



GENERAL LEGAL ACTIVITIES Civil Division (CIV)

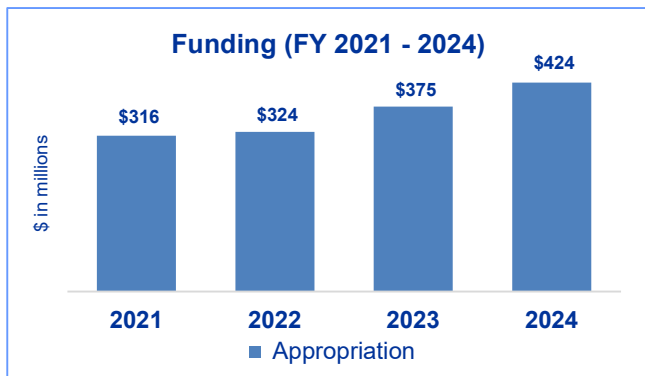
FY 2024 Budget Request At A Glance	
FY 2023 Enacted:	\$374.6 million (1,304 positions; 1,030 attorneys)
Current Services Adjustments:	+\$26.4 million
Program Changes:	+\$22.7 million
FY 2024 Budget Request:	\$423.6 million (1,387 positions; 1,090 attorneys)
Change From FY 2023 Enacted:	+\$49.0 million (+13.1%) (+83 positions; +60 attorneys)

Mission:

The Civil Division (CIV) represents the legal interests of the United States, safeguards taxpayer dollars, and protects the health, safety, and economic security of the American people. In total, CIV litigates matters on behalf of over 100 different Federal agencies. This litigation encompasses an array of the Federal Government’s legal interests and includes cases relating to cyber and national security prerogatives and decisions; challenges to critical public-health measures, immigration policies and decisions, and Congressional enactments; contract disputes; efforts to combat fraud and abuse of Federal funds and benefits programs; multi-million dollar tort claims; consumer protection matters; alleged takings of property; and intellectual property disputes. Across these cases, CIV not only defends the Government’s interests, but also saves billions of taxpayer dollars. In addition, CIV recovers billions of dollars for taxpayers and protects vulnerable Americans through affirmative litigation, such as its enforcement of Federal consumer protection laws and its record-setting efforts under the False Claims Act, including cases targeting health care and elder fraud, financial fraud, and cybersecurity fraud. CIV also protects the health, safety, and economic security of Americans by enforcing safety protections for food and medicines, ensuring that the Federal Government speaks with one voice in its view of the law, and defending laws enacted by Congress.

Resources:

The FY 2024 budget request for CIV totals \$423.6 million, which is a 13.1 percent increase over the FY 2023 Enacted.

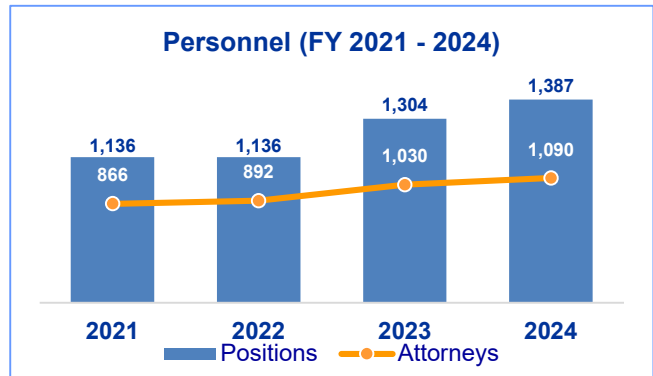


Organization:

The CIV Assistant Attorney General is appointed by the President and confirmed by the Senate. CIV is comprised of six litigating branches and an administrative office. The six litigating branches are: the Commercial Litigation Branch, the Federal Programs Branch, the Office of Immigration Litigation, the Torts Branch, the Appellate Staff, and the Consumer Protection Branch.

Personnel:

The CIV’s direct authorized positions for FY 2024 total 1,387 positions, including an increase of 83 positions over the FY 2023 Enacted of 1,304 direct authorized positions.



FY 2024 Strategy:

CIV will continue to represent the legal interests of the United States, safeguard taxpayer dollars, and protect the health, safety, and economic security of the American people.

The vast majority of CIV's work is defensive litigation: legal challenges to Federal activities, and tort, contract and other suits against the United States seeking monetary damages or injunctive relief. Opposing parties file constitutional, contractual, and accident-liability challenges, and many other lawsuits against the United States in domestic and foreign courts. Opponents decide the time, nature, and location of the claim. Once litigation commences, the Federal Government must respond to the suit, lest it face a default judgment or sanctions. The underlying events that give rise to litigation are typically beyond the Civil Division's control, and CIV must vigorously represent the Federal Government in these increasingly complex matters that are fast-moving consequential cases, often against litigious and well-represented challengers.

