

**GENERAL LEGAL ACTIVITIES**  
(Dollars in Thousands)

	OFFICE OF SOLICITOR GENERAL			TAX DIVISION			CRIMINAL DIVISION			CIVIL DIVISION			ENV. AND NATURAL RESOURCES DIVISION			OFFICE OF LEGAL COUNSEL		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
2004 Obligations .....	48	46	\$7,831	569	496	\$76,122	801	793	\$132,991	1,080	1,063	\$211,082	444	441	\$77,146	37	31	\$5,258
2005 Appropriation (without Rescission) .....	48	49	8,245	566	518	81,399	801	813	137,177	1,074	1,095	188,754	439	493	90,856	37	37	5,858
2005 Rescission -- Reduction applied to DOJ (0.54%).....	0	0	-45	0	0	-439	0	0	-741	0	0	-1019	0	0	-491	0	0	-32
2005 Rescission -- Government-wide reduction (0.80%).....	0	0	-65	0	0	-648	0	0	-1091	0	0	-1502	0	0	-723	0	0	-46
2005 Appropriation (with Rescission) .....	48	49	8,135	566	518	80,312	801	813	135,345	1,074	1,095	186,233	439	493	89,642	37	37	5,780
2006 Total Request 1/.....	48	49	8,399	549	509	81,548	816	822	146,221	1,122	1,116	205,285	440	493	100,354	37	37	5,973
Change 2006 from 2005.....	0	0	264	-17	-9	1,236	15	9	10,876	48	21	19,052	1	0	10,712	0	0	193
Adjustments to Base																		
Transfer of attorneys and related funding to USA.....	0	0	0	-17	-9	-1,362	-27	-14	-2,163	-22	-11	-1,762	-17	-9	-1,362	0	0	0
Transfer of resources to ODR.....	0	0	0	0	0	0	0	0	0	0	0	-40	0	0	-65	0	0	0
Increases:																		
2006 Pay Raise (2.3 Percent).....	0	0	133	0	0	1,291	0	0	2,103	0	0	2,642	0	0	1,147	0	0	62
Annualization of 2005 Pay Raise (3.5 Percent).....	0	0	51	0	0	569	0	0	912	0	0	1,150	0	0	492	0	0	33
FERS Agency Contribution.....	0	0	16	0	0	92	0	0	298	0	0	373	0	0	236	0	0	13
Federal Health Insurance Premiums.....	0	0	24	0	0	132	0	0	292	0	0	514	0	0	214	0	0	18
Transportation Management Fees.....	0	0	0	0	0	57	0	0	130	0	0	0	0	0	67	0	0	0
Security Surcharge Cost Projection .....	0	0	0	0	0	28	0	0	55	0	0	5	0	0	32	0	0	0
Postage (Military).....	0	0	0	0	0	0	0	0	6	0	0	0	0	0	0	0	0	0
GSA Rent .....	0	0	21	0	0	243	0	0	2,333	0	0	4,527	0	0	596	0	0	54
Lease Expirations .....	0	0	0	0	0	0	0	0	636	0	0	8,395	0	0	0	0	0	0
WCF Telecommunications and E-Mail rate increases.....	0	0	19	0	0	186	0	0	732	0	0	0	0	0	242	0	0	13
Overseas Capital Security-Cost Sharing .....	0	0	0	0	0	0	0	0	829	0	0	0	0	0	0	0	0	0
Accident Compensation.....	0	0	0	0	0	0	0	0	21	0	0	2	0	0	0	0	0	0
Superfund Litigation.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,719	0	0	0
INTERPOL Dues.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal Increases.....	0	0	264	-17	-9	1,236	-27	-14	6,184	-22	-11	15,806	-17	-9	3,318	0	0	193
Decreases:																		
Adjustment to Base Resources Decrease.....	0	0	0	0	0	0	0	0	0	-14	-10	-11,360	0	0	0	0	0	0
Subtotal Decreases.....	0	0	0	0	0	0	0	0	0	-14	-10	-11,360	0	0	0	0	0	0
Net Adjustments to Base .....	0	0	264	-17	-9	1,236	-27	-14	6,184	-36	-21	4,446	-17	-9	3,318	0	0	193
2006 Current Services .....	48	49	8,399	549	509	81,548	774	799	141,529	1,038	1,074	190,679	422	484	92,960	37	37	5,973
Program Improvements by Strategic Goal:																		
Strategic Goal One: Prevent Terrorism and Promote the Nation's Security	0	0	0	0	0	0	22	11	2,417	0	0	0	0	0	0	0	0	0
Strategic Goal Two: Enforce Federal Laws and Represent the Rights and Interests of the American People	0	0	0	0	0	0	20	12	2,275	84	42	14,606	18	9	7,394	0	0	0
Subtotal Program Improvements.....	0	0	0	0	0	0	42	23	4,692	84	42	14,606	18	9	7,394	0	0	0
Net Program Improvements/Offsets.....	0	0	0	0	0	0	42	23	4,692	84	42	14,606	18	9	7,394	0	0	0
2006 Total Request 1/.....	48	49	8,399	549	509	81,548	816	822	146,221	1,122	1,116	205,285	440	493	100,354	37	37	5,973
Change 2006 from 2005.....	0	0	264	-17	-9	1,236	15	9	10,876	48	21	19,052	1	0	10,712	0	0	193

