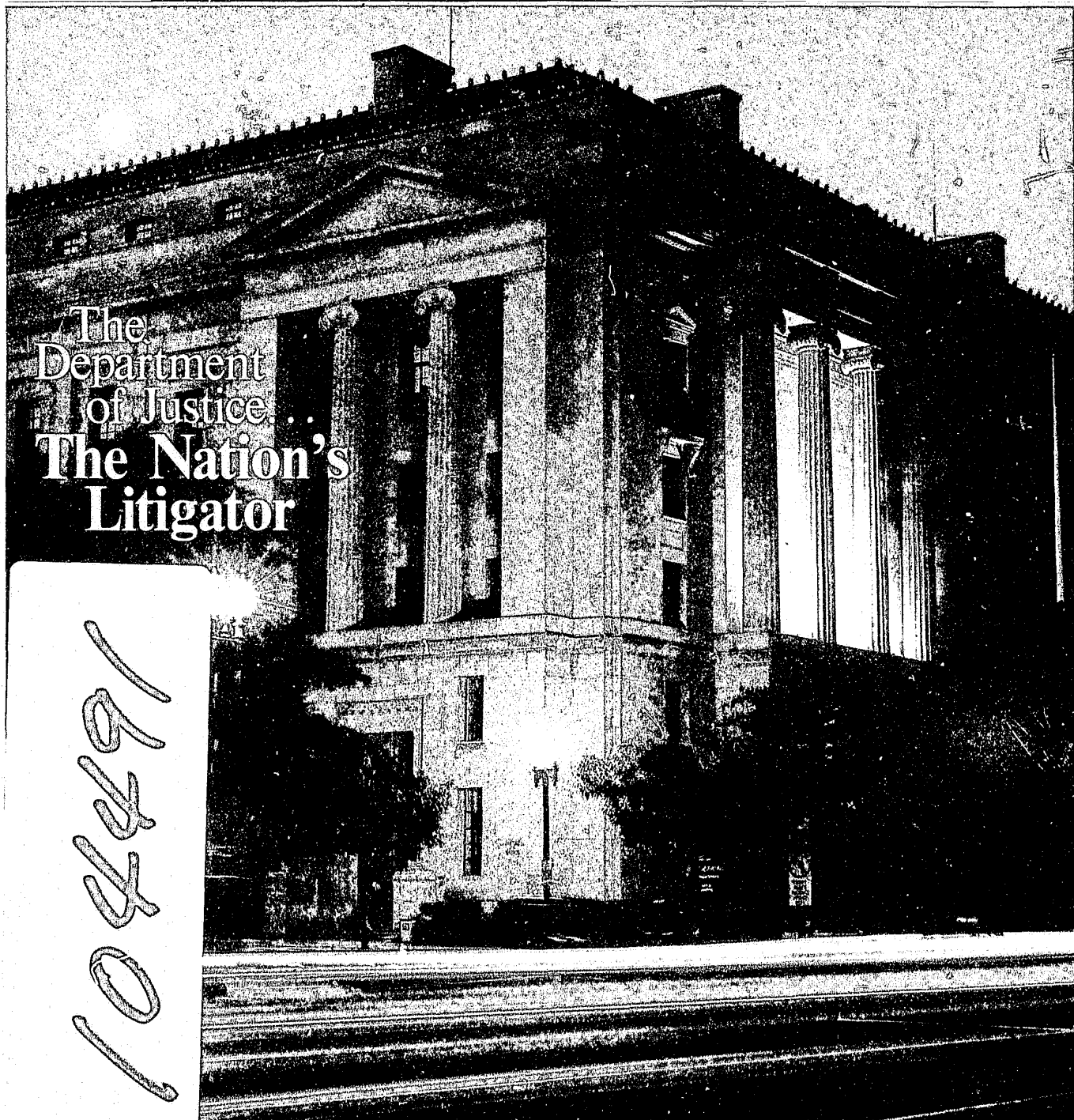


United States Department of Justice Legal Activities



The
Department
of Justice...
The Nation's
Litigator

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United States Department of Justice

Legal Activities

1986-1987

U.S. Department of Justice
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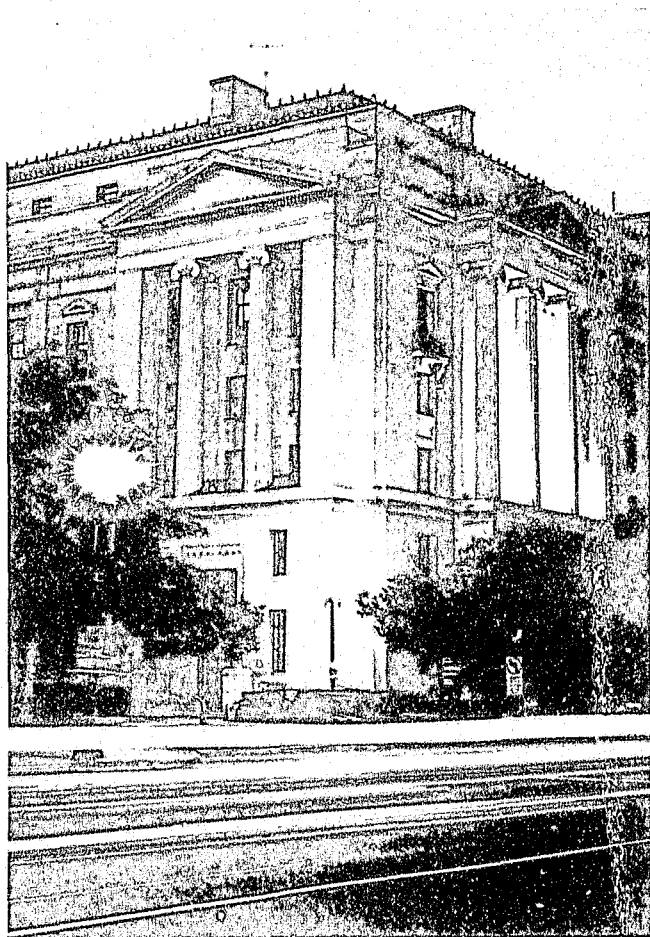
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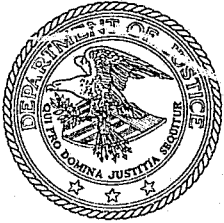
The
Department
of Justice...
The Nation's
Litigator

Published by:

Office of Attorney Personnel Management
U.S. Department of Justice
Washington, D.C. 20530

“The ability of this or any administration to succeed depends in no small degree upon the energy, the dedication, and the spirit of our Nation’s civil servants . . . America is passing into a new era, reversing a long trend of government expansion. Government must limit what it does, yet still perform its rightful task with utmost skill and professionalism. Meeting this difficult challenge will require . . . determination and imagination.”

. By President Ronald Reagan



Office of the Attorney General
Washington, D. C. 20530

FOREWORD

Our purpose in publishing the Legal Activities brochure is to provide a brief overview of the Department of Justice and its organizations, with emphasis on the work of the attorneys employed by each of the organizations identified.

The Department has justly earned its reputation for doing first-rate legal work, and I am proud of our excellent attorneys. The Department of Justice is more than the finest law firm in the world, more than the finest law enforcement agency, more than the finest department in the government. It is also a collection of dedicated professionals who aspire on an individual basis to excellence in the performance of their duties.

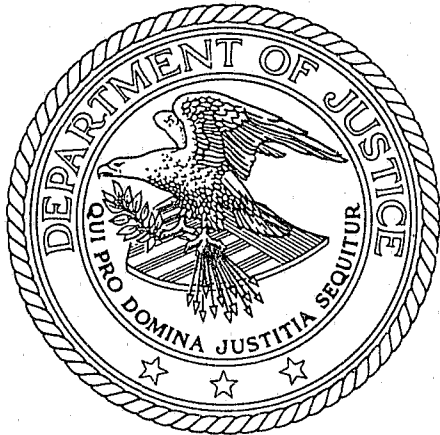
The breadth of experience and responsibility given Department attorneys is unequalled. I am also convinced that we must continue to recruit and hire the finest attorneys we can, because there is no organization whose legal work is of more importance to the country. I strongly encourage all attorneys interested in public service to consider carefully the opportunities and rewards of service in the Department.

I would like to point out that, while the Department has a long and distinguished history, it has changed greatly since its establishment. Most notably, it has grown tremendously in size and responsibilities. From this has stemmed a great deal of diversity within the Department, in its organizations and in the occupations, employment skills, and work locations of its employees. But more than ever before, Justice is one department, with its many components complementing one another and working together.

With the hope that perhaps you will someday join the Department, I offer you my welcome. Our attorneys will continue to bring honor and distinction to the Department, and they will continue to ensure that the Department truly is a place where justice is served. I hope you will be among them.

EDWIN MEESE III
Attorney General

Function of the United States Department of Justice



JUSTICE

Office of the Attorney General

Established: 1789

Department of Justice

Established: 1870

Address: Pennsylvania Avenue
at 10th Street, N.W.
Washington, D.C. 20530

Employment level: 62,000

Function: provision of legal advice to the President; representation of the Executive branch in court; investigation of federal crimes; enforcement of federal laws; operation of federal prisons; and provision of law enforcement assistance to states and local communities.

Organizations of the United States Department of Justice

Office of the Attorney General
Office of the Deputy Attorney General
Office of the Associate Attorney General
Office of the Solicitor General
Antitrust Division
Bureau of Justice Assistance
Bureau of Justice Statistics
Bureau of Prisons
Civil Division
Civil Rights Division
Community Relations Service
Criminal Division
Drug Enforcement Administration
Executive Office for Immigration Review
Executive Office for United States Attorneys
Federal Bureau of Investigation
Federal Prison Industries
Foreign Claims Settlement Commission
Immigration and Naturalization Service
International Criminal Police Organization—
 United States National Central Bureau
Justice Management Division
Land and Natural Resources Division
National Institute of Justice
Office of Intelligence Policy and Review
Office of Justice Programs
• Office of Juvenile Justice and Delinquency Prevention
Office of Legal Counsel
Office of Legal Policy
Office of Legislative Affairs
Office of Liaison Services
Office of Professional Responsibility
Office of Public Affairs
Office of the Pardon Attorney
Tax Division
United States Attorneys' Offices
United States Marshals Service
United States Parole Commission
United States Trustees' Offices

Obligation of the Department's Attorneys

“ . . . [An attorney representing the United States]
is the representative
not of an ordinary party to a controversy,
but of a sovereignty whose obligation
to govern impartially is as compelling
as its obligation to govern at all,
and whose interest, . . .
is not that it shall win a case,
but that justice shall be done.
As such, he is in a peculiar
and very definite sense,
the servant of the law,
the twofold aim of which
is that guilt shall not escape
or innocence suffer.”

Berger v. United States,
295 U.S. 78, 88 (1935)

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Attorney Employment

This brochure has been prepared to assist you in your consideration of the varied legal employment opportunities offered by the Department of Justice. It contains general information about attorney and law student employment as well as detailed information about each of the organizations within the Department. The Advocacy/Legal Education Institute, which is the Department's excellent training facility for attorneys, is also highlighted.

Application Addresses

Applications by attorneys and law students for employment in all organizations within the Department, except the Federal Bureau of Investigation and the U.S. Attorneys' Offices, should be mailed to:

**U.S. Department of Justice
Office of Attorney Personnel Management
Room 4311, Main Building
Pennsylvania Avenue at 10th Street, N.W.
Washington, D.C. 20530
(Telephone: 202-633-3396)**

The Federal Bureau of Investigation (FBI) handles its recruitment independently. FBI recruitment activities are carried out year round and recent college graduates, as well as "career change" graduates with work experience, are encouraged to apply. You may obtain additional information and necessary application forms by contacting the nearest FBI Office's Applicant Coordinator, or writing to:

**Personnel Resources Unit
Federal Bureau of Investigation
J. Edgar Hoover Building
Pennsylvania Avenue at 10th Street, N.W.
Washington, D.C. 20535**

Applications for employment in the U.S. Attorneys' Offices should be mailed directly to the U.S. Attorney's Office that you wish to have consider your application. Please refer to the discussion of their offices in this brochure for specific application information. The mailing addresses for those offices are at the end of this brochure.

