friends of the Everglades Inc. et al. v. Noem et al.* (S.D. Fla. & 11th Circuit).
- The Division is vigorously defending challenges (including those seeking immediate injunctions/restraining orders) to numerous Executive Orders and other Presidential actions and expects many more challenges to arise. Active pending litigation includes: *Washington v. Trump* (W.D. Wash.) (a coalition of 15 states led by Washington and California challenging the "Declaring a National Energy Emergency" Executive Order and its implementation); *New York v. Trump* (D. Mass) (challenge brought by 17 states and the District of Columbia against President Trump's Memorandum, "Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects"); and *Lighthiser, et al. v Trump et al.* (D. Mont.) (complaint on behalf of a coalition of 22 youth challenging the constitutionality of energy-related executive orders).
- In dozens of cases, the Division continues to work closely with other federal agencies in actively reviewing the prior Administrations' rules and any positions taken in defending them to assess whether to confess error and move for vacatur or seek voluntary remand to the agency to allow for reconsideration of the rule. Examples where this work is ongoing or complete include Clean Air Act climate pollution rules for power plants; coal combustion disposal standards; mercury air toxics rule for coal- and oil-fired electric steam generating units; the Roadless Rule on the Tongass National Forest; and Endangered Species Act implementing regulations and listing decisions. These cases support Executive Orders

including “Unleashing American Energy.” ENRD attorneys have successfully advocated (and continue to work) to put many of these cases on hold while new leadership at DOJ and the client agencies review the prior rules. ENRD expects that the volume of defensive litigation it handles will increase significantly in FY 2027 and beyond as agencies issue new rules or take other actions following their reconsideration of the prior Administration’s rules.

- The Division is currently defending a significant number of Fifth Amendment takings claims involving flooding arising out of the Army Corps of Engineers’ management of flood control structures across the country. For example, the Division continues to defend hundreds of cases in which the plaintiffs allege a taking without just compensation in violation of the Fifth Amendment stemming from the Corps’ management of two flood-control reservoirs near Houston during and immediately after Hurricane Harvey in 2017. Plaintiffs collectively seek tens of billions of dollars in damages. In addition, a case (*Ideker Farms v. U.S.*) involving flooding along the Missouri River that involves hundreds of high-dollar claims across five states is pending before the Court of Federal Claims.
- The Division represents the United States (primarily the Department of the Interior) in a number of pending **tribal trust** cases in federal district courts and the Court of Federal Claims, in which tribes or Indian plaintiffs demand “full and complete” historical trust accountings and/or damages for financial injury resulting from the government’s alleged mismanagement of the plaintiffs’ trust funds and non-monetary assets (such as timber, mining or grazing rights). The plaintiffs’ claims total billions of dollars in the pending cases. Throughout FY 2027, these cases will require substantial resources to complete extensive fact and expert discovery. to the discovery will address claims for alleged mismanagement of tribal trust and individual Indian money accounts, as well as extensive non-monetary tribal trust resources dating back as far as 1946.
- The Division continues to deal with a significant expansion of its **rails-to-trails litigation**, in which property owners along railroad corridors allege takings of their property interests in violation of the Fifth Amendment as a result of the operation of the National Trails System Act of 1968 (“Trails Act”). The courts have held that the Trails Act preempts the operation of state law that would otherwise allow a railroad to abandon a rail line, and results in the conversion of the railroad line into thousands of miles of recreational trails throughout the United States, which are also “railbanked” for possible future railroad reactivation. The Division presently is defending more than 100 such suits, involving thousands of properties, with estimated aggregate claims in the hundreds of millions of dollars. These cases present considerable legal challenges, as well as resource challenges, since each property conveyance and each property valuation must be individually analyzed.

## **Internal Challenges**

### **3CON Data Center Migration and the ENRD Document review platform replacement**

- ENRD is required to move all its data from the 3CON data center by October 2026. This mandated transition of data from the JMD 3CON data center directly impacts ENRD's litigation support. Approximately 70% of the data stored at 3CON is Relativity Server software and case evidence. ENRD will be required to find a replacement solution for its case data. ENRD's current Relativity Server software will be retired as of January 1, 2028. The mandate to close 3CON data center is an opportunity to start the transition to the replacement for the Relativity Server. Note, the replacement solutions for the 3CON data center and Relativity One are interrelated for ENRD and estimated to cost over \$4,000,000 annually.