1/ Criminal Division's 2006 program improvements do not reflect an increase of 3 reimbursable FTE for the Interagency Crime and Drug Enforcement (ICDE) program.

2/ Civil Division's base does not reflect the 13 reimbursable FTEs and \$6,333 for the Vaccine Injury Compensation.

NOTE: The GLA components receiving FY 2006 Health Care Fraud resources provided from the Department of Health and Human Services' Health Care Fraud and Abuse Control (HCFA) Program reflect a reduction of 3 reimbursable FTE due to absorption of pay raise and inflationary costs within the program's statutory cap.

3/ The Budget Summary includes 13 FTEs for CIV's Health Care Fraud Litigation enhancement that is not included in MAX.

**GENERAL LEGAL ACTIVITIES**

(Dollars in Thousands)

	CIVIL RIGHTS DIVISION			INTERPOL			LEGAL ACTIVITIES OFFICE AUTOMATION			OFFICE OF DISPUTE RESOLUTION			GRAND TOTAL GENERAL LEGAL ACTIVITIES		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
2004 Obligations .....	753	706	\$109,576	62	58	\$9,415	0	0	\$556	3	0	\$211	3,797	3,634	\$630,188
2005 Appropriation (without Rescission) .....	737	739	109,141	62	64	12,426	0	0	0	3	3	337	3,767	3,811	634,193
2005 Rescission -- Reduction applied to DOJ (0.54%).....	0	0	-589	0	0	-67	0	0	0	0	0	-2	0	0	-3,425
2005 Rescission -- Government-wide reduction (0.80%).....	0	0	-869	0	0	-99	0	0	0	0	0	-3	0	0	-5,046
2005 Appropriation (with Rescission) .....	737	739	107,683	62	64	12,260	0	0	0	3	3	332	3,767	3,811	625,722
2006 Total Request 1/.....	720	730	110,437	62	64	20,852	0	0	0	3	3	592	3,797	3,823	679,661
Change 2006 from 2005.....	-17	-9	2,754	0	0	8,592	0	0	0	0	0	260	30	12	53,939
Adjustments to Base															
Transfer of attorneys and related funding to USA.....	-17	-9	-1,362	0	0	0	0	0	0	0	0	0	-100	-52	-8,011
Transfer of resources to ODR.....	0	0	-20	0	0	0	0	0	0	0	0	211	0	0	86
Increases:															
2006 Pay Raise (2.3 Percent).....	0	0	1,621	0	0	111	0	0	0	0	0	5	0	0	9,115
Annualization of 2005 Pay Raise (3.5 Percent).....	0	0	749	0	0	47	0	0	0	0	0	2	0	0	4,005
FERS Agency Contribution.....	0	0	215	0	0	10	0	0	0	0	0	1	0	0	1,254
Federal Health Insurance Premiums.....	0	0	297	0	0	21	0	0	0	0	0	0	0	0	1,512
Transportation Management Fees.....	0	0	73	0	0	1	0	0	0	0	0	0	0	0	328
Security Surcharge Cost Projection .....	0	0	35	0	0	0	0	0	0	0	0	0	0	0	155
Postage (Military).....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
GSA Rent.....	0	0	839	0	0	123	0	0	0	0	0	41	0	0	8,777
Lease Expirations .....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9,031
WCF Telecommunications and E-Mail rate increases.....	0	0	274	0	0	25	0	0	0	0	0	0	0	0	1,491
Overseas Capital Security-Cost Sharing .....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	829