If you have any inquiries regarding attorney employment with the Department of Justice, please contact the Office of Attorney Personnel Management, at the address or telephone number on page one of this brochure.

General Information

Federal positions fall into two categories - the excepted and competitive services. The major difference is that the

competitive service, which governs many non-legal positions, requires an open-competition examination for appointment. In contrast, the excepted service, which governs attorney and law student appointments, does not require an examination. Rather, the appointments are made on the basis of the applicant's education and employment background.

Most major litigating divisions of the Department require a three year commitment (with the exception of Tax Division, which requires a four year commitment), indicating a bona fide intent to remain with the Department for that length of time. The Department's interests require this commitment because of the lengthy and extensive training given to new legal employees. The commitment benefits the attorney as well, because it takes that length of time for him/her to become proficient in litigation.

Approximately one-half of the Department's legal positions are located outside of Washington, D.C. (most are in the various U.S. Attorneys' Offices). If a particular Department organization has offices outside the Washington, D.C. area employing attorneys, that fact is noted, and their locations are given in both this brochure's description of that organization, and in a separate section in the back of the brochure.

Fringe Benefits

The benefits of the federal government's retirement plan are based on length of service. The Federal Employees' Retirement System (FERS) has been established for all federal employees who began work on or after January 1, 1984. The new system will provide a basic government pension, a thrift plan and social security coverage, and will become effective January 1, 1987.

Group life insurance is available in multiples of the basic salary, depending upon the option selected. Additional coverage also may be obtained for family members. Group health insurance also is available from a variety of plans, and the government pays a portion of the cost.

Annual leave is accrued based upon the length of government service, including military service. Annual leave is accrued as follows: first 3 years of government service, 13 days per year; 3 to 15 years, 20 days per year; and, after 15 years, 26 days per year. In addition, reservists may have up to 15 days military leave with pay, when ordered to active duty. Sick leave is accrued at the rate of 13 days per year.

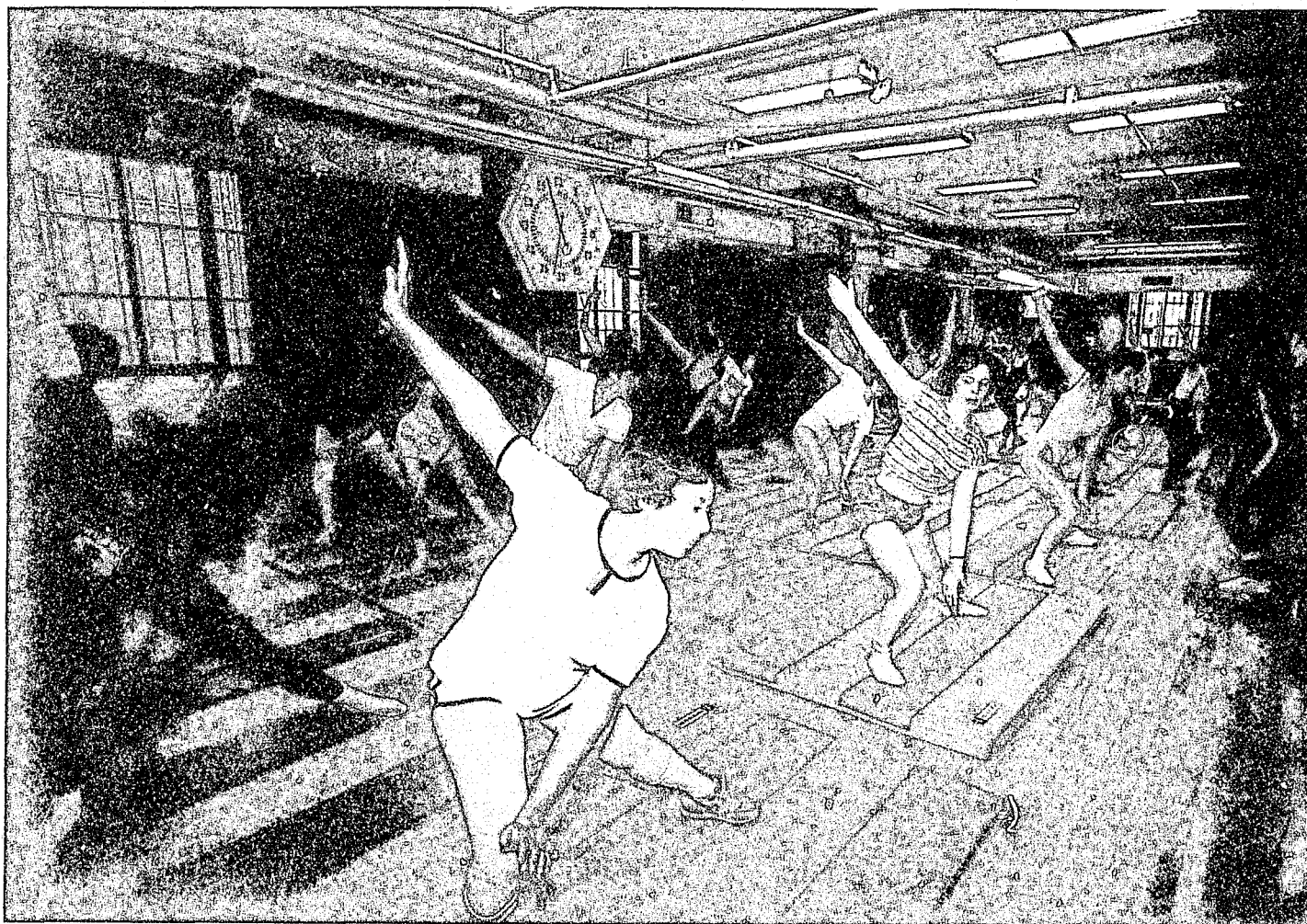
Approved absence for maternity reasons can be a combination of sick and annual leave and leave without pay. Annual leave or leave without pay also may be approved for

male employees who desire to assist in the delivery and/or post partum care of a child. Consideration of a request for maternity absence will take into account the workload requirements of the attorney's office, but generally will be approved for a total of three to six months, depending upon the organization involved. (Please note that leave without pay normally is not credited toward time-in-grade waiting requirements for promotion eligibility.)

The Department has an Incentive Awards Program through which superior performance, special acts or services, or suggestions deserving recognition are rewarded by cash or honorary awards.

Justice Fitness Center

Membership in the Justice Fitness Center, located at the Main Justice Building, is available to all Department employees for a modest fee of \$104 a year. The facility includes a fully equipped aerobic center, a Universal and free weight apparatus room, and locker rooms equipped with showers and saunas. A full time staff of fitness professionals is available to create individualized exercise programs. A wide variety of aerobic and specialty classes are offered (e.g., Yoga, Karate, Jazz Dance). Special programs such as weight management and smoking cessation are also available.



The Department's Justice Fitness Center is an excellent facility providing a full array of exercise equipment, classes and special programs. The apparatus room, for example, has more than 16 Universal weight stations. Pictured is an aerobics fitness class, which is offered at beginning, intermediate and advanced levels.



The Department's Justice Fitness Center offers a variety of special classes and exercise programs. Pictured is the Justice Fitness Center's walking team winning an interagency co-ed team 3K walk on the grounds of The Mall (which is one block from the Department's main building).

Promotion Policy/Performance Appraisal

An attorney employed by the Department as an experienced attorney, an Honor Program recruit or a Judicial Law Clerk may be eligible for consideration for promotion after serving the following minimum time-in-grade requirements at the next lower level.

<u>For Promotion To</u>	<u>Minimum Time in Next Lower Grade</u>
GS-11	-----
GS-12	1 year
GS-13	1-1/2 years
GS-14	2 years
GS-15	2 years

Actual promotions after serving the minimum time-in-grade are recommended based upon the attorney's performance. Please note that these time-in-grade requirements are minimum requirements, and that some organizations may require longer intervals at some grade levels. Attorneys receive an annual performance appraisal. Outstanding performance by an attorney may result in a recommendation for a waiver of the minimum time-in-grade of up to six months for a GS-13 and one year for GS-14 and GS-15. (Such a waiver allows promotion to a GS-13, GS-14 and GS-15 after one year in the next lowest grade instead of the longer periods listed above.)

As noted above, leave without pay normally is not credited toward time-in-grade waiting requirements for promotion eligibility. Part-time employment is given pro-rata credit toward time spent in grade, e.g., if a person works 20 hours

per week for one year, six months is counted toward the time-in-grade waiting requirement.

Experienced Attorney Employment

Eligibility

To apply for an attorney position with the Department, an applicant must be an active member of the Bar and have at least one year of experience after graduation from an ABA approved law school. Resumes or applications from experienced attorneys are accepted at any time of the year. However, attorneys should apply for employment no earlier than three months prior to their availability. Attorneys are offered a position subject to completion of a favorable name and fingerprint clearance and full field background investigation by the Federal Bureau of Investigation. (More specific eligibility requirements for Judicial Law Clerks and LL.M. applicants are discussed below.)

Application Procedure

A current resume should be submitted to the Office of Attorney Personnel Management, at the address on page one of this brochure. An applicant is free to request consideration by specific divisions or offices within the Department for which he/she has appropriate experience. If no such request is noted, the Office of Attorney Personnel Management will refer the resume to the divisions or offices deemed appropriate. Writing samples should not be sent unless specifically requested. The Office of Attorney Personnel Management will acknowledge receipt of the resume, and provide the applicant with the names of the organizations to which the resume has been referred. Those organizations will then contact the applicant directly if they have appropriate vacancies they would like to discuss.

The Office of Attorney Personnel Management does not maintain a vacancy list of legal positions. In view of the Department's large legal staff and the fact that legal recruiting is an ongoing process here, the Office of Attorney Personnel Management welcomes, and refers, resumes under the experienced attorney recruitment program at all times. (From time to time as hiring needs dictate, particular organizations may request the Office of Attorney Personnel Management to refrain from sending resumes for a while.)

Judicial Law Clerks and LL.M. Applicants

Although Judicial Law Clerks may be considered under both the Honor Program and the experienced attorney program, applications under both programs cannot be considered simultaneously. An applicant should first apply under the Honor Program. If an Honor Program offer is not received, then the applicant may reapply under the experienced attorney program up to three months prior to his/her availability for employment.