ENRD's current eDiscovery operations, including its software and all electronic data collected and processed for its cases, are housed on local servers and supported entirely by ENRD technical staff and contractors. This on-premises system has historically been the most cost-effective operational model for ENRD given the minimal costs for data storage.

Effective January 1, 2028, ENRD will be unable to add new cases to its current server-based review platform (e.g. Document processing, review databases, productions) without another viable system in place well before that deadline. Without the implementation of another data processing and review system, ENRD case teams would be unable to fulfill their discovery obligations for filed cases and could potentially face judicial sanctions.

ENRD is currently in a race against time to procure a multi-million-dollar solution and implement a replacement for both current server-based processing and the litigation support Relativity in advance of January 1, 2028, deadline imposed by the vendor. The funds from the FY 2027 request will allow ENRD to move forward and transition to a cloud-based alternative.

#### **D. Achieving Cost Savings and Efficiencies:**

The Division takes its role as a responsible custodian of the public fisc seriously and is proud of the short- and long-term cost-saving measures and efficiencies that have been implemented over the past several years. Of note, beginning in 2011, ENRD responded to anticipated budgetary challenges by convening a committee of Division attorneys, paralegals, legal assistants, and managers from across the Division (the "\$AVE Committee"). Through multiple iterations of ENRD's \$AVE Committee, the Division has cut millions of dollars from its operating budget. The Division achieved these cost savings through common-sense "belt-tightening" measures, such as reducing office space, cutting discretionary travel, modernizing telecommunications services, cutting hard-copy subscriptions, eliminating infrequently used hardware/software/maintenance, and reducing various services (I.T. help desk, courier, shipping, etc.).

In FY 2025, pursuant to the President's EO 14210 "Department of Government Efficiency Cost Efficiency Initiative," and EO 14222 "Implementing the President's "Department of Government Efficiency" Cost Efficiency Initiative," ENRD took aggressive steps to cut costs and save more than \$9 million. The aggressive steps that resulted in the benefits added terminating and reducing scope

of administrative support contracts to save an estimated \$5.6 million, eliminating 17 positions in the Executive Office, as part of the Agency RIF and Reorganization Plans (ARRP)<sup>1</sup> to save roughly \$3 million annually on salary and benefits, and relocating staff and closing field offices to save \$400,000 annually. In addition, ENRD streamlined telecommunication services by eliminating office desk phones and associated voicemail accounts, producing an annual cost savings of approximately \$150,000.

In the realm of process automation, ENRD has developed and deployed several important internal systems, which resulted in significant cost and time savings. For example, over the past few years, the Division deployed an automated property appraisal management system that has reduced the time and cost of retaining qualified appraisers. The Division also recently deployed internal electronic systems to manage ENRD's employee performance program and transit subsidy management program. ENRD is in the process of developing an automated expert witness contract request process, which is in the test phase. Additionally, the Division deployed an internal cost-accounting system, which reduced ENRD's reliance on outside accountants and auditors. All automated applications have saved, or are projected to save, the Division time and money, and have contributed to more efficient, accountable, and reliable business processes. These systems have been developed at minimal cost by utilizing the talents of existing governmental employees (i.e., no contracts or contractors involved).

## **II. Summary of Program Changes**

No program changes.

## **III. Appropriations Language and Analysis of Appropriations Language**

In FY 2027, the Division is not seeking any changes to its General Legal Activities (GLA) appropriations language.

The following Department legal activities are financed from this appropriation:

*Environment and natural resource matters.* The Environment and Natural Resources Division enforces the Nation's civil and criminal environmental laws and defends environmental challenges against federal government action. Additionally, the Division represents the United States in virtually all matters concerning the use and development of the Nation's natural resources and public lands, wildlife protection, Indian rights and claims, worker safety, animal welfare, and acquisition of Federal property.

*Reimbursable programs.* ENRD is reimbursed by client agencies for personnel, automated litigation support, and litigation consultant services for a variety of environmental, natural resource, land acquisition, and Native American cases, including from the EPA for Superfund enforcement.

