



GENERAL LEGAL ACTIVITIES Environment & Natural Resources Division (ENRD)

FY 2020 Budget Request At A Glance	
FY 2019 Continuing Resolution:	\$110.5 million (537 positions; 376 attorneys)
Current Services Adjustments:	-\$960,000
Program Changes:	+\$960,000
FY 2020 Budget Request:	\$110.5 million (547 positions; 382 attorneys)
Change From FY 2019 Continuing Resolution:	+\$0 (+10 positions; +6 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 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:

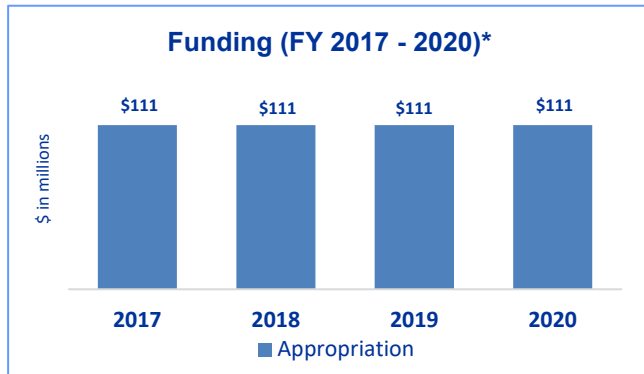
The FY 2020 budget request for ENRD totals \$110.5 million, which is the same as 2019 Continuing Resolution.

Organization:

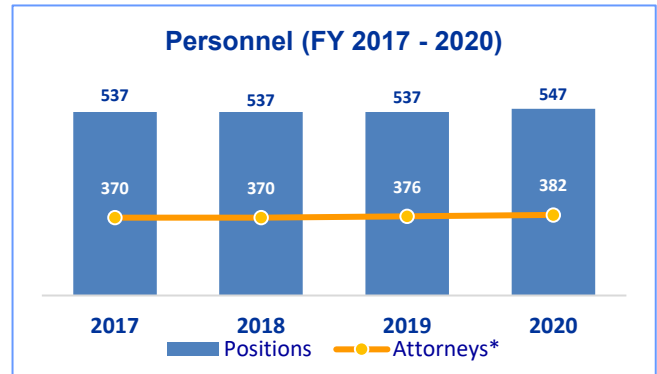
ENRD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by five Deputy Assistant Attorneys General. The AAG oversees a Division that is organized into several practice areas dedicated to the enforcement of the nation's 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:

ENRD's direct positions for FY 2020 total 547 positions. ENRD's FY 2020 request includes an increase of 10 positions over the FY 2019 Continuing Resolution of 537 direct positions.



* FY 2019 annualized CR



* Includes only direct attorneys. ENRD's FY 2020 request from all funding sources totals 662 positions, 451 attorneys.

FY 2020 Strategy:

ENRD handles both civil and criminal litigation concerning the enforcement and defense 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.

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.

In FY 2020, ENRD will continue to pursue legal action to enforce federal pollution abatement laws and obtain compliance with environmental protection and conservation statutes. In all matters concerning protection, use, and development of the nation's natural resources and public lands, the Division will defend suits challenging all of the foregoing laws, and fulfill the federal government's responsibility to litigate on behalf of Indian tribes and individual Indians. ENRD will continue to protect the federal fisc, reduce harmful discharges into the air, water, and land, enable clean-up of contaminated waste sites, and ensure proper disposal of solid and hazardous waste.

In FY 2020, the Division will play a significant role in the implementation of the 2017 Executive Order on Border Security and Immigration Enforcement. As a result of actions required by the executive order, ENRD will guide the acquisition of land along the U.S.-Mexico border (along with developing associated title and appraisal work) and address defensive challenges under a host of environmental, wildlife, procedural and inverse takings statutes (i.e., Endangered Species Act (ESA), National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and Tucker Act). Also, as the Federal Government enhances the nation's infrastructure, ENRD will defend the Federal Government from challenges under NEPA, the ESA, and other statutes. Additionally, as the United States' military capacity is strengthened and expanded, ENRD will be at the forefront in defending relevant military actions and activities. Military infrastructure projects and training/readiness activities often give rise to litigation under NEPA, the ESA, and the Marine Mammal Protection Act. Furthermore, the government's commitment to further development of federal fossil fuel resources will likely result in challenges to federal decisions to lease oil, gas, and coal – both on and off shore. As a result, in FY 2019 and in future years, ENRD will respond to increased litigation under the Mineral Leasing Act, Outer Continental Shelf Lands Act, Surface Mining Control and Reclamation Act, the Federal Land Policy and Management Act, National Forest Management Act, and NEPA.

FY 2020 Program Changes:

Securing the Southwest U.S. Border: \$960,000 and 10 positions (6 attorneys)

ENRD requests a program increase for the Land Acquisition Section, the leading organization within the Department responsible for acquiring real property for border security projects. The request is in accordance to the President's January 25, 2017, Executive Order on *Border Security and Immigration Enforcement Improvements*. This increase will allow ENRD's Land Acquisition Section to meet litigation, acquisition, and appraisal demands during the construction along the border between Mexico and the United States. Current services for this initiative are 21 positions (10 attorneys) and \$4.3 million.

Environment & Natural Resources Division

(Dollars in Thousands)

	Environment & Natural Resources Division		
	Pos	FTE	Amount
2018 Appropriation	537	580	\$110,512
2019 Continuing Resolution	537	580	\$110,512
2020 Request	547	585	\$110,512
Change 2020 from 2019 Continuing Resolution	10	5	\$0
Technical Adjustments			
Total Technical Adjustments	0	0	\$0
Base Adjustments			
Pay & Benefits	0	0	1,526
Domestic Rent & Facilities	0	0	-2,493
Other Adjustments	0	0	7
Total Base Adjustments	0	0	-\$960
2020 Current Services	537	580	\$109,552
Program Changes			
Increases:			
Securing the Southwest US Border	10	5	960
Subtotal, Program Increases	10	5	\$960
Decreases:			
Subtotal, Program Decreases	0	0	\$0
Total Program Changes	10	5	\$960
2020 Request	547	585	\$110,512

Environment & Natural Resources Division

(Dollars in Thousands)

Comparison by activity and program	2019 Continuing Resolution			2020 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Environment and Natural Resources	537	580	\$110,512	537	580	\$109,552
Total	537	580	\$110,512	537	580	\$109,552
Reimbursable FTE	0	41	0	0	82	0
Total Direct and Reimbursable	537	621	\$110,512	537	662	\$109,552
Grand Total	537	621	\$110,512	537	662	\$109,552

Comparison by activity and program	2020 Total Program Changes			2020 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Environment and Natural Resources	10	5	\$960	547	585	\$110,512
Total	10	5	\$960	547	585	\$110,512
Reimbursable FTE	0	0	0	0	82	0
Total Direct and Reimbursable	10	5	\$960	547	667	\$110,512
Grand Total	10	5	\$960	547	667	\$110,512