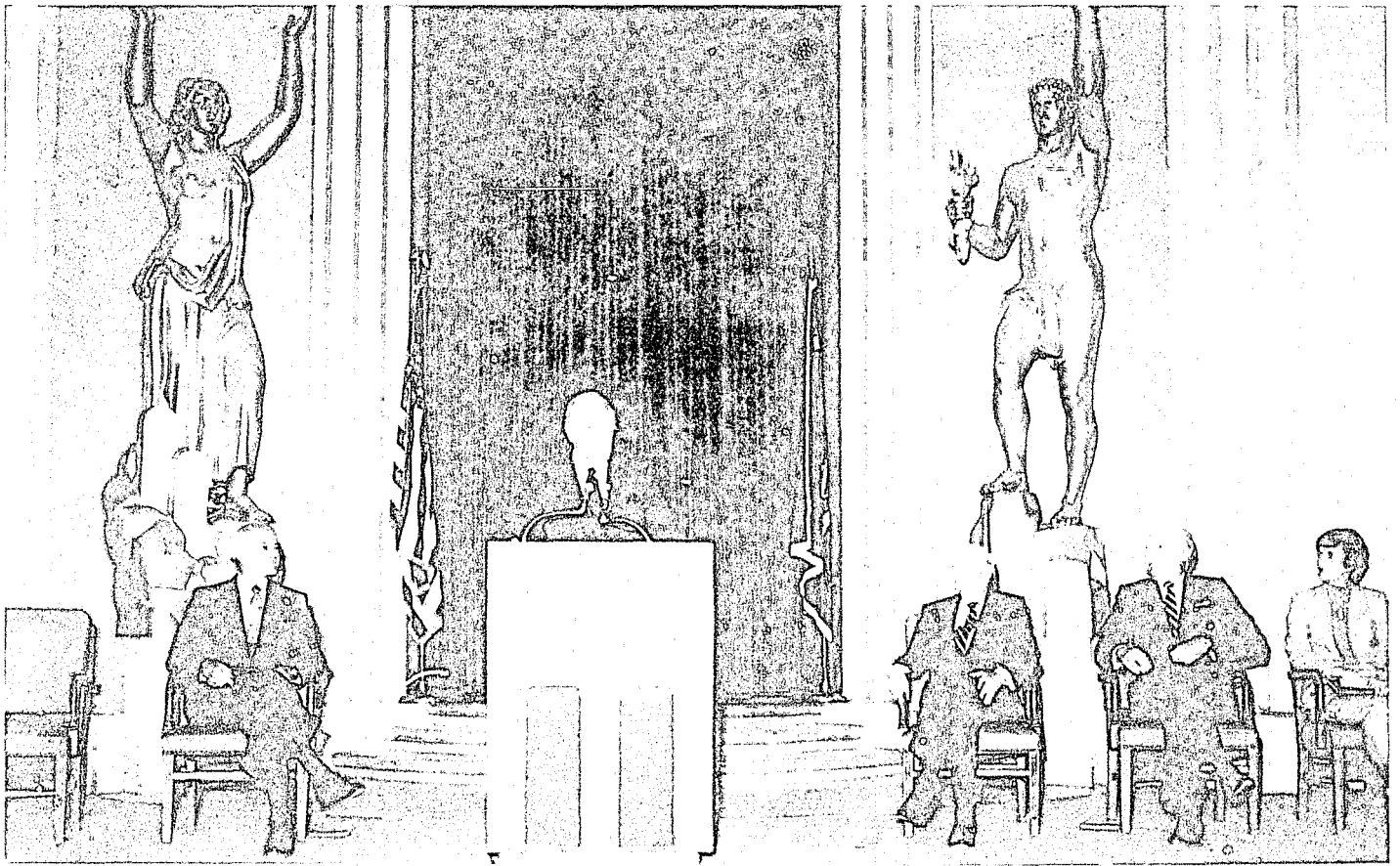
If you are a Judicial Law Clerk who did not apply under the Honor Program, your application to the experienced attorney program may be submitted no earlier than three months prior to the conclusion of your clerkship. LL.M. candidates who proceeded directly from law school into an LL.M. program may submit an application to the experienced attorney program only after the advanced degree is received and they have been admitted to the bar. In this instance, the Department is accepting the LL.M. as a substitute for the one year of post-J.D. experience that would otherwise be required.

Salary

The salary for an incoming attorney normally may not exceed what the attorney would have been earning had he/she entered the Department directly from law school, and then been promoted according to the Department's normal eligibility policy. The salary scale (as of January 1985) is listed below:

<u>Years of Experience</u>	<u>Grade Level</u>
1	GS-11 (\$26,381-34,292)
1 - 2-1/2	GS-12 (\$31,619-41,105)
2-1/2 - 4-1/2	GS-13 (\$37,599-48,876)
4-1/2 - 6-1/2	GS-14 (\$44,430-57,759)
6-1/2 - and above	GS-15 (\$52,262-67,940)

There are 10 steps to each grade level. The range of salaries provided above lists the first and tenth steps of each grade level. Salaries in excess of the applicant's salary at his/her current position must be fully justified.



On December 5, 1983, the Department celebrated the thirtieth anniversary of the Attorney General's Honor Program. Pictured (l. to r.): Former Attorney General William French Smith; former Chief Justice of the United States Warren E. Burger; former Attorneys General Herbert Brownell and William P. Rogers; and Linda A. Cinciotta, Director, Office of Attorney Personnel Management.

1986 – 1987 Honor Program (Including Graduating Law Students, Graduate Law Students and Judicial Law Clerks) – for Employment in 1987

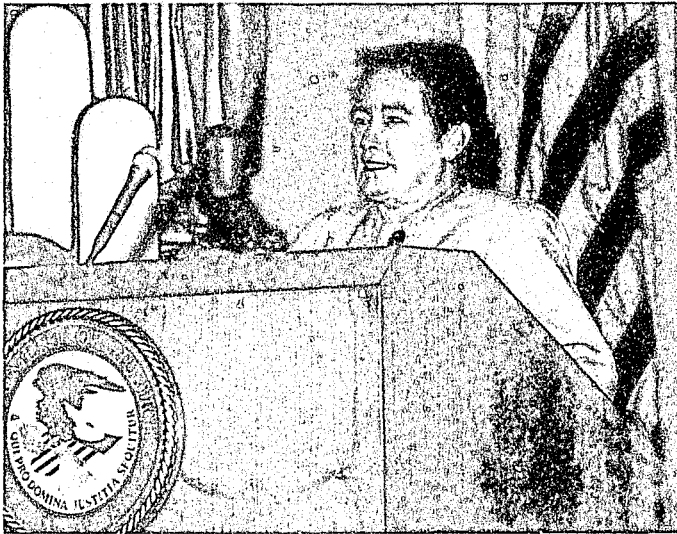
History

On December 5, 1983, the Department celebrated the thirtieth anniversary of the Attorney General's Honor Program for recruiting graduating law students. It was an impressive ceremony that denoted the Department's pride in the Honor Program and its many outstanding recruits from 1954 to the present. Present to commemorate the event were former Chief Justice of the United States Warren E. Burger, and former Attorneys General William French Smith, Herbert Brownell and William P. Rogers. The Chief Justice was the

Assistant Attorney General for the Civil Division at the time the Honor Program was initiated. William French Smith was the Attorney General at the time of the Honor Program's thirtieth anniversary celebration, Herbert Brownell was the Attorney General who inaugurated the program in 1953, and William P. Rogers was the Deputy Attorney General who administered the first program.

In addition to a large number of former Honor recruits who form a core of the Department's present leadership, distinguished Honor alumni include three members of the federal legislature – Senators Gary Hart and George Mitchell, and Representative John E. Porter. The late Patricia Roberts Harris, who served as Secretary of the Department of Housing and Urban Development, and Secretary of the Department of Health, Education and Welfare also began her career as an Honor Program attorney with the Department of Justice. Robert Pitofsky, Dean of Georgetown University Law Center, and Derrick A. Bell, Jr., former Dean of the University of Oregon's School of Law are representative of

distinguished legal educators who were former Honor recruits. Additionally, many attorneys who began their careers as Honor recruits at the Department have distinguished themselves in the judiciary, government, private practice and industry.



On May 7, 1986, the Women's Bar Association hosted a Reception to Honor Senior Women at the Department of Justice, in the Department's Great Hall. Attorney General Edwin Meese III addressed the honorees and remarks were made by Victoria Toensing, Deputy Assistant Attorney General, Criminal Division, and Mary C. Lawton (pictured), Counsel for Intelligence Policy, Office of Intelligence Policy and Review. Ms. Lawton began her legal career with the Department's Office of Legal Counsel under the Attorney General's Honor Program.

Eligibility

The Attorney General's Honor Program, which is highly competitive, serves as the Department's recruitment program (for all Department organizations except the U.S. Attorneys' Offices and the Federal Bureau of Investigation) for: outstanding third-year law students; graduate law students (applying in the fall of the last year of their graduate law study); and Judicial Law Clerks. Students in, and graduates from, ABA approved law schools are eligible for employment under the Attorney General's Honor Program. Applicants are selected based on: academic achievement; law review and other publication work; extra-curricular activities such as moot court competition, legal aid, legal clinic, and student bar association; and summer and part-time employment. Law students who will graduate in the fall or winter of 1986 or in the spring or summer of 1987 are eligible. The Honor Program is the only vehicle through which the Department hires graduating law students.

Judicial Law Clerks are also recruited under the Honor Program. However, the clerkship must be the first significant legal employment following law school graduation. Per-

sons who will conclude their clerkships during 1987 may apply. Graduate law students are also eligible to apply under the Honor Program in the fall of the last year of their graduate law study. However, the pursuit of the graduate law degree must have immediately followed law school.

Interviewing for the Honor Program is done at approximately 20 regional locations, in addition to Washington, D.C. Interview cities and dates are indicated on the Honor Program application form.

Please note that the application, interview and offer process for these programs is very structured and conducted only within a specific time frame. Honor Program applications which are not submitted by the deadline will not be considered. (Judicial Law Clerks are encouraged to apply as part of the Honor Program, and if they do so they are bound by the same deadline.)

Honor Program offers to graduating law students, graduate law students and Judicial Law Clerks are made subject



At the Deputy Attorney General's Welcoming Reception for 1985 Honor Program attorneys, then Assistant Attorney General for the Tax Division, Glenn L. Archer, Jr. (now Circuit Judge, U.S. Court of Appeals for the Federal Circuit) chats with newly hired Tax Division attorneys.



At a 1985 reception in honor of incoming Honor Program attorneys, Deputy Attorney General D. Lowell Jensen (left) and the Assistant Attorney General for the Civil Division, Richard K. Willard (right), welcome Honor Program attorney Lauren Bloom, Civil Division.

to completion of a favorable name and fingerprint clearance and full field background investigation by the Federal Bureau of Investigation. Please note that many organizations within the Department defer entry on duty until after October 1 (which is the beginning of the new fiscal year) following graduation. All J.D. graduates must pass a bar examination within 14 months of entry on duty and thereafter maintain an active bar membership. Appointments made through the Honor Program are for permanent attorney positions, excluding the Executive Office for Immigration Review which hires applicants for one year clerkships in the offices of Immigration Judges.

Application Forms

Third-year law students, graduate law students and Judicial Law Clerks (JLCs) must submit the Honor Program application form. Applications (and instructions) are available at these designated locations as of the end of August 1986:

- The applications for third-year students, graduate law

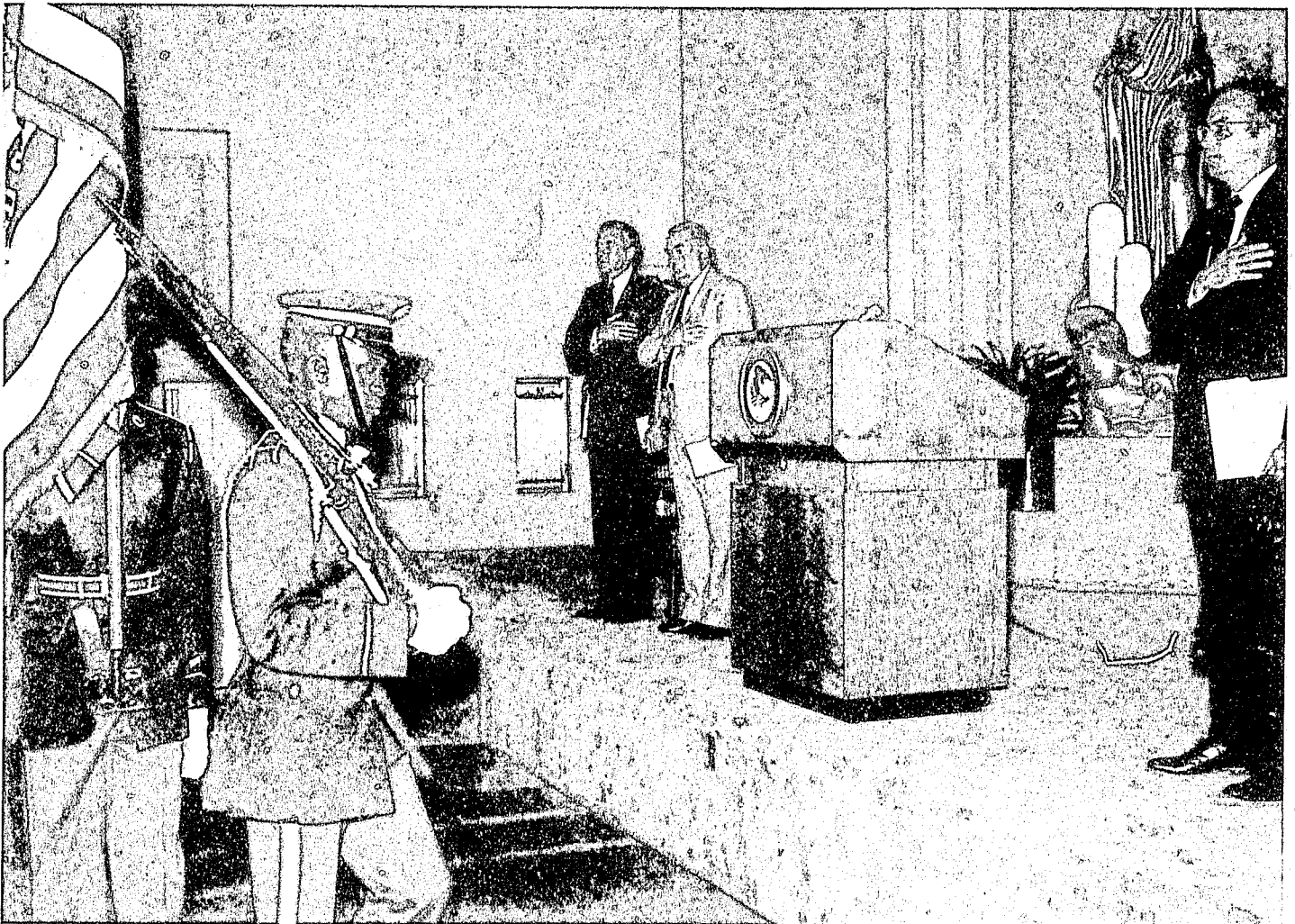
students, and JLCs are available at the placement offices of all ABA approved law schools.