In its affirmative litigation, CIV recovers billions of dollars for the United States. In FY 2022 alone, CIV returned over \$952.0 million in restitution to the United States Treasury in cyber, health care fraud, financial fraud, and other affirmative civil and criminal cases. CIV has played a leading role in these Administration and Department priorities, and it has been at the forefront of pursuing fraud associated with the COVID-19 pandemic and the opioids epidemic. CIV's consumer litigation also includes a focus on cases against those who market unsafe or fraudulent products and services, such as the sale and marketing of false, unapproved, misbranded, and counterfeit treatments and preventive therapies, as well as the improper prescribing of medications. Moreover, CIV litigates procurement fraud matters to ensure that government resources are not misused, and it also pursues customs enforcement matters and cases of civil cyber fraud. Fraud cases are complex, require teams of dedicated attorneys and support staff, and necessitate extensive technology resources to assist in the billions of pages of discovery materials. CIV will continue to use innovative and advanced litigating strategies and tools, as well as employ skilled attorneys to ensure the Department's continued success in litigation.

Additionally, CIV plays a vital role in the Nation's immigration system, working to promote a fair and equitable system that reflects the nation's values. The Division also serves as a liaison and provides training to all of the government's immigration agencies and provides dependable counsel before the courts. Overall, the Division's work reflects the diversity of the Federal Government's activities, and CIV provides legal advice to agencies interpreting, modifying, or promulgating regulations; or responding to novel requirements and crises.

Finally, outside of traditional litigation, CIV administers three compensation programs: the Radiation Exposure Compensation Program, the Victim Compensation Program, and the Vaccine Injury Compensation Program.

FY 2024 Program Changes:

Camp Lejeune PACT Act Litigation: \$20.9 million and 67 positions (48 attorneys)

The "Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022" or the "Honoring our PACT Act of 2022" (PACT Act), Public Law 117-168 was signed into law on August 10, 2022. Section 804 of the PACT Act, the "Camp Lejeune Justice Act of 2022," aims to compensate service members and others who were exposed to contaminated water at Camp Lejeune, North Carolina, between 1953 and 1987 and developed cancer or other disease that was at least "as likely as not" caused by the exposure. The Agency for Toxic Substances Disease Registry estimates that as many as one million people were exposed to contaminated water at Camp Lejeune. The PACT Act is leading to an influx of Federal-court litigation that will be extremely resource-intensive for both the Department and the Federal district court in the Eastern District of North Carolina. Because of the intensive and complex nature of the cases, multiple attorneys will need to be assigned to each case. CIV estimates that 48 additional attorneys, nine paralegals, two accountants, and numerous contractors will be required to handle the thousands of expected claims. Current services are \$14.0 million and 36 positions (27 attorneys).

Protecting National Programs, Federal Policy Priorities, and National Security: \$1.8 million and 16 positions (12 attorneys)

CIV is requesting funding for additional attorneys, paralegals, and litigation support to adequately staff the Federal Programs Branch's active trial court practice. Over the past 10 years, the Branch has been experiencing, without any signs of abatement, increasing caseloads (99 percent growth rate), expedited proceedings, and "multiple-jurisdiction" challenges. Branch attorneys handle some of the highest profile, and most sensitive and significant litigation matters affecting the United States' interests, including cases of national security, challenges to the constitutionality of Federal statutes, policies and programs, and the government seeking to enforce important statutory requirements. This request will provide the resources for the Branch to effectively litigate these cases and defend both past and current United States policies, programs, and actions across administrations. This request will also support the ability of the U.S. government and its agencies to respond to future needs and threats by ensuring that detrimental precedents are not set that would prevent the government from taking critical actions or making necessary decisions necessary in response to new challenges. Current services are \$28.0 million and 137 positions (119 attorneys).

Civil Division
(Dollars in Thousands)

	Civil Division		
	Pos	FTE	Amount
2022 Appropriation	1,136	1,163	323,782
2023 Enacted	1,304	1,239	374,560
2024 Request	1,387	1,346	423,604
Change 2024 from 2023 Enacted	83	107	49,044
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	65	29,327
Domestic Rent & Facilities	0	0	-4,496
Other Adjustments	0	0	-44
Foreign Expenses	0	0	598
Non-Personnel Related Annualizations	0	0	967
Total Base Adjustments	0	65	26,352
2024 Current Services	1,304	1,304	400,912
Program Changes			
Increases:			
Camp Lejeune PACT Act Litigation	67	34	20,879
Protecting National Programs, Federal Policy Priorities, and National Security	16	8	1,813
Subtotal, Program Increases	83	42	22,692
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	83	42	22,692
2024 Request	1,387	1,346	423,604

Civil Division
(Dollars in Thousands)

Comparison by activity and program	2023 Enacted			2024 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Legal Representation	1,304	1,239	374,560	1,304	1,304	400,912
Total	1,304	1,239	374,560	1,304	1,304	400,912
Reimbursable FTE		123			123	
Total Direct and Reimbursable	1,304	1,362	374,560	1,304	1,427	400,912
<i>Sub-Allotments and Direct Collections (FYI)</i>		243			243	
FTE Grand Total		1,605			1,670	

Comparison by activity and program	2024 Total Program Changes			2024 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Legal Representation	83	42	22,692	1,387	1,346	423,604
Total	83	42	22,692	1,387	1,346	423,604
Reimbursable FTE	0	0	0	0	123	0
Total Direct and Reimbursable	83	42	22,692	1,387	1,469	423,604
<i>Sub-Allotments and Direct Collections (FYI)</i>		0			243	
FTE Grand Total		42			1,712	