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<sup>1</sup> Pursuant to EO 14210 and U.S. Department of Justice, Office of the Deputy Attorney General, Memorandum Subject "Soliciting Feedback for Agency Reorganization Plan and RIF", dated March 25, 2025, Page 2 under proposals 6 and 7.

## IV. Program Activity Justification

<i>Environment and Natural Resources Division</i>	<b>Direct Pos.</b>	<b>Estimated FTE</b>	<b>Amount</b>
2025 Enacted	381	365	116,200
2026 Enacted	389	389	90,000
Adjustments to Base and Technical Adjustments	0	0	25,031
2027 Current Services	389	389	115,031
2027 Program Increases	0	0	0
2027 Program Offsets	0	0	0
2027 Request	389	389	115,031
<b>Total Change 2026-2027</b>	<b>0</b>	<b>0</b>	<b>25,031</b>

<i>ENRD Information Technology Breakout (of Decision Unit Total)<sup>2</sup></i>	<b>Direct Pos.</b>	<b>Estimate FTE</b>	<b>Amount</b>
2025 Enacted	13	13	6,719
2026 Enacted	11	11	6,348
Adjustments to Base and Technical Adjustments	0	0	0
2027 Current Services	11	11	6,348
2027 Program Increases			
2027 Program Offsets			
2027 Request	11	11	6,348
<b>Total Change 2026-2027</b>	<b>0</b>	<b>0</b>	<b>0</b>

### A. Environment and Natural Resources Division

#### 1. Program Description

As described above, ENRD works to:

- Even-handedly enforce the Nation’s civil and criminal pollution-control laws;
- Defend environmental challenges to federal agency programs, activities, and decisions, including actions to eliminate burdensome and unnecessary regulations;
- Protect United States taxpayers in lawsuits that seek billions of dollars from the federal fisc;
- Represent the United States in matters concerning the stewardship of the Nation’s natural resources and public lands;
- Acquire land and real property for federal interests, including property for military purposes and strategic infrastructure related to the combatting illegal immigration;

<sup>2</sup> These IT positions will no longer be with ENRD in FY 2027. They are moved under the reorganization process to JMD as part of ARRP effort pursuant to EO 14210 and U.S. Department of Justice, Office of the Deputy Attorney General, Memorandum Subject “Soliciting Feedback for Agency Reorganization Plan and RIF”, dated March 25, 2025, Page 2 under proposals 6 and 7.

- Bring and defend cases under the wildlife protection and animal welfare statutes; and
- Litigate cases concerning the resources and rights of Indian tribes and their members.

A brief description of ENRD's work and its organizational units is provided below:

**The Appellate Section (APP)** briefs and argues appeals in all thirteen federal circuit courts of appeals around the country, as well as in state courts of appeals and supreme courts. The Section handles appeals in all cases tried in the lower courts by any of the sections within the Division and oversees or handles directly appeals in cases within the Division's jurisdiction that were tried in the lower courts by U.S. Attorneys' Offices. The Section is also responsible for petitions for review filed directly in the courts of appeals in environmental or natural resource cases involving the Department of Energy, the Federal Aviation Administration, the Federal Energy Regulatory Commission, the Nuclear Regulatory Commission, and the Surface Transportation Board. The Section works closely with DOJ's Office of the Solicitor General, making recommendations whether to appeal adverse district court decisions or to seek Supreme Court review of adverse appellate decisions. The Section writes draft briefs for the Solicitor General in Division cases before the Supreme Court.

**The Environmental Crimes Sections (ECS)** prosecutes cases against individuals and organizations for violations of the criminal provisions of the federal pollution control, wildlife, worker safety, and animal welfare laws, as well as associated Title 18 crimes. ECS attorneys bring cases throughout all ninety-four federal judicial districts, provide advice and training to other prosecutors and investigators, and coordinate with partners on policy and legislative matters. The Section also serves as a nationwide clearinghouse for information about how to investigate and prosecute environmental crime. Much of the Section's work is done in partnership with U.S. Attorneys' Offices, many of which are staffed with Assistant U.S. Attorneys (AUSAs) who have trained at seminars on environmental crimes organized by ECS.