- The applications for federal JLCs are also available in the chambers of all federal judges.
- The applications for state JLCs are also available in the central administrative office for each state court.

Honor Program Applications from Third-Year Law Students, Graduate Law Students and Judicial Law Clerks must be received at the Department of Justice by September 26, 1986. Late applications will not be considered. All application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

Salary

The beginning salary for an Honor Program attorney is GS-11 (\$26,381 per annum as of January 1985). The beginning salary for a Judicial Law Clerk, or Honor Program attorney with a graduate law degree, is GS-12 (\$31,619 per annum as of January 1985).



On May 6, 1986, Senator Orrin G. Hatch (l. to r.), Attorney General Edwin Meese III, and Judge Kenneth W. Starr addressed members of the annual Conference of the National Association for Law Placement, in the Department's Great Hall. Also pictured are members of the Joint Armed Forces Color Guard.

Summer Law Intern Program – for Employment in the Summer of 1987

Each year the Department hires as Summer Law Interns a number of students who have completed their second year at an ABA approved law school. These appointments are assigned a GS-7 level (\$17,824 per annum as of January 1985). Some limited hiring of first year law students is done, with those appointments assigned a GS-5 level (\$14,390 per annum as of January 1985). Summer Law Intern positions also may be offered to a law school graduate the summer between his/her graduation and commencement of a judicial clerkship. Although these summer appointments for graduates are usually assigned a GS-11 level (\$26,381 per annum as of January 1985), the grade level is at the discretion of the employing organization and may be lower. The Summer Law Intern Program is highly competitive.

Applications (and instructions) for employment during the

summer of 1987 are available at the placement offices of all ABA approved law schools as of the end of August 1986. Applications for the Summer Law Intern Program must be received at the Department of Justice by October 3, 1986. Late applications will not be considered.

Please refer to the discussion of U.S. Attorneys' Offices in this brochure for information on applying for a summer position in those offices. For all other organizations in the Department (including the Executive Office for U.S. Attorneys, which is located in Washington, D.C.) application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

At the end of the employment period as a Summer Law Intern, the student receives a performance appraisal. If a favorable appraisal is received, the student's chances for entrance into the Honor Program upon graduation from law school are greatly enhanced. Of course, all Honor Program offers are subject to budgetary limitations and successful completion of a background investigation.



Summer Law Interns John Kitchings and Denise Antolini are pictured here in their roles as the Land and Natural Resources Division's "student" softball team co-captains. Members of their team consisted of the Assistant Attorney General and Deputy Assistant Attorneys General for the Lands Division. The opposing team consisted of Lands Division Section Chiefs and Assistant Section Chiefs.

Other Law Student Programs

Part-Time Program

There are some paid, part-time positions available in the Department during the "regular" school year, i.e., September through May. (Paid positions for the summer months are filled through the Summer Law Intern Program - see above). The employment of students who are attending law school on a full-time basis may not exceed 20 hours per week. The salary for a student who has completed the second year of an ABA approved law school is at the GS-7 level (\$17,824 per annum as of January 1985). The salary level for a student with less academic completion is at the GS-5 level (\$14,390 per annum as of January 1985).

Work-Study Intern Program

These positions are without compensation but are for course credit or part of a work-study program when permitted by the student's law school. Students should contact their law school for specific intern or work-study requirements prior to applying for such a position.

Volunteer Program

Students who want to gain a significant work experience with the Department may apply for a position as a volunteer.

These positions are without compensation. The number of hours worked in a volunteer capacity is agreed upon by the student and the supervisor, but a student may not exceed 20 hours per week while attending law school full-time.

Most law student positions are located in the Washington, D.C. area. Law students who transfer to a Washington, D.C. area law school for a semester or longer are encouraged to apply for law student positions, using the Law Student Program application form. Organizational field offices may advertise law student positions they might have through the placement offices of law schools outside the Washington, D.C. area.

There are no deadlines for the Part-Time, Work-Study Intern and Volunteer Programs, and applications for them can be submitted at any time. For a Law Student Program application form or more information, students should contact their law school placement office or write to the Office of Attorney Personnel Management at the address on page one of this brochure. In addition to sending an original and two copies of the application form, students must send three copies of their current transcript. Although not required, students are also encouraged to send three copies of their resume. Writing samples and Standard Forms 171 should not be sent until specifically requested.

Please refer to the discussion of U.S. Attorneys' Offices in this brochure for information on applying for a Part-Time, Work-Study Intern or Volunteer position in those offices. For all other organizations in the Department, application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

Office of Legal Education

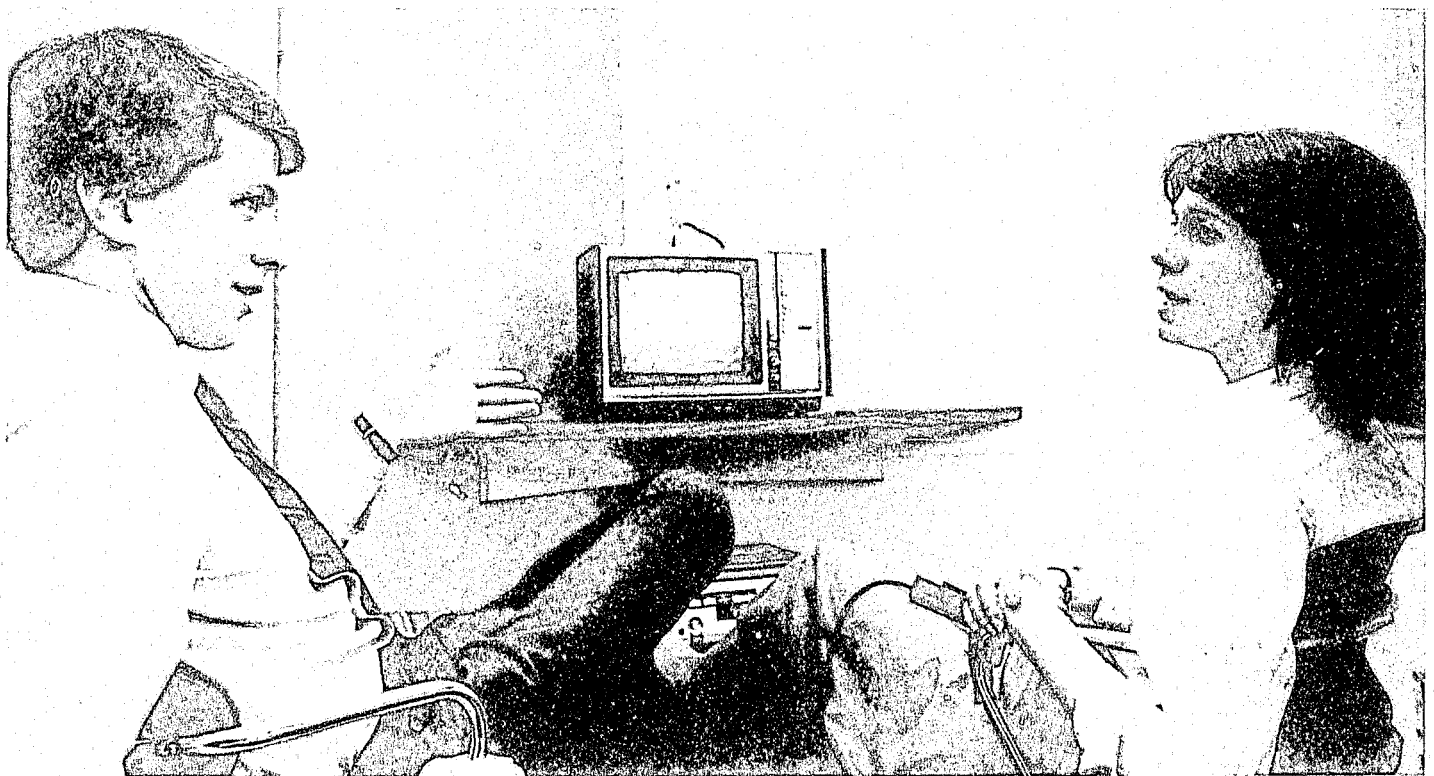
Continuing legal education and training are offered to attorneys through the Office of Legal Education (OLE) for the Department of Justice and for all other departments and agencies of the Executive branch of the federal government. There are two branches in OLE: the Attorney General's Advocacy Institute, which trains Department attorneys, including Assistant U.S. Attorneys; and the Legal Education Institute, which serves attorneys in other federal departments and agencies. The Advocacy/Legal Education Institute is the only facility of its kind in the United States, and the Department is justly proud of the unique advocacy training it affords Department and other government attorneys.

The OLE classrooms have sophisticated videotaping facilities for advocacy workshops. A significant feature of the training is the learn-by-doing technique, with individual and video playback critiques of performance. Extensive materials are generated for nearly every course, and are widely disseminated beyond immediate course needs. The video and audio tape library contains lectures and demonstrations from the courses and from specialists outside the Department, as well as commercial materials. These tapes are available on loan, and are in continual use around the country, and by nearly every department and agency. All courses have been certified for continuing legal education credit and are accepted in all states with mandatory requirements.

In addition to offering the courses described below, OLE offers specialized seminars in most major areas of legal involvement in the Department. Assistant U.S. Attorneys receive instruction in a variety of topics including the law of hazardous wastes, public corruption, general tort litigation and medical malpractice litigation. The last was done with the participation of the military and Veterans Administration attorneys and doctors.

Attorney General's Advocacy Institute

The Advocacy Institute helps attorneys develop trial skills and affords them valuable "courtroom" training that is difficult to duplicate anywhere else. "The idea is to polish what a new attorney brings with him or her to the government," explains Advocacy Institute Director Thomas G. Schrup. "Our faculties are selected from the ranks of the most seasoned trial attorneys in the Department, U.S. Attorneys' Offices, as well as federal judges and experts from law enforcement and other government agencies." Heads of divisions, offices, boards, bureaus, and U.S. Attorneys may nominate any Department attorney to participate in the program, including both graduating law students hired under the Honor Program and experienced attorneys newly hired by the Department.



Instructor (right) critiques attorney's performance in counsel role, via video playback.

The Advocacy Institute offers six Criminal Trial Advocacy, six Civil Trial Advocacy, and four Appellate Advocacy courses. The case materials used in the courses reflect the Department's varied caseload. Overviews of each course outlined below illustrate the extensive nature of the training given.

Criminal Trial Advocacy Course

The Criminal Trial Advocacy Course consists of two weeks of extensive "learn by doing" exercises which concentrate on courtroom skills. The course covers a wide range of experiences, and is designed for attorneys new to the Department of Justice. Exercises during the first week encompass opening statement, direct and cross-examination, and court performance with experts from the Federal Bureau of Investigation, Drug Enforcement Administration, and other enforcement agencies. There is extensive use of the video replay and critique of student performance.

