



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

### FY 2011 Budget Request At A Glance

FY 2010 Enacted:	\$109.8 million (459 positions; 433 attorneys)
Current Services Adjustments:	+\$4.9 million (4.5% above FY 2010 Enacted)
Program Changes:	+\$4.6 million
FY 2011 Budget Request:	\$119.3 million (486 positions; 448 attorneys)
Change from FY 2010 Enacted:	+\$9.5 million (+8.7%) (+27 positions; +15 attys)

#### Mission:

The Environment and Natural Resources Division's (ENRD) mission is to enforce civil and criminal environmental laws and programs protecting the public and environment of the United States and to defend suits challenging environmental programs and activities. 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 (Superfund), 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 2011 totals \$119.3 million, which is a 8.7 percent increase from the FY 2010 Enacted level.

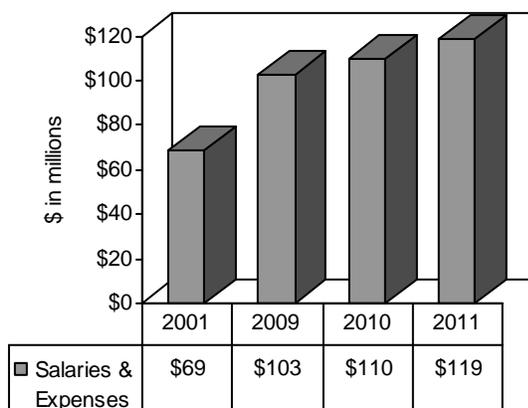
#### Organization:

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 nine practice areas dedicated to the enforcement of the nation's civil and criminal environmental laws and programs as well as the defense of the United States in matters concerning stewardship of the nation's natural resources and public lands. 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.

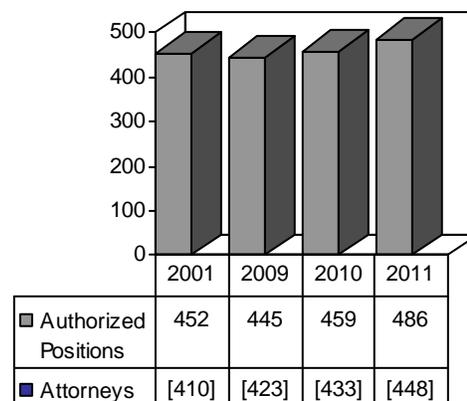
#### Personnel:

ENRD's direct authorized positions for FY 2011 total 486 positions, including 448 attorneys, all located domestically. ENRD's FY 2011 request includes an increase of 27 positions, including 15 attorneys, over the FY 2010 Enacted level of 459 direct authorized positions.

**Funding (FY 2001 - 2011)**



**Personnel (FY 2001 - 2011)**



\*Includes reimbursable attorneys

**FY 2011 Strategy:**

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

**FY 2011 Program Changes:**

**Tribal Trust Litigation (Personnel/ALS) Support:** \$2.7 million and 10 positions (8 attorneys) to defend the United States in the Indian Tribal Trust litigation wherein more than 100 tribes have filed billions of dollars in claims against the federal government for failing to properly manage trust funds and non-monetary trust resources (e.g., oil, gas, timber and various other minerals) and for failing to provide accountings of such tribal trust funds and non-monetary trust resources. FY 2011 current services for this initiative are 32 positions (25 attorneys) and \$5.2 million.

**Enforcing the Nation's Environmental Laws:** \$958,000 and 8 positions (5 attorneys) to expand civil and criminal enforcement actions against violators of the nation’s environmental protection laws. ENRD’s environmental enforcement efforts are expected to increase significantly in FY 2011 due to an anticipated increase in the number of referrals from the Environmental Protection Agency in connection with six of the agency’s key initiatives: (1) improving the health of the Chesapeake Bay, (2) combating pollution from coal combustion waste, (3) cleaning up and preventing municipal sewer overflows, (4) bringing coal-fired power plants in compliance with the Clean Air Act, (5) stopping sham recycling of electronic waste, and (6) enforcing the laws to prevent illegal timber harvesting. FY 2011 current services for this initiative are 4 positions (3 attorneys) and \$900,000.

**E-Discovery:** \$1.0 million and 9 positions (2 attorneys) to support ENRD’s litigation support and document management efforts. Proper handling of Electronic Discovery and Electronic Evidence in cases brought by or against the United States is critical to the effective and efficient administration of justice. Technical expertise is required to meet amendments to the Federal Rules of Civil Procedures, as well as developing case law that imposed severe sanctions upon clients and counsel not equipped to meet the challenges presented by electronically-stored information. There are no current services for E-Discovery.

**Travel and Management Efficiencies:** The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2011, DOJ is focusing on travel as an area in which savings can be achieved. For the Environment and Natural Resources Division, travel or other management efficiencies will result in offsets of \$130,000. This offset will be applied in a manner that will allow the continuation of effective law enforcement program efforts in support of Presidential and Departmental goals, while minimizing the risk to health, welfare and safety of agency personnel.

**Financial Snapshot 2009**

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