**The Environmental Defense Section (EDS)** represents the United States in complex civil litigation arising under a broad range of pollution control statutes. EDS handles both litigation in federal district courts and cases within the original jurisdiction of the federal courts of appeals (i.e., petitions for review). EDS defends: (a) rules issued by the U.S. Environmental Protection Agency (EPA) and other agencies under the pollution control laws; (b) the United States against claims for contribution, response costs, and natural resource damages at federally owned and private Superfund sites; and (c) federal agencies accused of violating pollution control statutes. Although primarily a defensive section, EDS also brings enforcement actions against those who fill wetlands in violation of the Clean Water Act.

**The Environmental Enforcement Section (EES)** is responsible for bringing civil judicial actions under the federal pollution control laws enacted to protect public health and the environment, such as the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Oil Pollution Act, Resource Conservation and Recovery Act, and Superfund law (CERCLA). The Section's practice includes cases of national scope, such as cases against multiple members of an identified industry, to obtain broad compliance with the environmental laws. For example, through its enforcement of the Superfund law, the Section seeks to compel responsible parties either to clean up hazardous waste sites or to reimburse the United States for the cost of cleanup, thereby ensuring that they, and not the public, bear the burden of paying for cleanup. The Superfund law is also a basis of the Section's

actions to recover damages for injury to natural resources that are under the trusteeship of federal agencies.

**The Executive Office (EO).** It provides financial management, human resources, information technology, procurement, facilities, security, litigation support, and other important services to the Division's workforce. The Executive Office takes advantage of cutting-edge technology to provide sophisticated automation facilities to ENRD employees. By utilizing new technologies and innovative business processes – and by in-sourcing services traditionally provided by contractors and equipping employees – the Executive Office can achieve significant cost savings for the American public.

**The Land Acquisition Section (LAS)** acquires real estate by direct condemnation for Congressionally authorized public uses. The Section also reviews title for purposes of agency purchases of real estate for those same uses. The Section's work involves land in all 50 states and the U.S. territories for uses ranging from national parks to military bases to federal courthouses. The cases present complex legal and factual questions and can include the power of the United States to condemn under specific acts of Congress, ascertainment of the market value of property, applicability of zoning regulations, and problems related to subdivisions, capitalization of income, and the admissibility of evidence.

**The Law and Policy Section (LPS)** advises and assists the Assistant Attorney General on environmental legal and policy questions, particularly those that affect multiple sections in the Division. Working with the Department's Office of Legislative Affairs, client agencies and Congressional staff, it coordinates the Division's response to legislative proposals and Congressional requests; prepares for appearances of Division witnesses before Congressional committees; and drafts legislative proposals in connection with the Division's work, for example, the implementation of litigation settlements. LPS houses the Division's Freedom of Information Act unit and ethics counsel. Attorneys in the Section also litigate cases in which the United States appears as *amicus curiae*, undertake other special litigation projects, and coordinate the Division's involvement in certain environmental litigation and policy matters.

**The Natural Resources Section (NRS)** defends lawsuits relating to the management of public lands, National Forests, National Parks, the Outer Continental Shelf, federally managed water projects, and other federal installations. NRS represents nearly every federal agency in lawsuits challenging compliance with the National Environmental Policy Act and National Historic Preservation Act and defends against claims alleging breach of trust by Indian Tribes. The Section represents federal agencies in Fifth Amendment takings litigation involving real property, primarily in the Court of Federal Claims. NRS also represents federal agencies in water allocation and water rights adjudications in federal and state courts and assists the Office of the Solicitor General in U.S. Supreme Court original actions involving boundary and water allocation disputes.

**The Tribal Resources Section (TRS)** litigates to protect almost 60 million acres of lands held in trust for tribes and individual Indian lands, as well as the rights and resources associated with those lands. The Section also defends challenges to decisions made by the Secretary of the Interior on behalf of tribes. This litigation often involves complex historical disputes, some of which date back to the early days of our Nation. Although the Tribal Resources Section is relatively small, its cases concern vast amounts of land and resources and important principles of tribal sovereignty and identity. These cases fall into the following four broad categories: (1) the scope of tribal lands and