Student-attorney participation intensifies during the second week and culminates with two days of mock trial experience with visiting federal judges presiding over their performance in front of a jury.

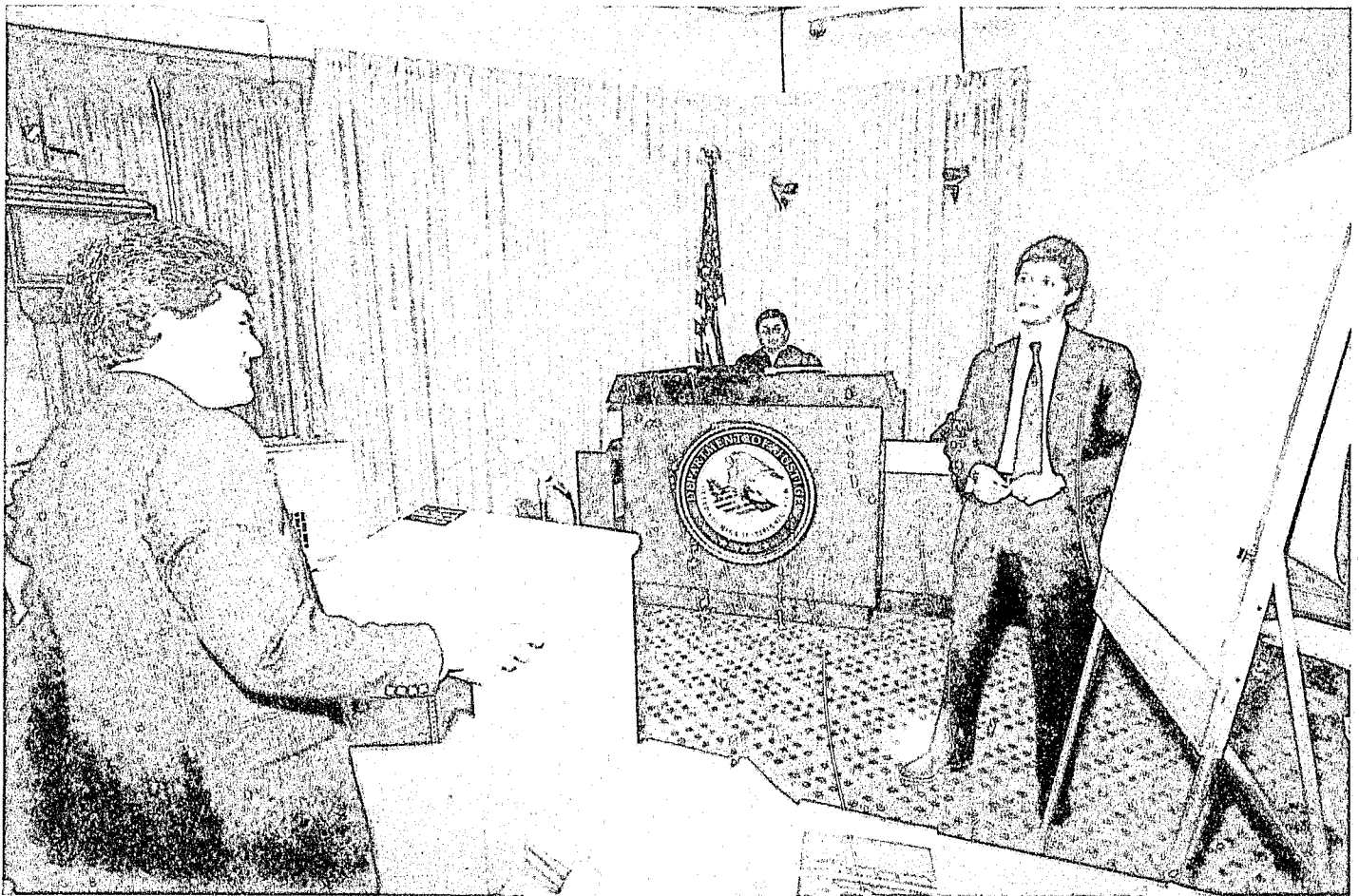
This course is followed by an advanced week presentation, approximately six months later, in which the same student-attorneys attend lectures and workshops concentrating on such topics as grand jury, ethics, and persuasion.

Civil Trial Advocacy Course

This two week program begins with the discovery phase of a civil case. Students participate in discovery and testimony depositions, moving through the various stages of a civil trial, beginning with opening statements, and proceeding through direct and cross-examination to closing arguments. Each student's performance of exercises in these areas is videotaped and then immediately reviewed by the student with an instructor.

In the expert witness phase of the program, students work with experts from various agencies, such as the National Weather Service, the Nuclear Regulatory Commission, and the Corps of Engineers. Physicians and nurses also participate in the course to allow the participants the experience of direct and cross-examination of medical experts.

Throughout the program, experienced Assistant U.S. Attorneys and Department attorneys, serving as instructors,



In a Criminal Trial Advocacy course, Tax Division Honor Program attorney Peter Anderson (left) sharpens his advocacy skills before the Honorable Joseph J. Farnan, Jr., U.S. District Judge, Delaware. Opposing counsel is Jonathan Chiel, Assistant U.S. Attorney, Massachusetts.

conduct the classroom exercises and the critiques via video playback. The last two days of the course are spent in mock trials held at the U.S. District Courthouse, in Washington, D.C., before federal district judges from throughout the country.

Appellate Advocacy Course

The Appellate Advocacy Course is a one week program, conducted four times a year, which focuses on the various skills required of a successful appellate advocate. The lectures, panels, and practical exercises are designed to improve the ability of the participating attorneys to analyze facts, to write appellate briefs, and to make oral arguments. Each attorney must submit a brief prior to the course, and during the course, each attorney argues three times. During the week,

the attorneys' performances are videotaped and then critiqued by experienced appellate counsel. The program culminates in full-scale oral arguments before panels which include judges of the U.S. Courts of Appeals.

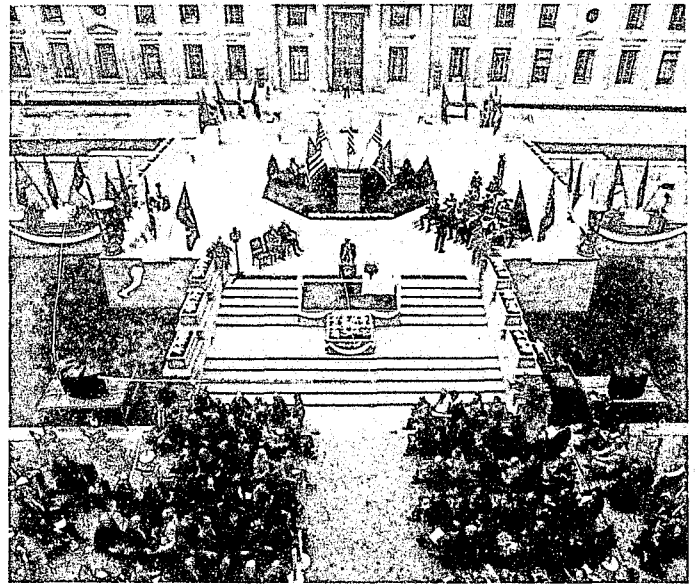
Legal Education Institute

The Legal Education Institute courses are offered on an interagency basis in three categories: (1) advocacy training, similar to that in the Advocacy Institute, but aimed at the administrative hearing; (2) training of wide application to a number of agencies, in areas such as freedom of information law and federal employment law; and (3) training that can promote better working relationships among agencies, for example in those areas where the Department of Justice represents other departments and agencies.

Introduction to the Work of the Department

The United States Department of Justice has been described as the largest law office in the world. The Attorney General is the federal government's chief legal officer. The United States Government is the Attorney General's client. The Department of Justice is the Attorney General's staff. But this staff, which is comprised of approximately 62,000 persons throughout the world, performs many law enforcement functions in addition to providing legal services to the government. The Department of Justice consists of sixteen offices, seven divisions, six bureaus, and three boards.

The post of the Attorney General was created by the Judiciary Act of September 24, 1789, but it was an Office, not a department, that was created. Edmund Randolph, of Virginia, was the first Attorney General. By 1870, the work of the Attorney General had expanded to such an extent that the office had become, in reality, one of the executive departments of the government. In recognition of this fact, the Congress on June 22, 1870, established the Department of Justice, headed by the Attorney General.



On October 25, 1984, the Department celebrated, in its Main Courtyard, the fiftieth anniversary of the dedication of the Department of Justice Building, commemorating as well the proud history of the Department.

The Attorney's Function in the Department of Justice

A primary responsibility of the Department of Justice is to represent the United States in court. Attorneys in the general counsel offices of other departments and agencies perform the day-to-day legal duties of the federal government, such as negotiation of contracts, settlement of complaints, and providing legal advice to other government officials. However, when a department or agency is involved in or is contemplating litigation, the matter is generally turned over to the Department of Justice.

With certain important exceptions, the bulk of the Department's litigation function is performed by the 93 U.S. Attorneys and their staffs. Their work is guided and assisted by attorneys in several legal divisions of the Department. However, Department of Justice attorneys in the Antitrust, Civil, Civil Rights, Land and Natural Resources, and Tax Divisions conduct the majority of the litigation in their respective areas of responsibility.

A general description of the work of each organization within the Department follows. A listing of the number of attorneys in each organization of the Department also appears here.

Department of Justice Attorney Distribution

<u>Organization</u>	<u>Number of Attorneys</u>
Office of the Attorney General	6
Office of the Deputy Attorney General	10
Office of the Associate Attorney General	5
Office of the Solicitor General	23
Office of Intelligence Policy and Review	11
Office of Legal Counsel	20
Office of Legal Policy	35
Office of Legislative Affairs	9
Office of Liaison Services	3
Office of the Pardon Attorney	4
Office of Professional Responsibility	6
Office of Public Affairs	0
Justice Management Division	32

<u>Organization</u>	<u>Number of Attorneys</u>
Antitrust Division	284
Civil Division	469
Civil Rights Division	183
Criminal Division	379
Land and Natural Resources Division	229
Tax Division	328
Executive Office for United States Attorneys	20
United States Attorneys' Offices	2,541
United States Marshals Service	7
United States Trustees' Offices	39
Immigration and Naturalization Service	170
Executive Office for Immigration Review	98
Federal Bureau of Investigation	2 ¹
Bureau of Prisons, Federal Prison Industries	23

Drug Enforcement Administration	21
Office of Justice Programs; Bureau of Justice Assistance; Bureau of Justice Standards; National Institute of Justice; Office of Juvenile Justice and Delinquency Prevention	8
Community Relations Service	1
United States National Central Bureau - INTERPOL	1
United States Parole Commission	7
Foreign Claims Settlement Commission	4
TOTAL	4,978

¹The FBI employs 1,270 attorneys who are classified as "Special Agents," of whom 51 are assigned to the Legal Counsel Division at FBI Headquarters. The FBI only employs two persons as attorneys who are not also Special Agents, and both serve as Special Assistants to the Director.

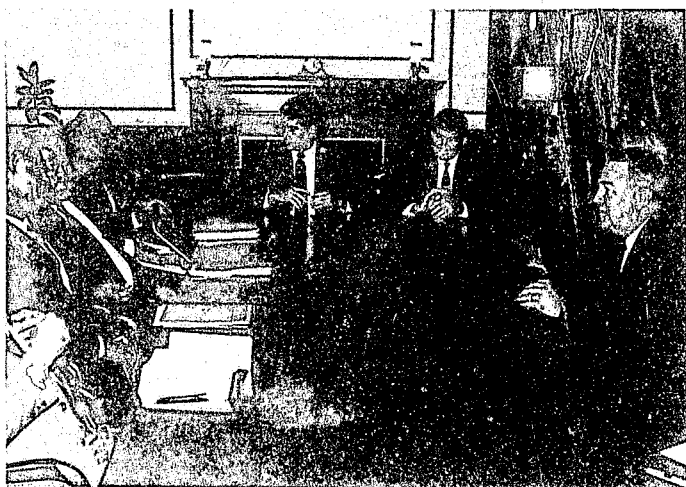
Offices of the Attorney General, Deputy Attorney General and Associate Attorney General

The Office of the Attorney General provides overall policy and program direction for the offices, boards, divisions and bureaus of the Department of Justice. The Office represents the United States in legal matters generally, prosecutes violations of federal law, and offers legal advice and opinions to the President, the Cabinet and heads of executive agencies. It also provides comments on pending legislation and makes recommendations to the President concerning appointments to federal judicial positions as well as appointments of U.S. Attorneys and U.S. Marshals.