Accident Compensation.....	0	0	33	0	0	0	0	0	0	0	0	0	0	0	56
Superfund Litigation.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,719
INTERPOL Dues.....	0	0	0	0	0	8,254	0	0	0	0	0	0	0	0	8,254
Subtotal Increases.....	-17	-9	2,754	0	0	8,592	0	0	0	0	0	260	-100	-52	38,607
Decreases:															
Adjustment to Base Resources Decrease.....	0	0	0	0	0	0	0	0	0	0	0	0	-14	-10	-11,360
Subtotal Decreases.....	0	0	0	0	0	0	0	0	0	0	0	0	-14	-10	-11,360
Net Adjustments to Base .....	-17	-9	2,754	0	0	8,592	0	0	0	0	0	260	-114	-62	27,247
2006 Current Services .....	720	730	110,437	62	64	20,852	0	0	0	3	3	592	3,653	3,749	652,969
Program Improvements by Strategic Goal:															
Strategic Goal One: Prevent Terrorism and Promote the Nation's Security	0	0	0	0	0	0	0	0	0	0	0	0	22	11	2,417
Strategic Goal Two: Enforce Federal Laws and Represent the Rights and Interests of the American People	0	0	0	0	0	0	0	0	0	0	0	0	122	63	24,275
Subtotal Program Improvements.....	0	0	0	0	0	0	0	0	0	0	0	0	144	74	26,692
Net Program Improvements/Offsets.....	0	0	0	0	0	0	0	0	0	0	0	0	144	74	26,692
2006 Total Request 1/.....	720	730	110,437	62	64	20,852	0	0	0	3	3	592	3,797	3,823	679,661
Change 2006 from 2005.....	-17	-9	2,754	0	0	8,592	0	0	0	0	0	260	30	12	53,939

3/ The Budget Summary includes 13 FTEs for CIV's Health Care Fraud Litigation enhancement that is not included in MAX.

**GENERAL LEGAL ACTIVITIES**  
**SALARIES AND EXPENSES**  
(Dollars in Thousands)

Comparison by activity and program	2005 Appropriation (w/ Rescission)			2006 Current Services			2006 Request			Program Improvements/Offsets		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Conduct of Supreme Court Proceedings and Review of Appellate Matters.....	48	49	\$8,135	48	49	\$8,399	48	49	\$8,399	0	0	\$0
2. General Tax Matters.....	566	518	80,312	549	509	81,548	549	509	81,548	0	0	0
3. Enforcing Federal Criminal Laws.....	801	813	135,345	774	799	141,529	816	822	146,221	42	23	4,692
4. Claims, Customs and General Civil Matters.	1,074	1,095	186,233	1,038	1,074	190,679	1,122	1,116	205,285	84	42	14,606
5. Environment and Natural Resources.....	439	493	89,642	422	484	92,960	440	493	100,354	18	9	7,394
6. Legal Opinions.....	37	37	5,780	37	37	5,973	37	37	5,973	0	0	0
7. Civil Rights Division.....	737	739	107,683	720	730	110,437	720	730	110,437	0	0	0
8. Interpol - USNCB.....	62	64	12,260	62	64	20,852	62	64	20,852	0	0	0
9. Dispute Resolutions.....	3	3	332	3	3	592	3	3	592	0	0	0
Total.....	3,767	3,811	625,722	3,653	3,749	652,969	3,797	3,823	679,661	144	74	26,692
Reimbursable FTE		351			351			354			3	
Grand Total	3,767	4,162	625,722	3,653	4,100	652,969	3,797	4,177	679,661	144	77	26,692

