



*U.S. Department of
Justice*

Civil Division

FY 2027 Budget

March 2026

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I. Overview of the Civil Division

A. INTRODUCTION

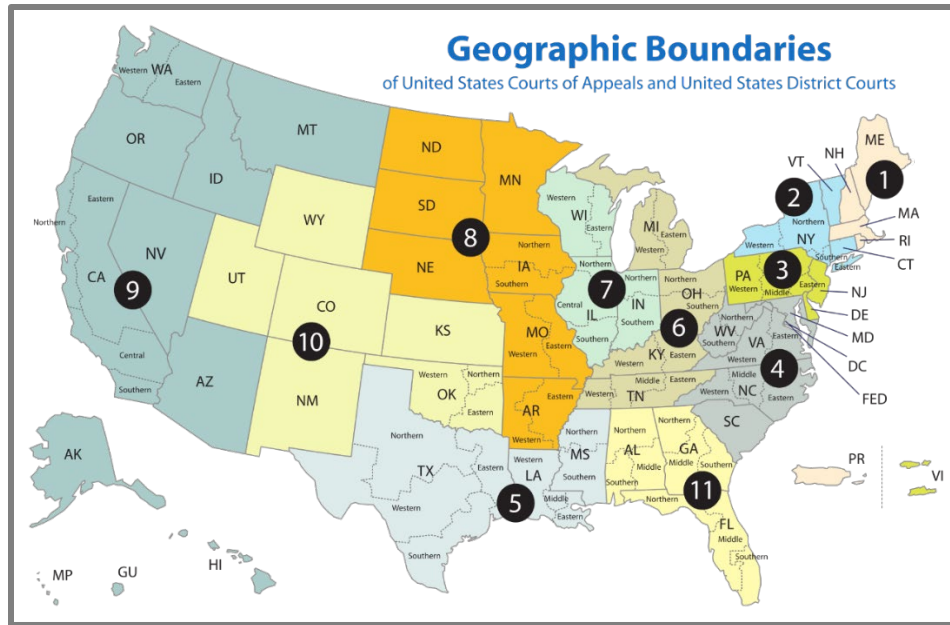
The Civil Division (“Civil”) is the largest litigating component of the U.S. Department of Justice (“DOJ” or “the Department”) and is critical to the safety and security of the United States, the American people, and the defense of the American way of life. Each year, the Civil Division represents the United States and its agencies, Members of Congress, Cabinet Officers, and other federal employees in tens of thousands of matters. In total, the Civil Division litigates matters on behalf of over 100 different federal agencies. This litigation encompasses a wide range of the Federal Government’s legal interests and includes cases relating to national security and public safety prerogatives, decisions, and actions; immigration enforcement; Congressional enactments; trade and customs violations; efforts to combat fraud and abuse of federal funds and benefit programs; multi-million-dollar tort claims; civil consumer protection matters; alleged takings of property; and intellectual property disputes. The Division also handles both defensive and affirmative civil tax litigation to enforce tax laws fully, fairly, and consistently; and represents the United States in foreign litigation where needed.

In addition to its litigating role, the Civil Division helps administer three compensation programs: the Vaccine Injury Compensation Program, the recently reauthorized and expanded Radiation Exposure Compensation Act Program, and the September 11th Victim Compensation Fund.

Fiscal Year (FY) 2027 Full Program Costs

The FY 2027 Civil Division budget request provides for **\$477,557,000** and **1,508** positions, including **1,166** attorney positions. This request includes a program increase for Camp Lejeune PACT Act.

The Civil Division defends the public fisc, ensures that the Federal Government speaks with one voice in its view of the law, defends laws enacted by Congress, and advances the credibility of the government before the courts. In these efforts, the Civil Division handles matters that are so significant in scope and span so many years that its caseload would overwhelm the resources and infrastructure of any individual field office. The Civil Division litigates matters in all Federal Judicial Circuits and the 94 Federal Districts across the country. The Civil Division also handles cases in the Court of Federal Claims and the Court of International Trade.



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

B. MISSION AND OBJECTIVES

The Civil Division is critical to the safety and security of the United States and the American people, and integral to the implementation of the President’s domestic and foreign policy agenda. The Division’s work impacts and ensures the success of all Administration priorities, policies, and programs, including but not limited to critical areas such as national security and combating terrorism; immigration enforcement and border security; public safety; trade and economic policies; and efforts to reform and streamline government and regulations.

The Civil Division’s mission and work to represent the United States Government in civil matters also protects the health and integrity of the federal fisc. Year after year, the Civil Division recovers funds for the U.S. Treasury through cases involving health care, financial, and procurement fraud; bankruptcies; unpaid taxes and penalties; the underpayment of customs duties; and civil penalties. In FY 2025, the Civil Division returned over \$4.9 billion to the U.S. Treasury. The Civil Division also defends federal agencies in cases where other parties file monetary claims against the Federal Government. The most significant cases, in terms of dollars at issue, typically relate to contract disputes, procurement decisions, patent claims, accident and liability claims, data privacy, and constitutional takings claims. Significant defense of the federal fisc also occurs relative to tax refund suits, with over \$1 billion in tax refund suits defended against in 2025. The Civil Division’s representation ensures that unmeritorious claims are not paid. The Federal Government’s potential exposure in these cases is hundreds of billions of dollars each year.

Civil Division in Action

In FY 2025, the Civil Division:

- **Returned** over \$4.9 billion to the United States Treasury.
- **Defeated** all or nearly all of the opposing party’s claims in 91% of defensive cases.
- **Defended** cases in which opposing parties sought over a hundred billion dollars from the United States.
- **Defeated** thousands of challenges to laws, regulations, policies, and administrative decisions.

The Civil Division also plays a critical role in defending federal programs, laws, regulations, and agency and Executive decisions that are challenged in court. The Division defends—in district court and on appeal—a broad range of critical actions and policies. Additionally, the Civil Division plays a vital role in the nation’s immigration system, defending challenges to removal orders, border initiatives, interior enforcement efforts, and to the Executive’s policies and actions. The Division ensures the integrity of the system by pursuing denaturalization proceedings against individuals such as those who engaged in the commission of war crimes, extrajudicial killings, or other serious human rights abuses; gang members and individuals convicted of crimes who pose an ongoing threat to the United States; and convicted terrorists. The Division also serves as a liaison and provides training to all the government’s immigration agencies and provides dependable counsel before the courts.