The Office of the Deputy Attorney General serves as the Attorney General's principal agent for managing the opera-

tions of the Department. The Office is the focal point for the direction and coordination of multifaceted Department programs. It provides supervision over all administrative management activities, including the Budget Review Committee, and the Senior Executive Resources Board.

The Office of the Associate Attorney General advises and assists the Attorney General and the Deputy Attorney General in formulating and implementing Departmental policies and programs. The Office also provides overall supervision and direction to certain organizations within the Department.



Attorney General Edwin Meese III and other top Department officials meet with Minister U Min Gaung of Burma (seated across from the Attorney General) to discuss cooperative narcotic enforcement matters.



The final relay carrier passes the torch to Attorney General Edwin Meese III and movie executive Sylvester Stallone for the opening of the Special Olympics at the United States Capitol on May 23, 1986.

Office of the Solicitor General

The major function of the Solicitor General's Office is to supervise and conduct government litigation in the United States Supreme Court. Virtually all such litigation is channeled through the Office of the Solicitor General and is actively conducted by that Office. This involves about two-thirds of all the cases the U.S. Supreme Court decides on the merits each year.

The Solicitor General determines the cases in which U.S. Supreme Court review will be sought by the government, and the position the government will take in that Court. His staff participates in preparing the petitions, briefs, and other papers filed by the government in its U.S. Supreme Court litigation. The Solicitor General personally assigns the oral argument of government cases in the U.S. Supreme Court. Those cases not argued by the Solicitor General personally are assigned to either an attorney on his staff or another government attorney. Most of the government cases in the

U.S. Supreme Court are argued by the Solicitor General or his staff.

Another function of the Office is to review all cases lost by the Department of Justice in the lower courts to determine whether they should be appealed and, if so, what position should be taken. The Solicitor General also determines whether the government will participate as *amicus curiae*, or intervene, in cases in any appellate court. The Office does not, however, ordinarily participate directly in the preparation of the briefs or arguments in any court other than the U.S. Supreme Court.

The Office of the Solicitor General carries an important and heavy workload with a relatively small staff of attorneys. Therefore, the Office typically hires only people with outstanding academic qualifications and highly relevant legal experience, such as a federal clerkship at the appellate or U.S. Supreme Court level or appellate litigation experience.

Office of Intelligence Policy and Review

The Office of Intelligence Policy and Review assists the Attorney General by providing legal advice and recommendations regarding national security matters, reviewing Executive orders, directives and procedures relating to the intelligence community, and approving certain intelligence-gathering activities. The Office also provides advice to Departmental units and other Executive branch agencies on the interpretation and application of the Constitution, statutes, regulations and directives relating to U.S. national security activities.

The Office represents the Attorney General on various interagency committees and task forces dealing with national security-related issues and policy. It participates in the development of legislative initiatives concerning such activities and communicates with the intelligence committees of the Congress in refining and analyzing legislation.

All representation of the United States before the Foreign Intelligence Surveillance Court is conducted by the Office of Intelligence Policy and Review. It prepares applications to the court for orders authorizing electronic surveillance by U.S. intelligence agencies and presents them for court review.

When evidence obtained under the Foreign Intelligence Surveillance Act is proposed to be used in criminal proceedings, the Office obtains the necessary authorization from the Attorney General. In coordination with the Criminal Division and U.S. Attorney, the Office prepares the motions and briefs required in the U.S. District Court or Court of Appeals whenever surveillance authorized under the Act is challenged.

In addition to reviewing the applications for electronic surveillance, attorneys periodically review surveillance logs to ensure compliance with minimization procedures approved by the Attorney General. In addition, the Office monitors certain intelligence and counterintelligence investigations to ensure conformity with applicable laws and procedures. It regularly briefs the Congressional intelligence committees on these activities.

Because of rigorous security requirements, attorneys must be eligible for the highest security clearances. There is an attorney staff of 11, and an opening for even one attorney is rare.

Office of Legal Counsel

The principal function of the Office of Legal Counsel (OLC) is to assist the Attorney General in the role of legal adviser to the President and agencies in the Executive branch. The Office drafts the formal opinions of the Attorney General and renders its own formal and informal opinions on a variety of legal questions involving the operations of the Executive branch.

In responding to requests from the President and heads of the executive departments, OLC frequently considers legal issues of particular complexity and importance about which two or more agencies disagree. Except when a formal Attorney General's opinion is requested (in which case OLC drafts an opinion for the Attorney General's consideration), OLC normally serves as the final arbiter within the Executive branch on legal questions, both constitutional and statutory. It also reviews all Executive orders and proclamations proposed to be issued by the President for form and legality, as well as various other matters which require the President's formal approval.

In addition to serving as, in effect, outside counsel for the other agencies of the Executive branch, OLC also provides legal support and advice to the Department itself. It reviews all proposed orders of, and all regulations requiring the approval of, the Attorney General, and coordinates the work

of the Department with respect to treaties, executive agreements, and international organizations. It performs a variety of special assignments referred by the Attorney General or the Deputy Attorney General.

OLC also advises other units, including the Office of Legislative Affairs, on the legal aspects of legislation proposed either as a part of the President's legislative program or by the Congress. OLC's staff frequently prepares and delivers testimony to the Congress on behalf of the administration on a variety of legal issues, particularly constitutional issues. In recent years testimony has been given on, for example, the Iranian Settlement Agreements, legislative vetoes, proposed limits on federal court jurisdiction, amendments to the Administrative Procedure Act, consideration of the Interstate Radioactive Waste Compacts, and the power of the President to enter into executive agreements.

There is generally no court work connected with the activities of OLC although the Office is frequently consulted by litigating divisions of the Department, and may assist in writing briefs.

Because OLC carries a heavy and important workload with only 20 attorneys, it normally hires persons with exceptional academic records who have clerked for a federal judge or have other comparable legal experience.

Office of Legal Policy

A strategic legal "think tank" serving as the Attorney General's principal policy development staff, the Office of Legal Policy (OLP) devotes itself to the study of issues central to the Department's policy agenda. Acting at the direction of the Attorney General and generating its own proposals as well, OLP undertakes to provide the thorough legal and policy analysis necessary to the development of new Department initiatives. The Office's 18 attorneys thus work to produce concrete strategies for legal reform in a wide variety of areas.

OLP's long-term planning responsibilities require its attorneys to anticipate and to help shape the terms of national debate on forthcoming legal policy questions. OLP therefore works closely with the Department's other divisions in establishing legislative and litigative approaches, and with different agencies to help coordinate administration positions. Recent OLP projects illustrating the breadth of issues considered by the Office include research on and formulation of principles regarding separation of powers disputes,

religious liberty conflicts, and approaches to constitutional litigation. The Office also has been involved in matters of court reform, white collar crime, jurisprudence, amicus policy, criminal procedure, civil rights, and social policy.

The Office also is charged with a variety of continuing responsibilities, such as monitoring the potential impact on federalism posed by specific pending litigation. OLP is responsible, as well, for coordinating efforts to assist the Attorney General in advising the President on potential federal judicial nominees. The Office of Information and Privacy, a separate office reporting to OLP with a staff of 17 attorneys, manages Departmental and government-wide responsibilities related to the Freedom of Information Act and the Privacy Act.

Because of OLP's relatively small size and the critical nature of its mission, it requires "generalist" attorneys of the highest caliber who also are possessed of the judgment and imagination necessary for the policy component of the work.

Office of Legislative Affairs

The Office of Legislative Affairs has the responsibility for conducting or coordinating various contacts with the Congress. The Office exercises supervision over the Department's legislative program and responds to requests and inquiries from Congressional committees, individual members and their staffs.

The other functions of the Office include:

- Reviewing and submitting Department legislative reports, and coordinating the preparation of proposed Departmental legislation.

- Making appearances before Congressional committees on justice related matters and advising the President on the legal sufficiency of much of the legislation enacted by the Congress and presented to him for approval.

The Office has a staff of nine attorneys who work primarily in a liaison capacity among the Congress, the Department and the Office of Management and Budget. Each attorney must become familiar with the law and pending legislation in several major areas of interest to the Department.

Office of Liaison Services

The Office of Liaison Services' responsibilities include:

- Maintaining liaison between the Department and state and local governments and their representative organizations.
- Consulting with state and local officials and their representative organizations to inform them of Department policy and law enforcement initiatives that may affect state and local governments.
- Acting as a focal point within the Department for liaison to such groups as the American Bar Association,

tion, the National District Attorneys Association, and other groups concerned with the justice system.

- Serving as liaison with state and local governments on management affairs, and coordinating the Department's participation in federal regional interagency bodies.
- Performing such other duties respecting liaison services as may be assigned by the Attorney General, the Deputy Attorney General, or the Associate Attorney General.

Office of the Pardon Attorney

The Pardon Attorney receives and reviews all petitions for Executive clemency, initiates the necessary investigations and prepares the recommendation to the President in connection with the consideration of all forms of Executive clemency, including pardon, commutation of sentence, remission of fine and reprieve.

The Office of the Pardon Attorney currently has four permanent attorney positions: the Pardon Attorney, Deputy Pardon Attorney and two staff attorneys. The Pardon Attorney is occupied principally with formulating the proposed Department recommendations in all clemency-related matters. In addition, the Pardon Attorney consults with

numerous public groups, members of the Congress and others, meets pardon applicants or their representatives, participates in sentencing related conferences and other seminars, and maintains contact with the Attorney General, Deputy Attorney General, Associate Attorney General, Counsel to the President, and other government officials.

The Office of the Pardon Attorney processes a very large caseload with a relatively small staff of attorneys. Accordingly, recruitment for the occasional vacancy which occurs focuses principally on the applicant's character and academic credentials, as well as capacity for accomplishing complex, arduous and sensitive tasks.

Office of Professional Responsibility

The Department's Office of Professional Responsibility, which reports directly to the Attorney General, is responsible for overseeing all investigations of allegations of criminal or ethical misconduct by all employees of the Department of Justice. The Counsel on Professional Responsibility heads the office, whose primary role is to ensure that Departmental employees continue to perform their duties in accordance with the high professional standards expected of the nation's principal law enforcement agency.

All allegations against Departmental employees involving violations of law, Departmental regulations, or Departmental standards of conduct, are reported to the Office of Professional Responsibility. At the Counsel's discretion, the Of-

fice frequently conducts its own investigations into those allegations. The Office also may participate in or direct an investigation conducted by another component of the Department, or may simply monitor an investigation conducted by an appropriate agency having jurisdiction over the matter. In addition, the Office oversees the internal inspection operations of the Department's components.

The Counsel submits to the Attorney General an annual report reviewing and evaluating the Department's various internal inspection units. The Counsel makes recommendations to the Attorney General on the need for changes in policies or procedures that become evident during the course of the internal inquiries reviewed or initiated by the Office.

Office of Public Affairs

The Office of Public Affairs is the principal point of contact for the Department of Justice with the public and the news media, and prepares and distributes speeches delivered by the Attorney General and, on a limited basis, by other high level Department officials.

The Office is responsible for ensuring that the public is informed about the Department's activities and about the priorities and policies of the Attorney General and the President in the fields of law enforcement and legal affairs. Similar information is provided internally to Department personnel. There are no attorney positions in the Office of Public Affairs, although several attorneys currently work in the Office.

The Office is headed by a Director, who advises the Attorney General and other Department officials on all aspects of media relations and communications issues. The Director also coordinates the public affairs offices of all Department organizations.

