



General Legal Activities Environmental and Natural Resources Division (ENRD)

FY 2012 Budget Request At A Glance

FY 2011 Continuing Resolution:	\$109.8 million (459 positions; 323 attorneys)
Current Services Adjustments:	+\$7.6 million
Program Changes:	-\$0.2 million
FY 2012 Budget Request:	\$117.2 million (589 positions; 416 attorneys)
Change From FY 2011 CR:	+\$7.5 million (+6.8%) (+130 positions; +93 attorneys)

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), 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 2012 budget request for ENRD totals \$117.2 million, which is a 6.8 percent increase from the FY 2011 CR.

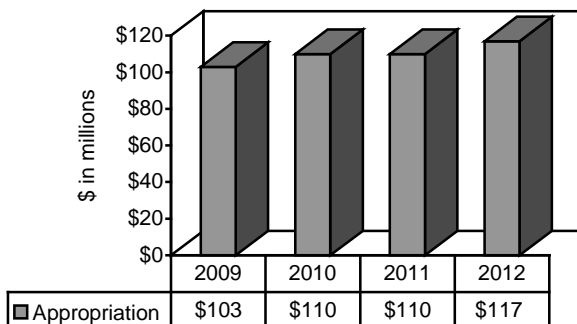
Organization:

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, as well as an investigative/litigative support center in New Orleans.

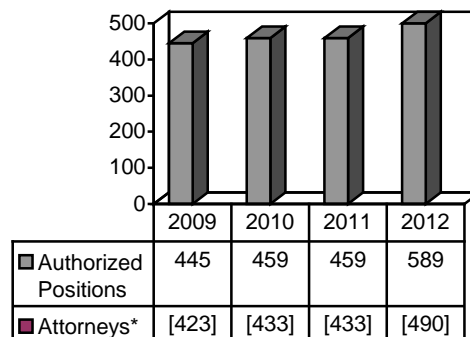
Personnel:

ENRD's direct authorized positions for FY 2012 total 589, of which 416 are attorneys. In addition, 74 attorneys are provided on a reimbursable basis, for a total of 490 attorneys. ENRD's FY 2012 request includes a technical, non-budget impacting increase of 130 positions, including 93 attorneys, over the FY 2011 CR level of 459 direct authorized positions.

Funding (FY 2009 - 2012)



Personnel (FY 2009 - 2012)



* Includes reimbursable attorneys

FY 2012 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.)

ENRD is working closely with the Department's leadership, the Civil Division, and a host of federal agencies to coordinate a criminal investigation and pursue multiple civil enforcement actions, under the Clean Water Act and the Oil Pollution Act, against potentially responsible parties involved in the Deepwater Horizon oil rig explosion and oil spill. ENRD's civil lawsuit, filed in December 2010 against nine parties responsible for the explosion and sinking of the Deepwater Horizon and the subsequent oil spill (the largest oil spill in the Nation's history), will become part of a multi-district litigation action involving hundreds of plaintiffs. The discovery requirements involved in the Deepwater litigation will be unprecedented. The outcome of the Department's civil Deepwater litigation is likely to be historic in terms of the scale and scope of monetary penalties and redress imposed. ENRD and the Civil Division have jointly established an investigative/litigation support center in New Orleans to address the needs of the Department as well as to support the efforts of our federal agency partners. ENRD and Civil Division have also established a robust jointly-administered web portal which allows federal parties to effectively and efficiently share documents, databases, dockets and other relevant materials and information. ENRD and the Civil Division are leveraging their respective expertise on the relevant statutes with which each component is most familiar, working closely with the federal agencies with which each Division has established relationships, and sharing pertinent knowledge and information.

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 its client agencies, enhance the quality of the environment in the United States and the health and safety of its citizens.

FY 2012 Technical Adjustment:**Position Level Adjustment:**

ENRD proposes to adjust its authorized position level to more accurately reflect its current use of GLA (Direct) funded positions and Superfund (Reimbursable) positions. Over the past 27 years, a number of temporary (term) positions initially funded under ENRD's Superfund reimbursable agreement with EPA were incrementally converted to permanent positions funded directly from ENRD's appropriation. ENRD's budget was never updated to reflect this reality. The impact of this revision is an increase of 120 permanent positions and 61 FTE. The funding for this adjustment is in ENRD's base. The requested technical adjustment to ENRD's authorized position level is purely cosmetic and has no impact on ENRD's budget.

FY 2012 Program Changes:**Program Offsets - Administrative Efficiencies: -\$119,000 and 0 positions**

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 2012, the Department is focusing on areas in which savings can be achieved, which include: printing, publications, travel, conferences, supplies, and general equipment. For ENRD, these administrative efficiencies will result in an offset of \$119,000.

Program Offset - Extend Tech Refresh: -\$47,000 and 0 positions

As desktops and laptops are used primarily for basic office automation applications (e.g., spreadsheets and word processing), replacing this inventory at a slower rate is expected to have minimal impact on Department operations. In FY 2012, the Department is proposing to extend the refresh rate of all desktops and laptops by one year, resulting in an offset of \$47,000 for the ENRD.

Environmental and Natural Resources Division

(Dollars in Thousands)

	Envir & Nat'l Resources Division		
	Pos	FTE	Amount
2010 Appropriation	459	507	109,785
2010 Supplemental	10	10	5,000
2010 Enacted with Supplemental	469	517	114,785
2011 Continuing Resolution	459	507	109,785
2012 Request	589	584	117,244
Change 2012 from 2011 Continuing Resolution	130	77	7,459
Technical Adjustments			
Subtotal Technical Adjustments	0	0	0
Total Technical Adjustments	0	0	0
Adjustments to Base			
Increases:			
ATB Transfers	0	0	-207
Pay & Benefits	10	16	3,184
Domestic Rent & Facilities	0	0	1,048
Other Adjustments	120	61	3,600
Subtotal Increases:	130	77	7,625
Decreases:			
Subtotal Decreases:	0	0	0
Total Adjustments to Base	130	77	7,625
Total Adjustments to Base and Technical Adjustments	130	77	7,625
2012 Current Services	589	584	117,410
Program Changes			
Increases:			
ATB Reimbursable FTE Decrease	0	0	0
Subtotal, ATB Reimbursable FTE Changes	0	0	0
Decreases:			
Program Offsets - Administrative Efficiencies	0	0	-119
Program Offset - Extend Tech Refresh	0	0	-47
Subtotal, Program Decrease	0	0	-166
Total Program Changes	0	0	-166
2012 Request	589	584	117,244
Change 2012 from 2011 Continuing Resolution	130	77	7,459

Envir & Nat'l Resources Division
(Dollars in thousands)

Comparison by activity and program	2011 CR			2012 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Environment and Natural Resources	459	507	109,785	589	584	117,410
Total	459	507	109,785	589	584	117,410
Reimbursable FTE	0	184	0	0	123	0
GrandTotal	459	691	109,785	589	707	117,410

Comparison by activity and program	2012 Total Program Changes			2012 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Environment and Natural Resources	0	0	-166	589	584	117,244
Total	0	0	-166	589	584	117,244
Reimbursable FTE	0	0	0	0	123	0
GrandTotal	0	0	-166	589	707	117,244