The Civil Division provides legal advice to agencies interpreting, modifying, or promulgating regulations or responding to novel requirements and crises. Overall, the Division’s work reflects the breadth and reach of the Federal Government’s activities.

C. EXTERNAL AND INTERNAL CHALLENGES

The Civil Division faces significant external and internal challenges affecting its ability to meet mission critical goals and objectives. These include, but are not limited to:

- Handling significant and increasing workloads outside the Division’s control;
- Modernizing information technology (IT) Infrastructure; and
- Providing reliable e-Litigation resources to support Civil Division attorneys and cases.

External Challenges

Due to new duties, caseload demands and recent legal decisions and legislation, the Civil Division is experiencing substantial pressure on its resources. Some examples are listed below:

Supreme Court Decisions: In *Trump v. CASA, Inc.* (June 2025), the Supreme Court ruled that federal courts generally cannot issue “universal” or “nationwide” injunctions to block federal policies. This ruling makes it harder for plaintiffs to stop federal policies immediately across the country, limiting relief to the parties involved. As a result, however, litigation may become

more piecemeal, leading to an influx of cases for the Civil Division. Instead of handling one case for a specific issue, the Division often must now handle multiple class action cases across multiple jurisdictions.

Changes in Legislation: The Civil Division plays a critical role in defending the United States in litigation associated with cases and administrative claims that have been filed since the enactment of the Camp Lejeune Justice Act (CLJA) on August 10, 2022. There are currently 3,711 filed lawsuits, and 409,000 non-duplicative administrative claims that were submitted by the August 10, 2024 deadline. The Division has been handling CLJA matters via a three-prong approach: litigating lawsuits; in partnership with the Navy, administering the Elective Option; and finalizing a questionnaire for a Global Settlement Matrix in an attempt to resolve the universe of remaining cases. The CLJA litigation has greatly increased the Division's workload and resource needs, as these cases take substantial time to resolve, are extremely resource-intensive and the number of claims rise.

Additionally, on July 4, 2025, the President signed Pub. L. No. 119-21. Sections 100201-100205 of this law reauthorized the Radiation Exposure Compensation Act (RECA) until December 31, 2028, added multiple new eligible populations, and created a restitution system under RECA for persons who became ill after presumed exposure to Manhattan Project waste. The Congressional Budget Office estimates that approximately 75,000 claims will be filed under the RECA reauthorization. This reauthorization has significantly expanded the population and eligibility criteria compared to the original RECA program, and the extension and expansion will require substantial resources to administer. Currently administrative costs are not provided through the RECA Trust Fund, and the Division does not yet have a long-term solution to address these needs.

Limited Control of Workload: Another challenge for the Civil Division is the primarily defensive nature of its cases. Approximately 78% of the Division's caseload is defensive. These cases must be handled regardless of available resources or staffing levels and regardless of the size, complexity, length, or number of cases, placing a strain on the Division that can neither be predicted nor controlled. These challenges are further compounded by the fact that in many cases, the opposing litigation teams are extremely well-resourced. Furthermore, these challenges are expected to increase, with outside parties filing additional lawsuits and court decisions leading to more challenges to government policies, regulations, and decisions. Therefore, the number of cases the Division must handle on behalf of the United States and its agencies is expected to rise.

Internal Challenges

The Civil Division is responding to an ever-increasing caseload that requires more complex investigations and litigation. Due to the nature of its work, the Division often faces in litigation high-profile private parties and firms. The Division's antiquated IT infrastructure and systems places it at a significant disadvantage when compared to the resources and technology private parties can draw upon.

Infrastructure Modernization: The Civil Division currently operates primarily through multiple, disparate legacy IT systems that require manual processes, keyword-only searches, and

mid-level machine learning capabilities, while top-tier law firms utilize advanced platforms with natural language processing, predictive analytics, and automated document review. The Division's application framework has not kept pace with the growth in size, scope, and complexity of electronic evidence due to advancements in technology. This technological gap directly impacts case outcomes through tedious document review and increases the risk of missing critical information or evidence, including inefficient or incomplete discovery responses, as well as creating compliance risks through inconsistent data governance and records management. Additionally, the lack of a cohesive, modern approach to administrative case management hampers comprehensive data analytics and business intelligence which creates a collateral impact in the Division's representation of client agencies. The Division needs to close that technological gap, streamline processes, and create time-saving efficiencies.

e-Litigation: The Civil Division must transition to cloud-based eDiscovery solutions. The Division's primary application Relativity will be offered only as a cloud-based version starting on January 1, 2028, and the Civil Division will need to migrate and retire the on-premise instance. Further, all eDiscovery platforms are enabling their offering to include Artificial Intelligence (AI) features, which the Civil Division is interested in utilizing, where appropriate. The Civil Division will be unable to adopt the AI capabilities of the platform until the Division moves to the Relativity cloud offering. Implementing the Relativity AI utilities further increases the costs for the configuration, testing, implementation and governance of the AI capabilities. Other Automated Litigation Support (ALS) and e-Litigation costs have also increased dramatically.

Further, the lack of integrated translation and transcription tools creates a disjointed and time-consuming process to manage data collections that align to key program areas including immigration and federal programs support. Large-scale document collections and discovery are a feature of Civil's cases, and electronic evidence continues to grow in size, scope and complexity. In many cases, voluminous quantities of emails, internal corporate documents, text messages, and voicemails are exchanged between parties. There has been a rapid increase in the volume of documents produced by client agencies, leading to a 24% to 30% annual data volume growth for the ALS Program over the last several years.

II. Summary of Program Changes

Item Name	Description	Pos.	FTE	Amount (\$000)	Page
Camp Lejeune PACT Act	Resources to support filed claims and litigation resulting from the “Camp Lejeune Justice Act of 2022.”	45	23	\$11,300	18

III. Appropriations Language and Analysis of Appropriations Language

The Civil Division is part of the General Legal Activities (GLA) sub-appropriation in the Department of Justice’s appropriation. General Legal Activities language is displayed in the GLA rollup budget submission.

The FY 2027 Budget Request includes a current services request for the Vaccine Injury Compensation Program (VICP) in the Legal Activities, Salaries and Expenses, General Legal Activities appropriations language, which is explained below. New language is *italicized and underlined*, and language proposed for deletion is bracketed.

Proposed Change

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, \$22,700,000 to be appropriated from the Vaccine Injury Compensation Trust Fund and to remain available until expended.

