



GENERAL LEGAL ACTIVITIES Environment & Natural Resources Division (ENRD)

FY 2016 Budget Request At A Glance	
FY 2015 Enacted:	\$110.1 million (537 positions; 370 attorneys)
Current Services Adjustments:	+\$12.4 million
Program Changes:	+\$5.0 million
FY 2016 Budget Request:	\$127.5 million (543 positions; 376 attorneys)
Change From FY 2015 Enacted:	+\$17.4 million (+15.8%) (+6 positions; +6 attorneys)

Mission:

ENRD's 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 law); Endangered Species Act; National Environmental Policy 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 FY 2016 budget request for ENRD totals \$127.5 million, which is a 15.8% increase over the FY 2015 Enacted.

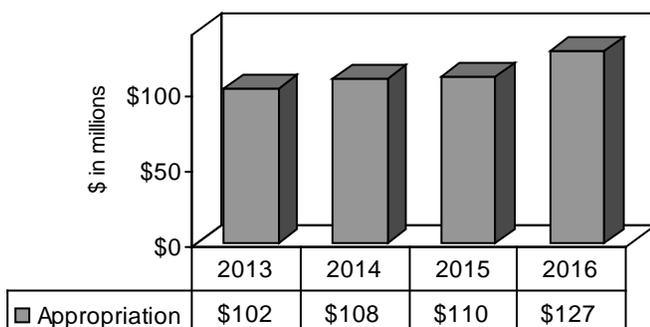
Organization:

ENRD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by four Deputy Assistant Attorneys General. 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 several small field locations across the United States, the Division is the nation's environmental lawyer, and the largest environmental law firm in the country.

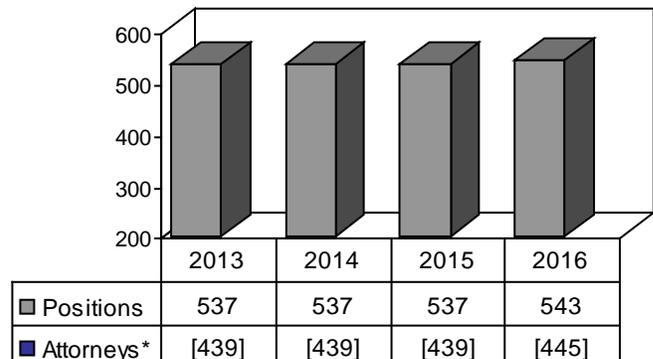
Personnel:

The ENRD's direct positions for FY 2016 total 543 positions. ENRD's FY 2016 request includes an increase of 6 positions over the FY 2015 Enacted of 537 direct positions.

Funding (FY 2013 - 2016)



Personnel (FY 2013 - 2016)



* Includes Reimbursable Attorneys.

FY 2016 Strategy:

ENRD handles both civil and criminal litigation concerning the defense and enforcement of environmental laws and regulations. The Division serves as the nation's environmental litigator and represents many federal agencies including the Environmental Protection Agency, Department of the Interior, Department of Defense, Department of Agriculture, 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, 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 its client agencies, enhance the quality of the environment in the United States and the health and safety of its citizens.

After three-plus years of litigation against BP and other companies, ENRD continues to work closely with an array of federal agencies and with Gulf States to secure civil penalties under the Clean Water Act and natural resource damages under the Oil Pollution Act. Two phases of the trial are complete (determination of level of fault and number of barrels of oil discharged into U.S. waters).

The court gave the Department a major victory in finding BP liable for gross negligence and willful misconduct in causing the blowout of the Macondo well and subsequent destruction of the Deepwater Horizon oil rig, resulting in the largest environmental disaster in U.S. history. As a result of this finding, BP's maximum civil penalty exposure rises from \$1,100 per barrel to \$4,300 per barrel discharged, under the Clean Water Act. Under the terms of the Restore Act, passed by Congress in the wake of the BP spill, 80 percent of the civil penalties recovered by the United States under the Clean Water Act will be spent in states affected by the spill. Previous settlements in the case include civil penalties of \$1 billion against the owner and operator of the rig that drilled the well (Transocean) and \$70 million against a minority investor (MOEX) as well as other measures to enhance safety and conservation efforts in the Gulf.

On January 20, 2015, the third phase of trial will begin, in which the court will consider all other issues necessary to assessing civil penalties. After this third phase of trial, DOJ's work will focus on the extensive case development necessary to present the federal government's other major claim: damage to natural resources. That work will continue to impose an enormous burden on ENRD and its client agencies for at least the next two years and will result in massive discovery disputes and document-production work that could rival the tens of millions of pages of materials already collected, stored, and produced by the U.S. in this case.

FY 2016 Program Changes:

Improving Environmental Enforcement in Indian Country: \$3.0 million and 4 positions (4 attorneys)

The rapid expansion of oil and gas extraction on Indian lands in the last decade has impacted civil and criminal enforcement capacity necessary for protecting human health and the environment in Indian Country. In response to this, the Department is requesting additional resources for ENRD to work closely with federal and tribal agencies to litigate cases addressing environmental violations in Indian Country. There are no current services for this initiative.

Wildlife Trafficking Initiative: \$2.0 million and 2 positions (2 attorneys)

To support the implementation of the National Strategy for Combating Wildlife Trafficking and address the increase in wildlife trafficking referrals and caseload, the Department is requesting additional resources to strengthen ENRD's enforcement and capacity building efforts and increase the number of wildlife offenders prosecuted. There are no current services for this initiative.

Environment & Natural Resources Division

(Dollars in Thousands)

	Environment & Natural Resources Division		
	Pos	FTE	Amount
2014 Appropriation	537	510	107,643
2015 Enacted	537	526	110,077
2016 Request	543	529	127,497
Change 2016 from 2015 Enacted	6	3	17,420
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	1,739
Domestic Rent & Facilities	0	0	10,671
Other Adjustments	0	0	10
Total Base Adjustments	0	0	12,420
2016 Current Services	537	526	122,497
Program Changes			
Increases:			
Improving Environmental Enforcement in Indian Country	4	2	3,000
Wildlife Trafficking Initiative	2	1	2,000
Subtotal, Program Increases	6	3	5,000
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	6	3	5,000
2016 Request	543	529	127,497

Environment & Natural Resources Division

(Dollars in Thousands)

Comparison by activity and program	2015 Enacted			2016 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Environment and Natural Resources	537	526	110,077	537	526	122,497
Total	537	526	110,077	537	526	122,497
Reimbursable FTE	0	115	0	0	115	0
Grand Total	537	641	110,077	537	641	122,497

Comparison by activity and program	2016 Total Program Changes			2016 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Environment and Natural Resources	6	3	5,000	543	529	127,497
Total	6	3	5,000	543	529	127,497
Reimbursable FTE	0	0	0	0	115	0
Grand Total	6	3	5,000	543	644	127,497