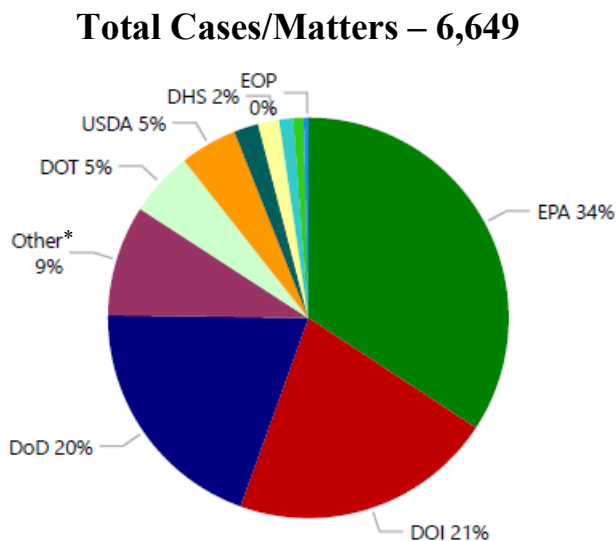
jurisdiction; (2) treaty hunting and fishing rights; (3) water rights adjudication; and (4) the defense of agency action in furtherance of tribal interests. This broad docket encompasses issues of regional and national importance.

**The Wildlife and Marine Resources Section (WMRS)** defends litigation related to federal agency administration of and compliance with the Nation’s wildlife laws such as the Endangered Species Act (ESA), Magnuson-Stevens Act, Marine Mammal Protection Act, and Migratory Bird Treaty Act. The Section’s work includes litigation over which species should be listed as threatened or endangered under the ESA, cases challenging the way in which protected species are considered when federal agencies carry out their missions, and other litigation related to the balance between species protection and resource development in federal agency decision-making. The Section is also responsible for civil judicial enforcement of the Animal Welfare Act, other federal animal welfare statutes, and the ESA.

**The Office of the Assistant Attorney General (OAAG)** is responsible for overseeing all aspects of the Division’s operations and ensuring that the Division’s work is accomplished in a timely and professional manner each day.

Please see *Exhibit A* for an organization chart describing ENRD’s current structure.

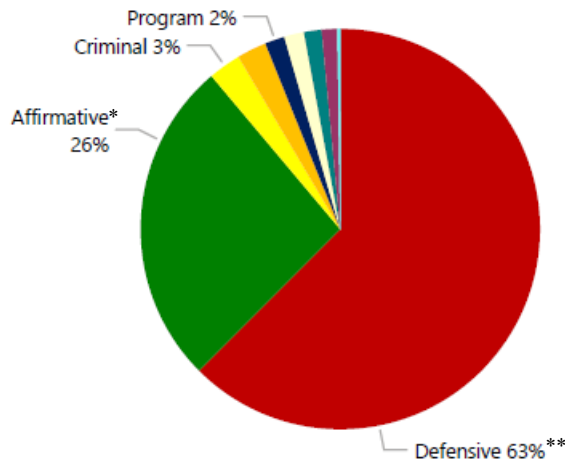
### ENRD’s Cases/Matters Pending by Client Agency as of September 30, 2025



*\*Other - includes many different Cabinet Departments and agencies with minimal numbers of cases.*