Summary

Congress enacted the National Childhood Vaccine Injury Act of 1986 (the “Act”), which established the Vaccine Injury Compensation Program (VICP), a no-fault compensation system for persons suffering injury or death allegedly attributable to certain vaccines. In this system, an individual, of any age, who received a covered vaccine and believes they were injured as a result, can file a petition with the U.S. Court of Federal Claims. The Civil Division represents the interests of the United States in these cases and collaborates closely with Department of Health and Human Services (HHS) to determine if a petitioner’s alleged injuries merit compensation.

Whether a vaccine manufacturer or administrator is afforded liability protections under the program depends upon whether the vaccine is covered under the VICP. For a category of vaccines to be covered by the VICP, the vaccine must first be recommended for routine administration to children or pregnant women by the Centers for Disease Control (CDC), subject to an excise tax by federal law, and added to the VICP by the Secretary of HHS.

Funding for the VICP is unique in that Congress appropriates a reimbursement from the Vaccine Injury Compensation Trust Fund to HHS, the Civil Division, and the Office of Special Masters at the U.S. Court of Federal Claims. The Vaccine Injury Compensation Trust Fund, which has a current balance of more than \$4.6 billion, as of February 28, 2026, and is funded by an excise tax on vaccines, also pays compensation to petitioners, and funds petitioners' attorneys' fees and litigation costs. Providing the Civil Division with the necessary resources to maintain its attorney staff and hire quality litigation consultants with medical, scientific, and life-care expertise will enable the Division to appropriately litigate VICP cases and will prevent potentially unmeritorious cases from receiving compensation and meritorious cases from being overcompensated.

The VICP continues to experience a heavy caseload. Between FY 2006 and FY 2015, an average of only 472 claims were filed each year. This dramatically changed between FY 2016 and FY 2020, when the annual average rose nearly three-fold to 1,215 claims per year. Over the last five fiscal years, the average number of annual claims has increased further to 1,347. Presently, more than 4,400 cases are pending in the VICP, and typically, a claim takes two to three years to resolve from the time of filing to final adjudication. Filings in FY 2025 rose to 1,300, the highest number in more than 20 years (with the exception of FY 2021). Based on the pace of claims filed to date in FY 2026, the Program could receive more than 1,500 petitions this fiscal year.

In FY 2027, the Civil Division is requesting a total reimbursement of \$22.7 million, equal to FY 2026 enacted. This funding level supports 87 positions (69 attorneys).

Impact on Performance

Funding will enable the Civil Division to continue to properly litigate cases and prevent action being taken by the Court that would be adverse to the government's interests. It will also ensure that petitioners with meritorious claims receive compensation in a timely manner, prevent petitioners with pending claims from abandoning the VICP and filing civil lawsuits against vaccine manufacturers or administrators, and prevent failure of the VICP as a whole by ensuring its continued viability under these evolving circumstances.

IV. Program Activity Justification: Legal Representation

A. LEGAL REPRESENTATION

1. Program Description

Legal Representation	Direct Positions	Estimated FTE	Amount (\$000)
2025 Enacted ^{1/}	1,485	1,130	\$387,528
2026 Enacted	1,385	1,184	\$414,578
Base and Technical Adjustments	78	196	\$51,679
2027 Current Services	1,463	1,380	\$466,257
2027 Program Increases	45	23	\$11,300
2027 Request	1,508	1,403	\$477,557
Total Change 2026-2027	123	219	\$62,979

^{1/} FY 2025 FTE are actual.

Legal Representation-Information Technology Breakout (of Decision Unit Total)	Direct Positions	Estimated FTE	Amount (\$000)
2025 Enacted	34	34	\$47,269
2026 Enacted	31	31	\$52,817
Base and Technical Adjustments	3	3	\$8,007
2027 Current Services	34	34	\$60,824
2027 Program Increases	0	0	0
2027 Request	34	34	\$60,824
Total Change 2026-2027	3	3	\$8,007

The Civil Division is composed of seven litigating branches (several of which have multiple sections) as well as an administrative office, the Office of Management Programs. The seven litigating branches are listed below.

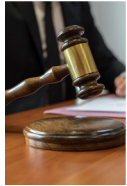


Appellate Staff



Commercial Litigation Branch

- Corporate and Financial Litigation Section
- Office of Foreign Litigation
- Fraud Section
- Intellectual Property Section
- National Courts Section



Enforcement and Affirmative Litigation Branch

- Enforcement Section
- Affirmative Litigation Section



Tax Litigation Branch

- Tax Trial Section
- Tax Appellate Section



Federal Programs Branch



Office of Immigration Litigation



Torts Branch

- Aviation, Space and Admiralty Litigation Section
- Constitutional and Specialized Tort Litigation Section
- Environmental Tort Litigation Section
- Federal Tort Claims Act Litigation Section

Appellate Staff

The Civil Division’s Appellate Staff represents the interests of the United States in federal circuit courts of appeals and state appellate courts. Its cases involve complex, sensitive, and novel legal questions that often set far-reaching precedents. These cases include constitutional challenges to statutes passed by Congress, cases pertaining to national security and foreign affairs, and challenges to federal regulations, Executive Orders, and other Executive Branch decisions, when these matters are litigated in appellate courts. The Appellate Staff has defended the implementation of numerous Executive Orders, the deployments of the National Guard, Second Amendment challenges, restrictions on Medicaid funding for entities that provide abortions, and a variety of Department of Government Efficiency matters. Additionally, the Appellate Staff represents the United States in affirmative litigation, such as consumer protection cases and False Claims Act suits to recover money fraudulently obtained from the U.S. Treasury. These are just a few examples of the wide variety of cases handled by the Appellate Staff, which include cases handled in the district courts by the Federal Programs Branch and other Civil Division branches, and by U.S. Attorneys’ Offices around the country.

Commercial Litigation Branch

The Civil Division’s Commercial Litigation Branch has five sections: (1) Corporate/Financial Litigation, (2) Foreign Litigation, (3) Fraud, (4) Intellectual Property, and (5) National Courts.