The Office of Public Affairs prepares and issues all news releases for headquarters, and edits and approves those issued by component agencies. It serves reporters assigned to the Department by responding to queries, issuing news releases and statements, arranging interviews and conducting news conferences.

The Office ensures that information provided to the news media by the Department is current, complete and accurate.

It also ensures that all applicable laws, regulations and policies involving the release of information to the public are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants or compromise national security interests.

The speechwriting and research staff of the Office drafts all speeches to be delivered by the Attorney General, and for other senior Department officials on a limited basis. This staff ensures that information on such speeches is obtained from relevant Department divisions and offices, and that such speeches fully reflect the policies and priorities of the Attorney General and the President.

The Office also assists the general public by receiving visiting groups, including foreign visitors, scheduling speakers upon request and responding to telephone and mail requests for information.

The Office of Public Affairs performs all staff work for the Congressionally-mandated Young American Medals program, which recognizes bravery and service achievements of young people, including screening of nominations, travel arrangements for recipients and families, and assistance to the White House in arranging a program for presentation of the awards by the President.

Justice Management Division

The Justice Management Division exercises Department level oversight and control over selected management operations, and provides direct administrative services to the offices, boards and divisions and, to a limited extent, the bureaus of the Department.

Two Justice Management Division offices that employ a significant number of attorneys are described below.

Office of the General Counsel

The Office of the General Counsel has the responsibility for providing legal advice to the Assistant Attorney General for Administration and the rest of the Division. It also provides legal support to the offices, boards, divisions and bureaus of the Department in administrative law areas. The Office has the operational responsibility for the Department's ethics in government functions, its regulatory reform functions, and its Newspaper Preservation Act functions. It also reviews procurement actions for the Division and consults

on procurement matters affecting the entire Department. The Office has a staff of nine attorneys.

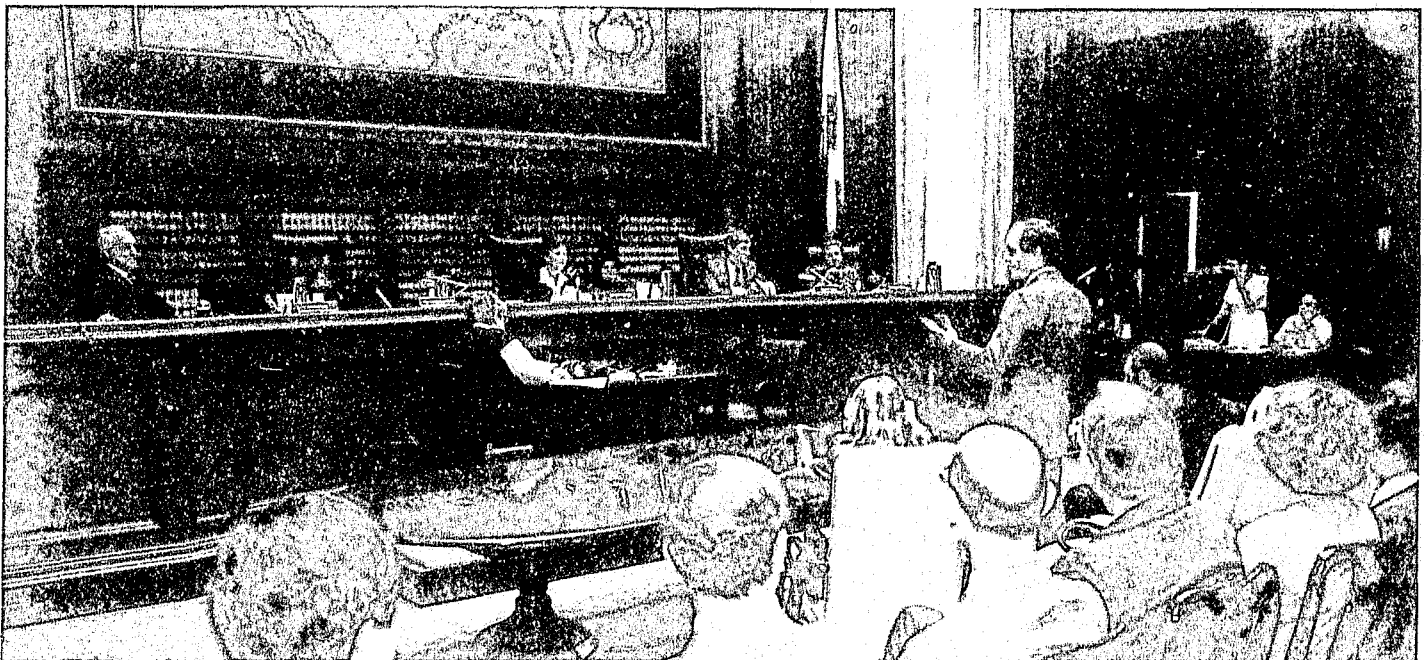
Litigation Systems Staff

The Litigation Systems Staff provides training, research, and user assistance in the operation of the Justice Retrieval and Inquiry System (JURIS). JURIS is a computer-assisted legal research system developed and operated by the Department of Justice for use by the federal legal community. The most important capability of the system is its power and flexibility in retrieving federal case law, statutes, regulations, and administrative decisions. The Staff also provides computer-assisted litigation support as another application of JURIS. It involves several additional system components to prepare special files designed for particular cases with access limited to the trial attorney and/or litigation team.

Antitrust Division

"Competition" is the fundamental economic policy of the United States and the responsibility of the Antitrust Division

is to promote and maintain competitive markets. There are two principal methods by which the Division accom-



Antitrust Division attorneys frequently appear before regulatory agencies on a variety of matters. Pictured are Antitrust Division attorneys appearing at oral arguments before the Interstate Commerce Commission.

plishes this goal. First, as a law enforcement agency, the Antitrust Division brings criminal and civil antitrust cases, primarily under the Sherman and Clayton Acts. Second, the Division appears as a competition advocate before Congressional committees and federal regulatory agencies.

The Antitrust Division conducts formal civil investigations and grand jury proceedings, prepares antitrust cases for filing, conducts trials, negotiates consent decrees, and enforces final judgments through civil and criminal contempt prosecutions. The Division's competition advocacy program involves formal appearances in federal administrative agency proceedings, development of legislation to promote deregulation and eliminate unjustifiable exemptions from the antitrust laws, participation on Executive branch policy task forces, and publication of statutorily required reports on regulated industries. The Division also provides advice to other agencies on the competitive implications of proposed transactions requiring federal approval, such as mergers of financial institutions, issuance of federal coal and oil drilling leases, and disposition of surplus government property.

The Information Systems Support Group (ISSG) provides sophisticated computer-based support services to Antitrust Division attorneys. ISSG provides technical expertise and centralized assistance in information management and retrieval and automated data processing support for litigation, economic analysis, research and internal management functions. In addition to its considerable experience and available resources in litigation support services, ISSG also provides sophisticated mini-computer based word processing systems for the preparation of legal documents and memoranda.

Eight of the Division's sections and two-thirds of the Division's attorneys are located in Washington, D.C. Field offices are located in seven cities across the country. Attorney applicants may request assignment to Washington, D.C., or to a particular field office and, when possible, such requests will be honored.

Litigation I and II and the Field Offices

Two of the litigating sections—Litigation I and II—are located in Washington, D.C., and are responsible for investigating alleged antitrust violations in specific industries. The Division's seven field offices are responsible for investigating and litigating antitrust violations in specific geographic areas in a wide variety of commodities and industries. The field offices also may undertake particular investigations and cases that are nationwide in scope. These offices also serve as the Division's field liaison with local U.S. Attorneys, State Attorneys General, and other law enforcement agencies. Field offices are located in Atlanta, Chicago, Cleveland, Dallas, New York, Philadelphia and San Francisco.

Both of the Washington litigation sections and the field offices proceed by grand jury investigation or by the issuance

of civil investigative demands under the Antitrust Civil Process Act. They are sometimes aided in the conduct of investigations by the Federal Bureau of Investigation. Their inquiries often result in the filing of criminal indictments or informations, civil injunctive suits, or civil damage and penalty cases, frequently involving nationwide business activities and large dollar volumes of commerce.

Professions and Intellectual Property Section

This Section is responsible for competition advocacy and for investigating and prosecuting all violations of the antitrust laws involving the professions (including health care), and matters involving sports and labor. It also has jurisdiction over violations of the antitrust laws that involve patents, copyrights, and trademarks. The Section also handles matters involving newspapers, books, magazines, movies and related copyrighted materials.

Transportation, Energy and Agriculture Section

The Transportation, Energy and Agriculture Section enforces the antitrust laws and otherwise promotes competition in the airline, railroad, motor carrier, barge line, and ocean carrier industries; and in the energy industries, which include petroleum, natural gas, electric power, and coal. In addition, the Section handles all matters pertaining to agriculture and related commodities.

Communications and Finance Section

The Communications and Finance Section is responsible for the banking, securities, and communications industries. The Section participates in regulatory proceedings before the Federal Reserve Board, Federal Home Loan Bank Board, Federal Deposit Insurance Corporation, Office of the Comptroller of the Currency, National Credit Union Administration, Securities and Exchange Commission, Commodities Futures Trading Commission, Federal Communications Commission, and the Postal Rate Commission.

The Section also investigates and litigates possible violations of the antitrust laws in communications and finance activities that are not subject to regulation by one of these agencies. In addition, the Section has responsibility for computers and related commodities, as well as insurance matters.

Foreign Commerce Section

The Foreign Commerce Section is responsible for the Division's efforts to preserve and foster competition in United States foreign trade. The Section develops policy on issues

of trade and international antitrust enforcement. In addition, the Section serves as Division liaison with competition agencies of foreign governments and international organizations and coordinates the Division's review of applications for export trading company certificates.

Appellate Section

The Appellate Section handles appellate matters arising from the enforcement of the federal antitrust laws, as well as appellate litigation involving certain orders of the Department of Transportation and the Bureau of Alcohol, Tobacco, and Firearms. It represents the United States as statutory respondent in cases involving petitions to review orders of the Interstate Commerce Commission, the Federal Communications Commission, and the Federal Maritime Commission, and participates as *amicus curiae* in selected private cases. In conjunction with the Solicitor General, the Section also handles U.S. Supreme Court litigation arising from court of appeals matters within its jurisdiction and advises with respect to Federal Trade Commission matters.

Legal Policy Section

The Legal Policy Section provides review, legal analysis and evaluation of theoretical and practical antitrust issues. In order to assure consistency in the application of Division policy, the Section assists trial staffs by reviewing legal pleadings on sensitive substantive or procedural questions. The Section also is responsible for ethics matters, non-antitrust legal issues, and communications and dealings with the Congress and others outside the Executive branch.

Examples of Recent Litigation

Merger Reviews

Merger reviews commonly require the Division to engage in detailed factual and economic analysis in order to identify the relevant product and geographic markets and to assess their concentration levels. The Division's major tool for the latter purpose is the Hirschman-Herfindahl index, which provides an algebraic snapshot of market concentration. If concentration levels in appropriately defined markets exceed certain thresholds, Division attorneys will challenge the transaction, absent a compelling reason not to do so. Often, before the Division has to file suit, the parties will agree up front to divest the assets that make the transaction anticompetitive. In these instances, the Division is generally able to file its complaint simultaneously with a consent decree resolving it.

In one recent example, the Division filed a suit against the proposed acquisition by International Business Machines Corporation (IBM) of the stock of ROLM Corporation (ROLM), accompanied by a proposed consent decree order-

ing the divestiture of ROLM's Mil-Spec Computer Division within six months. The complaint said that there are substantial barriers to entry into the production and sale of mil-spec commercial based computers, and that IBM, the dominant manufacturer of computers in the United States, is by far the most significant of the few potential entrants into the market. The final judgment would preserve the ROLM Mil-Spec Computer Division or its successor as a significant participant in the market for mil-spec commercial based computers. Under the terms of the final decree, entered on February 22, 1985, the Division retained the right to object to the divestiture through May 21, 1985.