Consistent with the Government Performance and Results Act, the 2006 budget proposes to streamline the decision unit structure of DOJ components to align more closely with the mission and strategic objectives contained in the DOJ Strategic Plan (FY 2003-2008). In addition, the budget has been realigned to reflect each component's outputs and full costs by major program activity, including the costs of management and administration, so that a more accurate picture of total activity costs is reflected in the budget. In this way, budget and performance are more closely linked, and provide a better basis on which to make budget decisions. Over time, agencies will be expected to identify effective outcome measures, monitor their progress, and accurately present the associated costs.

1/ The Budget Summary includes 13 FTEs for CIV's Health Care Fraud Litigation enhancement that is not included in MAX.

**GENERAL LEGAL ACTIVITIES**  
**SALARIES AND EXPENSES**  
(Dollars in Thousands)

<u>Program Improvements by Strategic Goal</u>	<u>Perm.</u>	<u>FTE</u>	<u>Amount</u>
	<u>Pos.</u>		
Strategic Goal One: Prevent Terrorism and Promote the Nation's Security.....	22	11	\$2,417

Criminal Division

1. Counterterrorism Investigations/Prosecutions

**The Criminal Division requests 16 positions (12 attorneys), 8 workyears, and \$1,781,000** to increase the Division's capacity to support law enforcement efforts, policies, and strategies related to combating international and domestic terrorism. These additional resources will allow the Division to: create a Domestic Terrorism Unit in order to bolster the Division's domestic terrorism capabilities; prosecute international organizations that facilitate entry of illegal aliens into the United States; expand the Division's ability to disrupt terrorist financing; increase our support to the Anti-Terrorism Advisory Councils; enhance weapons of mass destruction investigations and prosecutions; and address the increased mutual assistance and extradition workload in the Office of International Affairs. FY 2006 current services resources for this initiative are 163 positions (118 attorneys), 163 workyears, and \$30,326,000.

2. National Security Counterespionage

**The Criminal Division requests 6 positions (3 attorneys), 3 workyears, and \$636,000** to strengthen the Division's counterintelligence capabilities, address the increasing counterintelligence workload, and enhance its partnership with the intelligence community. Additional resources will also allow the Division to focus on vulnerabilities in our nation's telecommunication infrastructure, and mitigate any transactions in the telecommunications sector that pose a national security risk. FY 2006 current services resources for this initiative are 21 positions (15 attorneys), 21 workyears, and \$3,792,000.

**GENERAL LEGAL ACTIVITIES**  
**SALARIES AND EXPENSES**  
(Dollars in Thousands)

Strategic Goal Two: Enforce Federal Laws and Represent the Rights and Interests of the American People..... 122 63 24,275

1. Project Safe Neighborhoods

**The Criminal Division requests 8 positions (7 attorneys), 4 workyears, and \$1,000,000** to enhance the Division's role in the Project Safe Neighborhoods (PSN) initiative. These additional resources will enable the Division to create a team of experienced prosecutors who can travel to districts needing additional resources or expertise to address their gun violence problems, particularly to assist in prosecuting these crimes. The increased prosecutorial resources will enable the district to significantly increase the number of prosecutions. FY 2006 current services resources for this initiative are 3 positions (3 attorneys), 3 workyears, and \$458,000.

2. Obscenity and Child Exploitation

**The Criminal Division requests 12 positions (7 attorneys), 8 workyears, and \$1,275,000** to investigate and prosecute crimes against children and obscenity violations. Additional resources will allow the Division to build an internationally coordinated strategy to combat the sexual exploitation of children; expand its capacity to target, prosecute, and dismantle the domestic and international criminal enterprises and pornography rings responsible for these crimes; and effectively target purveyors of obscene materials. FY 2006 current services resources for this initiative are 39 positions (28 attorneys), 39 workyears, and \$7,435,000.