Corporate/Financial Litigation Section

The Corporate/Financial Litigation Section protects the federal fisc when highly regulated businesses, and those with large-dollar government contracts, loans, and grants, are in financial distress. The Section has a primary role in the United States' affirmative efforts to collect debts owed to the United States and to protect the fiscal integrity of federal lending and healthcare programs. It has a long-standing role in pursuing recoveries that thwart healthcare fraud and abuse and in defending agency decisions regarding how federal funds are spent. The Section's cases, which are both affirmative and defensive, involve many different industries and economic actors, including healthcare providers, drug manufacturers, insurers, communications companies, energy producers and suppliers, scientific researchers, and commercial airline operators.

Office of Foreign Litigation

The Office of Foreign Litigation (OFL) represents government's interests in foreign courts. OFL currently has more than 1,710 cases in approximately 150 countries. As OFL attorneys are not licensed to practice law in foreign jurisdictions, the Office retains and closely instructs foreign counsel to represent U.S. interests in foreign courts. Most OFL cases are



defensive, representing the United States and its officials against claims arising from the U.S. Government's activities abroad. OFL also prosecutes affirmative litigation to counter fraud and other wrongs against the United States and represents the interests of the U.S. in foreign criminal proceedings. Cases span a wide range of subjects including visa fraud, national security, data privacy, intellectual property, employment, breach of contract, and real property disputes. Additionally, OFL provides advice to other parts of the government concerning a wide range of international and foreign law matters. In its capacity as Central Authority pursuant to international treaties governing cross-border service and discovery, OFL assists foreign courts and U.S. agencies in service and evidence collection matters.

Fraud Section

The Civil Division's Fraud Section recovers billions of dollars annually by investigating and litigating matters involving fraud against the Federal Government. The Fraud Section pursues claims under the False Claims Act (FCA) impacting national security, cybersecurity, tariff and customs avoidance, federal health care programs, and any other types of fraudulent conduct that results in the waste and abuse of taxpayer funds. The Section has long been a leader in pursuing fraud cases that safeguard government programs and operations that provide access to medical care, support our military and first responders, protect American businesses and workers, help build and repair infrastructure, offer disaster and other emergency relief, and provide many other critical services and

The False Claims Act whistleblower (or "qui tam") provision allows individuals to file lawsuits alleging false claims on behalf of the government. If the government prevails, the whistleblower may receive up to 30% of the recovery. In FY 2025, over 1,297 new qui tam suits were filed, and \$6.8 billion in settlements and judgements were obtained. Whistleblower awards during the same period totaled \$330.3 million.

benefits. Under the FCA in FY 2025 there were more than 1,297 whistleblower complaints filed under the qui tam provisions, and over \$6.8 million in settlements and judgments, the highest for both in a single year in the history of the FCA.

Intellectual Property Section

The Intellectual Property (IP) Section represents the United States in all intellectual property matters where a patent, copyright, or trademark is at issue. The IP Section enforces government-owned patents and trademarks through infringement suits and Uniform Domain-Name Dispute-Resolution Policy proceedings. It defends government agencies against claims of patent, copyright, and trademark infringement. It also defends the validity of government-owned patents and trademarks in administrative tribunals of the United States Patent and Trademark Office. Additionally, the IP Section defends the Register of Copyrights and the Director of the Patent and Trademark Office in their respective administrative actions. Many of the cases handled by the IP Section involve complex technologies, such as pharmaceutical compositions and highly sophisticated electronic devices, as well as technologies that advance national security and protect critical infrastructure and communications networks. To meet the challenges presented by these cases, all attorneys assigned to the IP Section hold a degree in one of the physical sciences or in a field of engineering, and each attorney must be eligible to register for practice before the U.S. Patent and Trademark Office.

National Courts Section

One of the largest and oldest litigating sections in the Department, the National Courts Section (National Courts) handles civil actions and appeals primarily in three Federal courts with nationwide jurisdiction (the U.S. Court of Appeals for the Federal Circuit, the U.S. Court of Federal Claims, and the U.S. Court of International Trade), as well as in other Federal district and appellate courts. National Courts saves the country tens of billions of dollars each year, defending the United States in procurement and contract disputes, against constitutional claims, and against military and civilian pay claims, in the Court of Federal Claims. National Courts also is responsible for defending the nation's customs and trade laws, as well as prosecuting civil penalty and collection actions for customs violations, in the Court of International Trade, an Article III court. Additionally, National Courts handles appeals in the United States Court of Appeals for the Federal Circuit from the Court of Federal Claims, the Court of International Trade, and numerous other tribunals.

National Courts has an active trial practice before the Court of Federal Claims involving contract, alleged takings, and related commercial disputes with many of its larger trial cases involving large sums of money, that, given the number of witnesses and enormity of documents involved, require years to resolve. Additionally, in the past several years, National Courts has seen an exponential increase in the number of challenges to Executive Branch agencies' procurement decisions, many of which concern critical military, homeland security, and veterans' procurements. These procurement challenges are usually fast-paced and have high stakes.

National Courts also houses the Department's trade and customs experts, who defend challenges to the President's trade actions, as well as to administrative agency decisions. Recent challenges to Executive Branch trade actions have led to dramatic increases in National Courts' workload. For example, National Courts devotes substantial resources to defending the President's emergency tariffs imposed under the International Emergency Economic Powers Act (IEEPA), as well as other

tariffs imposed under Section 232 of the Trade Expansion Act of 1962, Section 301 of the Trade Act of 1974, and the antidumping and countervailing duty provisions of the Tariff Act of 1930, among many other provisions. On the affirmative side, National Courts also works closely with the Department's Trade Fraud Task Force to investigate and prosecute civil trade fraud. National Courts also defends agency investigative findings under the Enforce and Protect Act (EAPA), defending actions to root out the massive-scale evasion of the nation's import duty laws that has deprived the United States of hundreds of millions of dollars in duties each year. Finally, National Courts defends challenges in the Court of International Trade to the Executive Branch's enforcement of statutes that prohibit the importation of merchandise that was produced by forced labor.

Finally, National Courts defends the government's interests before the United States Court of Appeals for the Federal Circuit in appeals from the Court of International Trade and the Court of Federal Claims, as well as personnel law appeals from the Merit Systems Protection Board; veterans' benefits appeals from the United States Court of Appeals for Veterans Claims; and contract dispute appeals from the Civilian and Armed Services Boards of Contract Appeal.

Enforcement and Affirmative Litigation Branch

The Civil Division's Enforcement and Affirmative Litigation Branch pursue affirmative litigation to enforce federal laws and regulations, enjoin actions that conflict with or violate federal law, obtain declaratory judgements regarding the laws of the United States, and seek monetary penalties where appropriate. The Branch's work is overseen by two sections: the Enforcement Section and the Affirmative Litigation Section.