**ENRD's Cases/Matters Pending by Case Type as of September 30, 2025**

**Total Cases/Matters – 6,649**



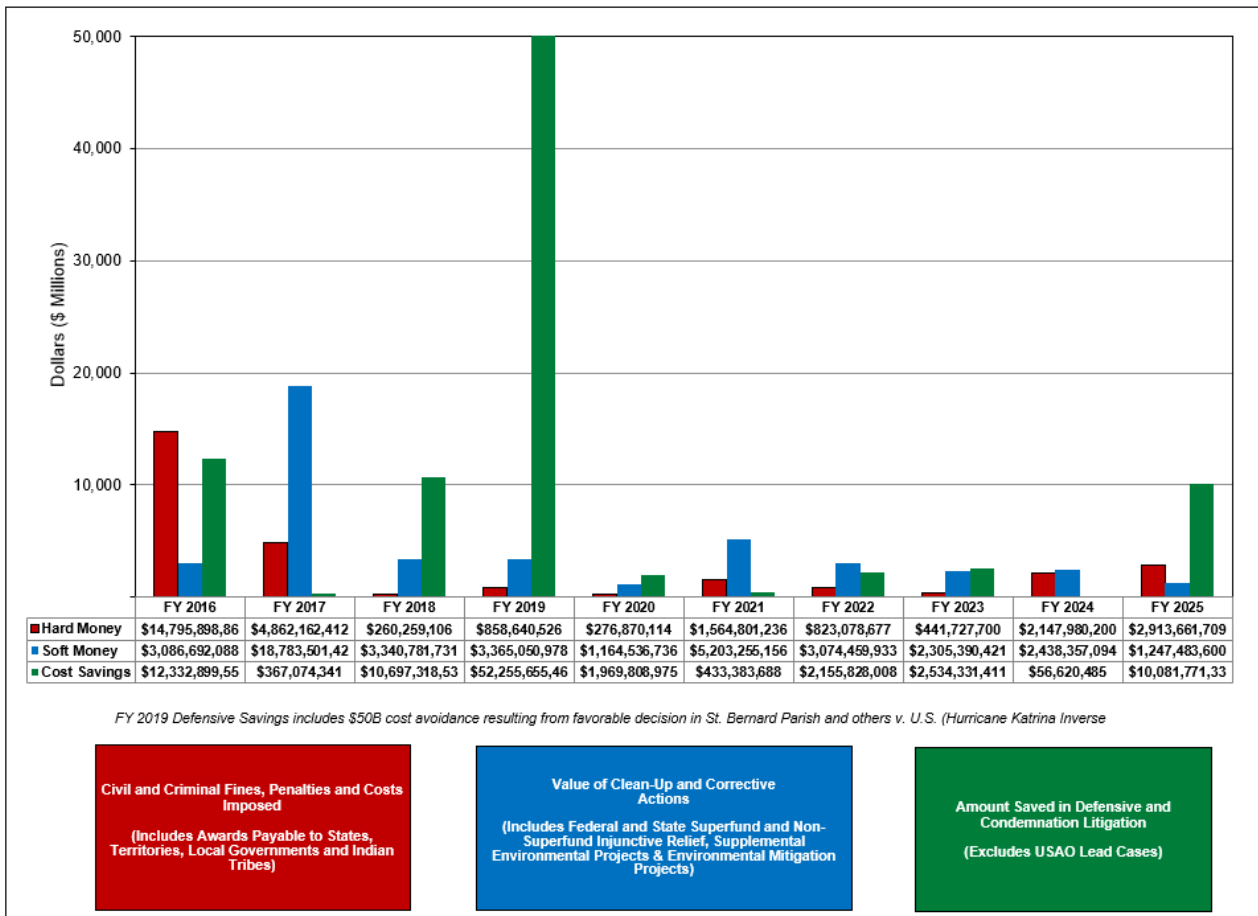
*\*Affirmative - includes case types of Civil Affirmative, Amicus, and Citizen Suits.*

*\*\*Defensive - includes case types of Civil Defensive, Civil Contempt, Notices of Intent and Petitions for Review.*

**ACCOMPLISHMENTS**

In FY 2025, ENRD successfully closed 390 matters and 1,966 cases while maintaining a robust docket of 6,649 cases, matters, and appeals. The Division posted an exceptional record of even-handedly enforcing the Nation's civil and criminal pollution-control laws and effectively defending environmental challenges to federal agency programs, activities, and decisions. ENRD recorded more than \$2.9 billion in civil and criminal fines, penalties, and costs recovered. The estimated value of federal injunctive relief (clean-up work and pollution prevention actions by private parties) obtained in FY 2025 exceeded \$1.2 billion. Moreover, ENRD's defensive litigation efforts avoided costs (claims) of over \$10.1 billion in FY 2025. In FY 2025, the Division achieved a favorable outcome in 98 percent of its civil affirmative cases, 87 percent of its civil defensive cases, 100 percent of its criminal cases, and 100 percent of its condemnation cases. ENRD continues to be a valuable investment of taxpayer dollars as the number of dollars returned to the Treasury exceeds ENRD's annual appropriation many times over.

# ENRD Litigation Accomplishments



## V. Program Increases by Item

(None)

## VI. Program Offsets by Item

(None)

## VII. Exhibits