Civil Division

3. Spent Nuclear Fuel Litigation

**The Civil Division requests \$6.8 million** to provide automated litigation support (ALS) for the sixty-six cases filed by nuclear utility companies against the Department of Energy. At issue is a claim for more than \$50 billion in damages for the government's alleged failure to begin acceptance of the plaintiff utilities' spent nuclear fuel by January 1998, as mandated by the Nuclear Waste Policy Act of 1982. The litigation involves massive amounts of evidence and discovery, complex issues, and multiple parties. Critical to a successful defense in these cases are ALS services provided by an elite team of paralegals who create searchable databases for millions of pages of potentially-relevant documents and who support the attorneys during trials. With billions of dollars at stake, a successful defense of each case is imperative in order to avoid a potentially disastrous impact on the Treasury. There is no dedicated base for this initiative.

#### 4. Office of Immigration Litigation (OIL)

**The Civil Division requests 58 positions (43 attorneys), 29 workyears, and \$5,795,000** to protect our nation by excluding and deporting those aliens who pose a threat to national security, and aliens who otherwise lack entitlement defined by the Immigration and Naturalization Act. Between FY 2002 and FY 2004, OIL's workload doubled to approximately 15,000 cases and will likely top 21,000 by FY 2006 due to stepped-up Department of Homeland Security immigration enforcement actions. The attorney workload jumped from 79 cases in FY 2002 to 142 in FY 2004. By FY 2006, the attorney workload is projected to reach 186 cases - a number that is impossible for any attorney to handle competently. Inadequate resources to defend these cases could result in adverse judgments, hindering the government's ability to pursue a consistent, unified strategy for upholding immigration enforcement actions, consequently undermining our National Security. FY 2006 current services resources for this initiative are 148 positions (112 attorneys), 156 workyears, and \$26,137,000.

#### 5. Health Care Fraud Litigation

**The Civil Division requests 26 positions (17 attorneys), 13 workyears, and \$2,000,000** to handle more than 125 separate health care fraud matters involving numerous pharmaceutical manufacturers and other related entities. The litigation involves the investigation and prosecution of pharmaceutical billing and pricing schemes, and fraud against the Medicare drug discount card and prescription drug benefit programs established by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. Total FY 2006 current services for this initiative is \$0 direct funding and 33 workyears.

#### Environment and Natural Resources Division

#### 6. Tribal Trust

**The Environment and Natural Resources Division requests 18 positions (11 attorneys), 9 workyears, and \$7,394,000** to defend the United States in lawsuits filed by Indian Tribes for allegations regarding the management of Tribal assets by the Bureau of Indian Affairs. The United States' potential exposure in these cases is more than \$200 billion. Adequate resources are necessary to limit exposure and establish proper precedent for the United States. These cases differ from lawsuits brought against the United States by individual Tribal members, like Cobell, due to the extent of the potential exposure and the amount of document management/production required. The document management is astronomical; approximately 55 million pages of documents need to be reviewed. \$6,119,000 is to cover document related expenses. Total FY 2006 current services resources for this initiative are 16 positions (14 attorneys), 16 workyears, and \$2,291,000.