The Affirmative Litigation Section represents the United States by filing lawsuits against states, municipalities, and private entities that interfere with or obstruct federal policies, ensuring nationwide compliance with the U.S. Constitution and Federal law. The Section's work encompasses a wide range of areas, including public benefits, immigration, energy independence, and essential consumer goods.

The Enforcement Section, through affirmative litigation, enforces laws that protect consumers' health, safety, economic security, data privacy, and identity integrity. The Section is responsible for bringing actions under statutes administered by the Federal Trade Commission, the Consumer Product Safety Commission, the Drug Enforcement Administration, and certain statutes administered by the National Highway Traffic Safety Administration.

The Branch's recent cases include challenges to unconstitutional state and local laws that impede federal immigration enforcement, a challenge to a state's unlawful natural gas ban, the nationwide illicit vaping enforcement operation in September 2025, and the 7-OH opioid product enforcement operation in December 2025.

Tax Litigation Branch

The Civil Division's Tax Litigation Branch enforces the Nation's tax laws through civil litigation, to promote voluntary compliance, maintain public confidence in the integrity of the tax system, and promote the sound development of the law. The Branch's trial sections handle most affirmative and defensive civil litigation arising under the internal revenue laws in federal district

and bankruptcy courts and in state courts, while its Appellate Section is responsible for handling appeals in all civil tax cases (including from Tax Court). The Branch's attorneys defend the United States in tax refund and civil damages suits, represent Internal Revenue Service (IRS) and Justice Department employees in lawsuits for damages allegedly caused in the performance of their official duties, and defend the Secretary of the Treasury, the Commissioner of Internal Revenue, and other officials against lawsuits testing the validity of federal tax regulations and rulings. Branch attorneys also bring affirmative suits to collect unpaid taxes, foreclose federal tax liens, collect Bank Secrecy Act penalties for failures to report foreign bank accounts, stop payroll tax avoidance, defend or enforce IRS administrative summonses, enjoin fraudulent return preparers and promoters of abusive tax schemes, and to establish tax claims in bankruptcy, receivership, and probate proceedings.

The Tax Litigation Branch's trial section collects on average over \$350 million in unpaid taxes, penalties, and related sums each year, and successfully defends refund suits by taxpayers that save the Treasury an average of over \$1.1 billion annually. The Tax Litigation Branch is currently defending refund suits with aggregate claims that exceed \$10 billion. In addition to the taxes collected and saved by the Tax Litigation Branch's trial sections, its Appellate Section is currently defending appeals that involve billions of dollars in tax revenue.

Federal Programs Branch

The Federal Programs Branch has an active trial court practice, litigating on behalf of the President, Cabinet officers, other government officials, and almost 100 federal executive agencies. Branch attorneys handle some of the highest profile, most sensitive, and most significant litigation matters affecting the United States' interests, including defending against constitutional challenges to federal statutes, suits to overturn significant government policies and programs, and attacks on the legality of government decisions with broad ramifications, such as challenges to national security and military policies. The Branch also litigates cases to protect classified national security information from disclosure. The broad scope of its work touches upon practically all aspects of the Federal Government. Much of the Branch's work involves challenges by state attorneys' generals, on short timeframes, where the opposing parties seek emergency relief on an expedited basis. Branch cases may be filed in district courts around the country.

Office of Immigration Litigation

The Office of Immigration Litigation (OIL) is the Nation's primary immigration law office with broad responsibility for the protection of the Federal Government's immigration system primarily through defense of laws, and policies. The Branch handles immigration-related lawsuits filed in federal courts against a number of departments and their agencies (e.g., Departments of Justice, Homeland Security, State, Labor, Defense, Education, and Health and Human Services). It also litigates at the trial level in the 94 federal district courts and at the appellate level in 12 United States Courts of Appeals. OIL represents the Executive Branch in cases involving a wide range of complex immigration, nationality, detention, and border-security matters. This includes cases involving novel, complicated programmatic and class action challenges to agency policies as well as decisions on passports, visa applications, and consular processes; foreign worker, foreign investor, and temporary employment authorization programs; detention pending removal; and military naturalization cases. The Office's work also includes

immigration matters with a national security nexus such as the defense of removal under the Immigration and Nationality Act's terrorism-related inadmissibility removal grounds, in addition to affirmative denaturalization cases against war criminals, individuals who committed (and failed to disclose) very serious felonies, and persons with established ties to terrorism. Additionally, OIL brings affirmative lawsuits to uphold the Executive Branch's authority against local and state infringements on the effective enforcement of immigration laws and initiatives. In connection with these responsibilities, OIL provides oversight and guidance to the United States Attorney's Offices nationwide in the defense of immigration matters arising in various districts.

OIL likewise handles all review petition challenges to final removal orders in the United States Courts of Appeals, which varies and currently totals nearly 8,500 cases nationwide. These cases comprise challenges related to whether an individual is subject to removal from the country or is eligible for some form of benefit, relief, or protection that would allow them to stay. OIL also handles related litigation in the district courts whenever citizenship issues are transferred by appellate courts in accordance with the immigration statute's judicial review rules. In total, OIL's review petition caseload constitutes approximately 10% of all the appellate litigation in the federal circuit courts. The caseload is almost entirely defensive and is directly tied to DHS's enforcement efforts and the resulting removal adjudications by the Executive Office for Immigration Review. With respect to both its district court and review petition dockets, OIL substantially supports the Office of the Solicitor General's immigration litigation efforts in the U.S. Supreme Court.

Torts Branch

The Torts Branch is comprised of four litigating sections: (1) Aviation, Space and Admiralty, (2) Constitutional and Specialized Tort Litigation, (3) Environmental Tort Litigation, and (4) Federal Tort Claims Act Litigation. The Torts Branch is also home to the Division's three compensation programs. The majority of the Torts Branch's workload involves defensive matters in which other parties have sued the Federal Government.

Aviation, Space, and Admiralty Section

The Aviation, Space, and Admiralty Litigation Section handles aviation and space tort litigation as well as a wide variety of admiralty matters. The Aviation caseload is largely comprised of defending the United States in wrongful death, serious personal injury, and extensive property damage actions arising from aircraft accidents. Federal activities giving rise to these lawsuits include air traffic control, military aviation operations, weather dissemination, charting of obstacles, operation of navigational aids, and certification of aircraft and air personnel. Major aviation clients include the Federal Aviation Administration (FAA), all branches of the U.S. military, the Department of Commerce, and agencies involved in aerial firefighting. Space cases may arise from accidents involving space launch or space vehicles, with the National Aeronautics and Space Administration (NASA) as the primary client agency. The Admiralty caseload involves the Federal Government's role as ship-owner, regulator, and protector of the nation's waterways. Cases relate to collisions involving government vessels, disputes over navigational markings, and challenges to the boarding of vessels on the high seas during national security and drug interdiction activities. Affirmative admiralty actions seek compensation for the loss of government cargo and the costs associated with maritime pollution cleanups,

including significant oil spills, as well as the costs for repair to Army Corps of Engineers' locks and dams and the costs associated with clearing navigable channels of obstructions. The Section is representing the U.S. Army and the FAA in the DC Midair collision cases.

Constitutional and Specialized Tort Litigation Section

The Constitutional and Specialized Tort Litigation Section consists of four groups: the Constitutional Torts Staff, the Office of Vaccine Litigation, the Radiation Exposure Compensation Act Program, and the September 11th Victim Compensation Fund. The staff focuses on cases with critical and sensitive Executive Branch functions, cutting-edge questions of law affecting the federal workforce, and difficult personal liability cases.

The Constitutional Torts Staff provides legal representation to federal employees in cases filed against them personally for actions performed as part of their official duties. Most cases seek monetary damages under the Supreme Court's decision in *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971). This personal-liability litigation is brought against federal employees, sometimes in retaliation for doing their jobs or as an attempt to indirectly challenge government actions or initiatives. In addition to litigating the most difficult cases directly, Constitutional Torts devotes significant staff, time, and resources toward assisting U.S. Attorneys' Offices on jointly handled cases, reviewing and approving representation requests from federal employees nationwide, and providing guidance to both federal agencies and Department components on legal and policy matters related to Department-provided representation of government officials. On average, the Staff processes requests for representation for over 125 federal employees each month, from all different agencies within each of the three branches of government. Examples of litigation brought personally against government employees include sensitive national security initiatives to enforcement and prosecution of criminal, environmental, and immigration laws and regulations. Providing a vigorous defense to federal employees who are sued personally for official acts is an important responsibility. If the federal workforce is hampered by the fear of personal liability in monetary damages, government employees will be reluctant to do their jobs, which could adversely impact important government action or initiatives as well as deter otherwise well qualified individuals from serving in public positions.

The Office of Vaccine Litigation was established to represent the Department of Health and Human Services (HHS) in cases arising under the National Childhood Vaccine Injury Act of 1986, which created a unique mechanism for adjudicating claims alleging injury from certain immunizations. Petitioners are represented by private counsel, and cases are filed in the U.S. Court of Federal Claims and adjudicated by the Office of Special Masters. The Program was designed to stabilize vaccine supply and encourage vaccine development by limiting the litigation risk to vaccine manufacturers. As a streamlined "no-fault" system, petitioners must establish causation but do not need to prove that a vaccine was defective, or that there was any degree of negligence in its administration, making the VICP an attractive alternative to civil litigation. As a result of the VICP, costly litigation has significantly decreased against drug manufacturers and health care professionals.

The VICP's administrative costs are funded out of an annual reimbursement from the Vaccine Injury Compensation Trust Fund, which itself is funded by an excise tax on vaccines.

Compensation awards and petitioners' attorneys' fees are paid from the Trust Fund as well. As of December 1, 2025, the program has awarded over \$5.5 billion in compensation, including more than \$4.9 billion to 12,557 claimants who almost certainly would not have received compensation through traditional tort litigation, as well as more than \$605 million in attorneys' fees.

The Radiation Exposure Compensation Act Program, an administrative law system created by the Radiation Exposure Compensation Act (RECA), provided set awards for individuals who developed specified illnesses following the government's failure to warn of possible radiation exposure resulting from atmospheric nuclear weapons tests, or from employment in certain uranium production industry occupations during the build-up to the Cold War.

The statutory filing period for claims commenced in April 1992 and ended on June 10, 2024. In that time, the Department received 57,081 claims. On July 4, 2025, Sections 100201-100205 of Pub. L. No. 119-21 reauthorized RECA until December 31, 2028, added multiple new eligible populations, and created a restitution system under RECA for persons who became ill after presumed exposure to Manhattan Project waste. The Congressional Budget Office estimates that approximately 75,000 claims will be filed under the RECA reauthorization.

The September 11th Victim Compensation Fund ("VCF") was created to provide compensation for any individual (or a personal representative of a deceased individual) who suffered physical harm or was killed as a result of the terrorist attacks on September 11, 2001, or the debris removal efforts that took place in the immediate aftermath of those attacks. The VCF is appropriated outside of the Civil Division's annual account and provides compensation for economic and non-economic loss (less applicable offsets) and is administered by the Civil Division through a Special Master appointed by the Attorney General. As of December 31, 2025, the VCF has awarded nearly \$16.9 billion in compensation to just over 71,500 individuals who have suffered physical health conditions (including the families of more than 5,200 people who have died), as a result of their exposure to toxins caused by the terrorist attacks in New York City, at the Pentagon, and in Shanksville, Pennsylvania.

Environmental Torts Litigation Section

The Civil Division's Environmental Torts Litigation (ETL) Section defends the United States in complex, high stakes civil litigation in federal courts nationwide. Its attorneys directly handle all aspects of wrongful death, personal injury, and property damage cases that often involve hundreds, even thousands, of plaintiffs. The cases typically stem from alleged exposure to environmental contaminants, such as biological agents, chemicals, and other substances. They also involve complex issues of causation, novel issues of federal and state law, and numerous expert witnesses. Given its unique expertise, the ETL Section has primary litigation responsibility for all suits brought against the United States under the Federal Tort Claims Act (FTCA) where the alleged injuries/damages are attributed to some form of environmental contaminant. Many of the ETL Section's cases are litigated as mass torts or multi-district litigation matters. Currently, the ETL Section's work includes several mass tort or multi-district litigations representing a total exposure of approximately \$180 billion in personal injury and property damage claims against the United States. They include high-profile litigations such as the Red Hill Bulk Fuel Storage Spill in Hawaii involving a dozen separate lawsuits and thousands of claimants, two Flint Water Crisis litigation cases also involving thousands of claimants, and ongoing litigation regarding the military's use of perfluorinated compounds in

firefighting. Complex jurisdictional questions, a need for creative case-management solutions, and overlapping issues of history, law, and science are often the norm.