**GENERAL LEGAL ACTIVITIES**  
**DECISION UNIT RESTRUCTURING CROSSWALK**  
(Dollars in Thousands)

Current Decision Unit Structure <u>Comparison by activity or program</u>	2005 Appropriation (w/ Rescission)			Performance-Based Realignment		
	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount
<b>TAX DIVISION</b>						
1. Civil Tax Appeals	68	60	\$9,531	-68	-60	-\$9,531
2. Criminal Prosecution and Appeals	122	116	18,155	-122	-116	-18,155
3. Civil Litigation	296	271	41,928	-296	-271	-41,928
4. Management & Administration	80	71	10,698	-80	-71	-10,698
5. General Tax Matters *	0	0	0	566	518	80,312
Total, TAX DIVISION	566	518	80,312	566	518	80,312
<b>CRIMINAL DIVISION</b>						
1. Organized Crime & Narcotics	101	102	16,523	-101	-102	-16,523
2. White Collar Crime	213	214	36,160	-213	-214	-36,160
3. International	216	220	36,937	-216	-220	-36,937
4. Litigation Support	178	177	29,160	-178	-177	-29,160
5. Management & Administration	93	100	16,565	-93	-100	-16,565
6. Enforcing Federal Criminal Laws*	0	0	0	801	813	135,345
Total, CRIMINAL DIVISION	801	813	135,345	801	813	135,345

**GENERAL LEGAL ACTIVITIES**  
**DECISION UNIT RESTRUCTURING CROSSWALK**  
(Dollars in Thousands)

Current Decision Unit Structure <u>Comparison by activity or program</u>	2005 Appropriation (w/ Rescission)			Performance-Based Realignment		
	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount
<b>CIVIL DIVISION</b>						
1. Federal Appellate Activity	76	75	\$12,779	-76	-75	-\$12,779
2. Torts Litigation	199	208	32,527	-199	-208	-32,527
3. Commercial Litigation	364	374	64,892	-364	-374	-64,892
4. Federal Programs	146	130	21,135	-146	-130	-21,135
5. Consumer Litigation	35	40	5,281	-35	-40	-5,281
6. Immigration Litigation	148	156	24,710	-148	-156	-24,710
7. Management & Administration	92	102	13,549	-92	-102	-13,549
8. Legal Representation *	0	0	0	1,060	1,085	174,873
9. Victims' Compensation Admin.	14	10	11,360	14	10	11,360
Total, CIVIL DIVISION	1,074	1,095	186,233	1,074	1,095	186,233
<b>ENVIRONMENT DIVISION</b>						
1. Appellate and Policy	47	52	8,740	-47	-52	-8,740
2. Environmental Protection	204	216	40,210	-204	-216	-40,210
3. Natural Resources	144	163	30,906	-144	-163	-30,906
4. Management & Administration	44	62	9,786	-44	-62	-9,786
5. Environment & Natural Resources*	0	0	0	439	493	89,642
Total, ENVIRONMENT DIVISION	439	493	89,642	439	493	89,642



**GENERAL LEGAL ACTIVITIES**  
**DECISION UNIT RESTRUCTURING CROSSWALK**  
(Dollars in Thousands)

Current Decision Unit Structure <u>Comparison by activity or program</u>	2005 Appropriation (w/ Rescission)			Performance-Based Realignment		
	Perm. Pos.	FTE	Amount	Perm. Pos.	FTE	Amount
<b>CIVIL RIGHTS DIVISION</b>						
1. Federal Appellate	28	27	\$4,393	-28	-27	-\$4,393
2. Civil Rights Prosecution	100	100	13,078	-100	-100	-13,078
3. Special Litigation	72	69	9,961	-72	-69	-9,961
4. Voting Rights	102	106	13,915	-102	-106	-13,915
5. Employment Litigation	61	60	7,969	-61	-60	-7,969
6. Coordination and Review	21	20	4,063	-21	-20	-4,063
7. Housing and Civil Enforcement	98	93	14,450	-98	-93	-14,450
8. Educational Opportunities	35	36	4,720	-35	-36	-4,720
9. Disability Rights	97	95	15,933	-97	-95	-15,933
10. Office of Special Counsel	31	32	7,059	-31	-32	-7,059
11. Management & Administration	92	101	12,142	-92	-101	-12,142
12. Civil Rights Division *	0	0	0	737	739	107,683
Total, CIVIL RIGHTS DIVISION	737	739	107,683	737	739	107,683

\* Denotes new decision unit.

Explanation:

TAX, CRIMINAL, CIVIL, ENVIRONMENT, AND CIVIL RIGHTS DIVISIONS have collapsed their decision units into one decision unit each.