The ETL Section has been significantly impacted by Section 804 (the “Camp Lejeune Justice Act of 2022” or CLJA) of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022, which aims to compensate service members and others who developed cancer and other diseases that were at least “as likely as not” caused by exposure to contaminated water at Camp Lejeune, North Carolina, between 1953 and 1987. The Agency for Toxic Substances and Disease Registry estimates that as many as one million people were exposed to contaminated water at Camp Lejeune. There are currently 3,711 filed lawsuits, and 409,000 non-duplicative administrative claims that were submitted by the August 10, 2024 deadline.

Federal Tort Claims Act Litigation Section

The Federal Tort Claims Act (FTCA) Section litigates complex and controversial cases under the Federal Tort Claims Act, which Congress passed in 1946 to waive the sovereign immunity of the United States with respect to claims for certain injuries and property damage caused by the negligence or wrongful conduct of federal employees. Today, FTCA litigation typically arises from medical care, regulatory activities, law enforcement, and maintenance of federal lands and buildings. The FTCA Section makes appeal recommendations on all adverse judgments entered in FTCA cases and provides comments on FTCA-related legislation that may have an impact on taxpayer liability. Further, the FTCA Section is responsible for the administrative adjustment of tort claims arising out of DOJ activities.

Office of Management Programs

The Office of Management Programs (OMP) supports the Civil Division’s attorneys in all aspects of their work. OMP provides the Division’s Human Resources (HR), Training, Budget, Finance, Procurement, Information Technology, Litigation Support, eDiscovery, Freedom of Information Act (FOIA), Facilities, Security, and Information Management functions. Whether helping an employee prepare a presentation for trial, maintaining and updating discovery software, selecting a health insurance plan, or developing Civil’s annual budget, OMP’s staff of HR specialists, budget analysts, accountants, attorneys, and information technology specialists provide the technological, analytical, and litigation tools necessary for Civil’s attorneys to compete against the best law firms in the world. As such, OMP is critical in supporting the Civil Division’s mission overall.

V. Program Increases by Item

A. CAMP LEJEUNE PACT ACT

Budget Decision Unit(s): Legal Representation

Organizational Programs: Civil Division, Torts Branch, Environmental Torts Litigation Section

Program Increase: Positions 45; Atty 35; FTE 23; Dollars \$11,300,000

Description of Item:

The “Camp Lejeune Justice Act of 2022” (CLJA) aims to provide “appropriate relief” to service members and others who were exposed to contaminated water at Camp Lejeune, North Carolina, between 1953 and 1987, and developed cancer or another disease that was at least “as likely as not” caused by the exposure. Since its passage there has been an influx of federal litigation that has been extremely resource-intensive for the Department of Justice, and the federal district court in the Eastern District of North Carolina (EDNC), where all of the cases under the Act must be filed. The Civil Division’s Environmental Torts Litigation Section (ETL) Camp Lejeune Unit handles all associated casework and has 29 attorneys and eight paralegals assigned to the 3,711 cases that have been filed in court. However, due to the volume, complexity, resource-intensiveness, and timeframes of the litigation, more support is needed urgently. As such, the Civil Division is requesting an additional \$11.3 million and 45 positions (35 attorneys, eight paralegals, and two IT specialists), contractor support, medical/document review services, and a global resolution database. These resources are required to continue to handle all filed claims and litigation.

Justification:

Since the passage of the CLJA, the Navy has received over 409,000 administrative claims. Of those 409,000 claimants, 3,711 have filed cases in the EDNC thus far. Litigation in each case, from the administrative claims phase through the appeal period, is estimated to last between two and five years, with the workload expected to continue for at least a decade until all the claims have been litigated or settled. During that process, there will likely be a robust appeals practice related to legal rulings on the interpretation of the new CLJA statute.

Likewise, the Navy sends dozens of requests for Elective Option (EO) settlement approvals to the Civil Division on a weekly basis. It is estimated that 63,633 claims allege an injury that may be considered for an EO offer. Because of the limited CLJA resources, the Division team members who assess the Navy’s recommendations for EO offers are also assigned to CLJA litigation teams. Additional resources will enable these members to dedicate more time to reviewing EO requests from the Navy for approval. The current litigation posture has substantially increased interest in the EO from the Plaintiffs’ bar. Recently, the United States has received favorable court rulings that may have added to this interest, including: preclusion of jury trials; the requirement for proof of general causation (the chemical is capable of causing the

injury) and specific causation (the chemical caused the Plaintiff's injury); and the structuring of the litigation in phases to determine the levels of contamination in the water, general causation, specific causation, and damages. Additionally, recent mediations of bellwether cases demonstrated the strength of the United States' defenses and resulted in the settlement of only three of the 25 Track 1 bellwether cases, with the highest settlement amount approximately 75% less than the lowest EO offer; this likely has incentivized the Plaintiffs to appreciate the benefits of EO settlements. Accordingly, there is expected to be a substantial increase in EO approval requests in the coming months. Handling these requests expeditiously will accelerate the process of settling deserving claims for a claimant population that includes elderly veterans and their families.

Given the variation with respect to injuries claimed, time and location at Camp Lejeune, and applicable offsets among the 409,000 claims pending with the Navy, a comprehensive settlement matrix will be used to ultimately resolve all of the cases. The CLJA Team has worked diligently with the Settlement Masters, who are tasked with assisting the Parties in working to resolve all of the remaining lawsuits and administrative claims, and creating a settlement matrix for global resolutions. The CLJA team has met with the Settlement Masters more than 31 times, including three all-day meetings and six separate day-long bellwether mediation sessions. The development and finalization of the global settlement matrix continues to be a complicated process and will likely require several court rulings on issues in dispute and trials of individual cases. Thus, it will likely take years to establish a global resolution settlement matrix.

The CLJA Litigation Team consists of more than 50 sub-teams, which handle different aspects of the case. Each attorney is assigned to at least four teams. This team structure has been critical to ETL's ability to handle the litigation successfully. Nonetheless, due to limited CLJA resources, ambitious court deadlines, and aggressive deadlines that the Settlement Masters have set for procedures to achieve global resolution, ETL has recently had to request extensions of court deadlines. Assessing and analyzing individual claims, litigating causation issues, conducting extensive fact and expert discovery, and determining damages for settlement and/or trial are extremely arduous processes, and even with the CLJA attorneys constantly working late nights, weekends, and holidays for the last three years, it has been impossible for the 29 CLJA attorneys to meet all of the deadlines originally established by the court. The need to request continuances has slowed down the litigation schedule somewhat which may ultimately delay recovery for those veterans and civilians who deserve compensation because they are able to prove the elements of the CLJA.

Contractor Support - \$1.9 million

The Civil Division is requesting \$1.9 million to cover contractor support needs for CLJA litigation in FY 2027. Contractor support provides essential case file and docket management services, discovery production services, fact and expert discovery services, and assistance in initial causation evaluations and motions practice. ETL currently has dedicated contract law clerks/legal assistants, each of whom is assigned to several CLJA litigation teams (including the EO Team) to assist the permanent ETL employees with their large number of assignments. The continuous support of these contractors is a critical and pivotal part of the litigation effort and has enabled the CLJA team to produce over 26.6 million pages of documents in fact and expert discovery for Track 1 of the litigation. When Track 2 fact and expert discovery begin, additional

contract staff will be needed to provide manual review of the supporting documents in each case that cannot be executed by automated processes alone. The contractors will also assist attorneys in preparing for depositions and providing discovery services. Without additional resources, however, any influx in casework will make meeting the short discovery and other court deadlines unachievable and risks a court order sanctioning the Department for failing to fulfill its discovery and disclosure obligations.

Medical Document Review - \$2.1 million

In order to complete depositions and validate the Navy's requests for EO approvals, ETL must complete a thorough review of each claimant's medical records, which can be upwards of 10,000 pages. Through a third-party vendor, ETL has processed more than 350,000 pages of documents for approximately 100 cases. Funding for a full-service third-party records review vendor is essential in order to meet the extensive discovery needs for the CLJA litigation and the requirements of the Court.

Global Resolution Database - \$1.3 million

To finalize a global resolution settlement matrix, review, adjudicate and pay the settlements, the Camp LeJeune Unit will need a database and data analytics support. The Parties are working with the court-appointed Settlement Masters on a global resolution framework. The Parties will be issuing questionnaires imminently to 2,500 randomly selected sample claimants to estimate the locations, injuries, risk factors, and latency periods for the claimants in the Navy's Camp LeJeune Claims Unit's database. ETL will need a database to ingest and analyze data from the questionnaires. After values are assigned for cases that can be settled, the databases will be further developed to process potentially hundreds of thousands of claims for payment. Such systems will allow for the electronic submission of claims, processing and management, as well as data analytics and reporting. The database will provide the CLJA with a repository for the Civil Division specific work products to review, manage and adjudicate all settlement claims. The design of the database and data analytics resources will be informed by the initial sample claimant responses; however, the configuration and resources would be used to develop a settlement claims portal that integrates with CIV's case management solutions for this specialized type of litigation.

Impact on Performance:

In order to timely litigate all claims filed by eligible veterans and civilians, and to provide due process and justice to the impacted Parties, the Civil Division needs additional resources. While, ETL will continue to work to streamline the cases through litigation strategies, filing motions, negotiating with Plaintiffs' counsel, etc., the sheer number of cases and administrative claims makes the workload for the ETL staff untenable. The requested funding will allow ETL to add new staff to the various litigation sub-teams so that more time can be devoted to reviewing and approving EO settlements, preparing for and taking depositions, drafting motions, working on countless discovery matters, preparing for trials, and working on numerous global resolution tasks. Redistributing assignments more broadly and having a database system will permit ETL to dedicate adequate time to the necessary litigation obligations without having to regularly request continuances. This will ensure that meritorious CLJA claimants receive payments provided by the statute sooner rather than later. Also, funding for the third-party records review

vendor will allow ETL staff to dedicate more time to fact discovery, expert witnesses, and trials, rather than to requesting, reviewing, and processing documents.

Funding

1. Base Funding

FY 2025 Enacted				FY 2026 Enacted				FY 2027 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
37	29	37	\$14,000	37	29	37	\$14,000	37	29	37	\$14,000

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2027 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				2 nd Year	3 rd Year	FY 2028 (net change from 2027)	FY 2029 (net change from 2028)
Attorneys (0905)	\$5,068	35	\$266	\$118	\$8	\$4,113	\$282
Paralegals / Other Law (0900-0999)	\$639	8	\$136	\$54	\$4	\$434	\$31
Senior Info Technology Mgmt (2210)	\$160	1	\$296	\$124	\$0	\$124	\$0
Info Technology Mgmt (2210)	\$141	1	\$257	\$113	\$8	\$113	\$8
Total Personnel	\$6,008	45				\$4,784	\$321

3. Non-Personnel Increase Cost Summary

The request includes contractors to provide essential case file management services, docket management services, discovery production services, fact and expert discovery services, and assistance in initial causation evaluations and motions practice. Medical Document Review will be acquired through a third-party vendor and will review claimant medical document review, which is essential to meet the extensive discovery needs of the litigation. To finalize a global resolution settlement matrix and pay the settlements, ETL will need a fully operational database, which will allow for the electronic submission of claims, processing and management, as well as data analytics and reporting.

Non-Personnel Item	FY 2027 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2028 (net change from 2027)	FY 2029 (net change from 2028)
Contractor Support	\$1,900	n/a	n/a	\$0	\$0
Medical Document Review	\$2,100	n/a	n/a	\$0	\$0
Global Resolution Database	\$1,292	n/a	n/a	\$0	\$0
Total Non-Personnel	\$5,292			\$0	\$0

4. Justification for Non-Personnel Annualizations

Contractor support will be required as long as ETL is in active litigation. Medical Document Review will continue through each of the Tracks established by the courts. Once the database is developed and operational, funding will be needed for application support and licensing.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non-Personnel	Total	FY 2028 (net change from 2027)	FY 2029 (net change from 2028)
Current Services	37	29	37	\$7,600	\$6,400	\$14,000	\$0	\$0
Increases	45	35	23	\$6,008	\$5,292	\$11,300	\$4,784	\$321
Grand Total	82	64	60	\$13,608	\$11,692	\$25,300	\$4,784	\$321

6. Affected Crosscuts

N/A