Criminal Investigations and Prosecutions

The Division's criminal prosecutions stem from grand jury investigations that usually last 12-18 months. The grand jury process permits the Division to compel documentary and testimonial evidence concerning the subject of the investigation, most often bid rigging or price fixing. A successful investigation can culminate in the filing of felony indictments or informations, usually under the Sherman Act or the mail fraud statute.

For example, on January 22, 1985, the Division filed two felony informations charging two motion picture exhibition companies with conspiring to eliminate competition for licenses to show films in Birmingham, Huntsville, and Tuscaloosa, Alabama. The informations in *U.S. v. R.C. Cobb, Inc.* and *U.S. v. Consolidated Theatres, Inc.*, charged that the defendants participated in a split agreement in violation of Section 1 of the Sherman Act. The defendants pled guilty and were fined a total of \$175,000. The two informations were the Department of Justice's first criminal prosecutions of participants in a split agreement. Two companion civil cases and proposed consent decrees were filed simultaneously with the criminal informations. Final judgments were entered on May 29, 1985.

In another recent case, the Division obtained an indictment and filed two criminal informations in U.S. District Court in San Francisco, charging four corporations and four individuals with price fixing in connection with cordage sales in the United States. Between January 1977 and September 1983, total sales of cordage by the defendant and co-conspirator corporations exceeded \$500 million. The indictment and information in *U.S. v. Wall Industries, Inc., et al*, *U.S. v. Columbian Rope Company*, and *U.S. v. Tubbs Cordage Company* charged that the defendants and co-conspirators engaged in a conspiracy to fix the prices, terms, and conditions of sale of cordage in the United States.

Competition Advocacy

Through its competition advocacy program, the Division actively promotes competitive solutions to problems raised in the course of federal regulatory proceedings. This aspect of the work—which usually involves filing comments and

presenting evidence before administrative agencies—occupies an increasingly prominent place on the Division's agenda. Over the last two years, the Division participated in nearly 100 regulatory proceedings before 13 federal agencies and commissions. Division attorneys, in close coordination with Division economists, formulate and present the Division's position on a wide range of regulatory issues.

Last year, for example, the Division participated actively in Department of Transportation proceedings to determine whether United Airlines should be permitted to acquire Pan Am's far eastern routes. After extensive evidentiary hearings, in which the staff played a major role, the Division argued that the acquisition would seriously endanger competition in this market.

In early 1986, the Division also filed comments with the Federal Communications Commission opposing reimposition of regulations requiring cable systems to carry local television broadcast stations. Apart from First Amendment

considerations, the Division noted that these "must carry" rules would compromise the discretion of cable operators to respond to consumer demand, causing significant economic distortions. A market test, in which stations and other programmers negotiate for access to a cable system, would more effectively indicate which, if any, local stations should be carried.

Other examples of recent participation in regulatory matters include the Division's opposition to restrictions by the postal monopoly on international remailing by private firms, opposition to excessive restrictions on "gray market" imports, and promotion of a market-based allocation of takeoff and landing slots at the nation's busiest airports. Even in these days of deregulation, the still-extensive administrative scheme raises dozens of competitive issues like these. As the federal government's competition expert, the Division is uniquely qualified to offer guidance on these issues to the regulators.

Civil Division

The Civil Division is known as the "government's lawyer." This is sometimes a complicated role, since in every case there are two clients: the agency concerned and the people of the United States. Many of the Division's cases have significant domestic and foreign policy implications. Since the government engages in buying, selling and other ventures similar to those of a modern corporation, the Division also handles the complete spectrum of legal problems encountered by private enterprise. The Division's clients include more than 100 federal agencies and commissions, individual federal employees acting in their official capacities, and in some instances, members of Congress and the federal judiciary.

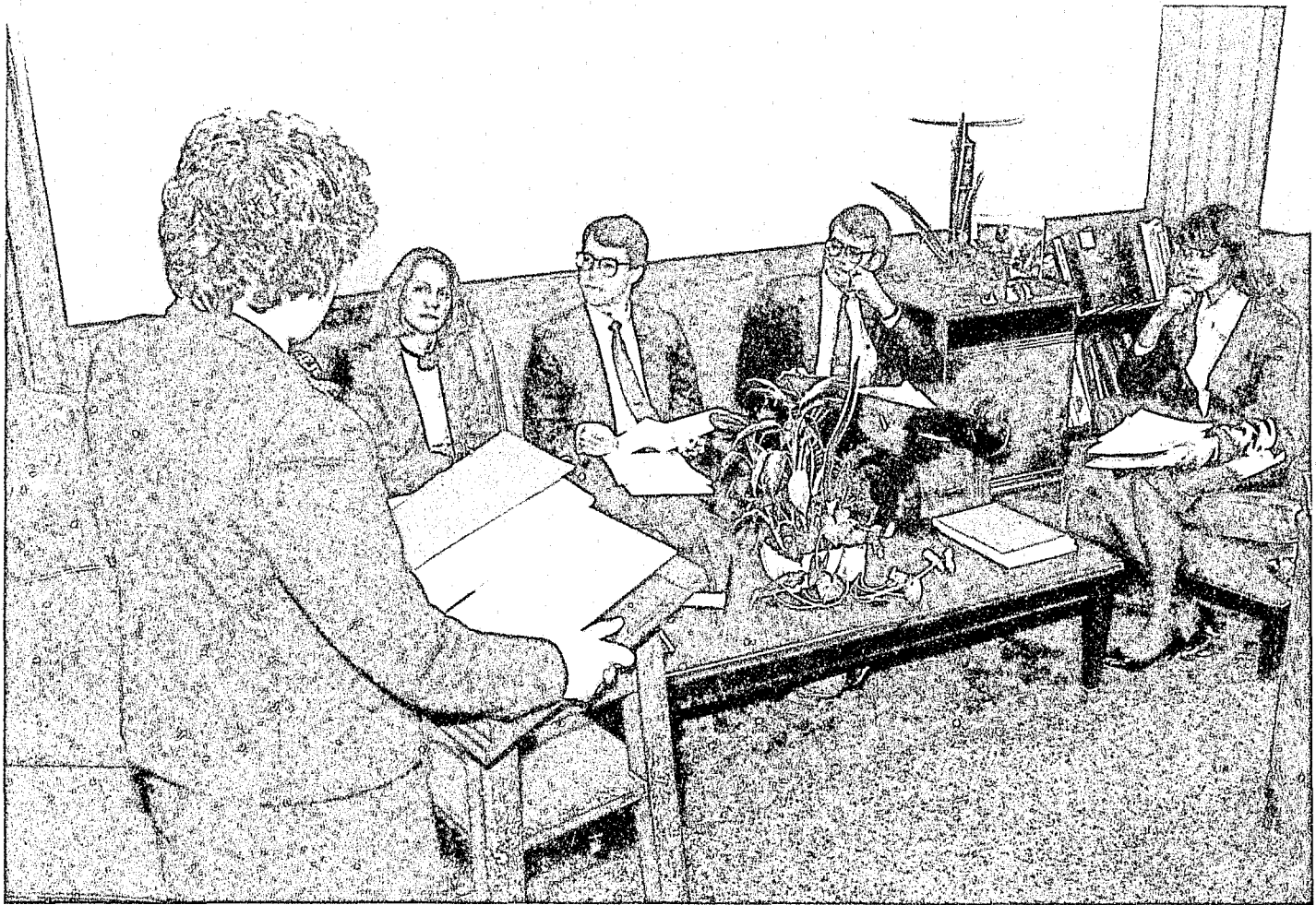
The Division's litigation is organized into six areas: commercial, federal programs, torts, immigration, consumer, and appellate. A description of each of the organizational areas follows, along with general information about the operation of the Division. The Division also employs a small number of attorneys in its field offices located in New York, Portland, and San Francisco.

Civil Division attorneys enjoy the convenience of the "modern law office" through AMICUS, the Automated Management Information Civil User System. AMICUS pro-

vides comprehensive integration of word processing, communications, litigation support, legal research, case management, and management information through a single video display workstation. The system also provides communication capabilities between workstations and between offices, both local and remote.

Civil Division attorneys also have access to the Automated Litigation Support (ALS) program. This system uses modern microfilm and computer technology to assist attorneys in managing large document collections associated with major litigation. ALS facilitates rapid and accurate document retrieval that would be impractical using manual methods. This allows Division attorneys to minimize routine work and concentrate more on the issues of each case.

Throughout the Civil Division, special programs are designed to acquaint inexperienced attorneys with their new work environment and allow them to take on greater responsibility at an earlier stage of their career. These varied activities include moot court sessions, in-depth orientation sessions, luncheons with presentations by senior attorneys, and opportunities to meet with the Assistant Attorney General and other key Justice Department officials.



New attorneys in the Civil Division are prepared for upcoming trial litigation and appellate arguments through moot court sessions. These sessions provide an opportunity to polish oral advocacy techniques while receiving guidance from senior litigators. Pictured is a typical moot court session featuring (l. to r.): Catherine Lancot, Trial Attorney; Brook Hedge, Director, Federal Programs Branch; Jeffrey Paulsen, Trial Attorney (1984 Honor Program recruit); Robert Cynkar, Deputy Assistant Attorney General; and Yvette Caesar, client-agency counsel, Office of Justice Programs.

Commercial Litigation Branch

The Commercial Litigation Branch handles civil trial and appellate cases involving billions of dollars in claims both for and against the government. This Branch:

- Prosecutes claims for the recovery of monies fraudulently secured or improperly diverted from the U.S. Treasury.
- Defends the country's international trade policy.
- Defends and asserts the government's financial and commercial interests in foreign countries and under foreign treaties.
- Collects monies owed the United States as a result of civil judgments and compromises.
- Represents the government both affirmatively and defensively in disputes arising under contracts, grants, loans, loan guarantees, and insurance programs.

- Defends patent and copyright claims brought against the government.
- Represents the government's monetary and regulatory interests in bankruptcy litigation.

Federal Programs Branch

The Federal Programs Branch handles suits challenging the propriety, lawfulness or constitutionality of various governmental programs or actions. The subject matter of the cases covers virtually all areas of government activity, from domestic welfare programs to international agreements. The Branch is responsible for such diverse matters as litigation of federal banking regulations, suits challenging auto safety laws, cases seeking release of classified documents, and litigation involving the effect of federal budget actions on

various regulatory programs. Recently, for example, the Branch successfully defended the constitutionality of testing train crews for use of drugs or alcohol following railroad accidents. The Branch also is defending against a constitutional challenge, based on a separation of powers theory, to the authority of the Federal Trade Commission to commence enforcement actions.

Torts Branch

The work of the Torts Branch includes traditional problems such as personal injury and medical malpractice, as well as new issues such as exposure to toxic substances (e.g., radiation and asbestos). In addition, the Torts Branch represents present and former government officials who are personally sued for monetary damages as a result of actions taken in the course of their duties. This Branch also represents the government in its role as owner of ships and regulator of the nation's coastal waters and inland waterways. Issues in this area may involve cargo damage, ship collision, and pollution in navigable waters. Finally, aviation litigation arises from damages involving government owned aircraft or resulting from the government's role in air traffic control and dissemination of weather information.

Office of Immigration Litigation

The Office of Immigration Litigation conducts civil trial and appellate litigation under the immigration and naturalization laws, and represents the United States in civil suits brought against the Immigration and Naturalization Service (INS). Litigation activities include challenges to detention and deportation orders of aliens, and habeas corpus petitions. This Office is also involved in processing applications for political asylum. It represents the INS in challenges to its efforts to locate and apprehend illegal aliens and in those cases which allege deprivation of constitutional rights.

Office of Consumer Litigation

The Office of Consumer Litigation is responsible for the enforcement of federal consumer protection laws through civil and criminal litigation. In this role, the Office defends challenges to federal policies and initiatives aimed at protecting the public in the marketplace. Affirmative litigation covers such areas as adulterated and misbranded foods and drugs, unsafe household products, unfair credit practices, and deceptive advertising. For example, the Office handles criminal prosecutions relating to such matters as fraud in clinical testing of drugs, illegal marketing of drugs, and maintaining foods under unsanitary conditions. In addition, through the initiation of grand jury and criminal proceedings under the federal statute prohibiting odometer tampering, the Office addresses a pervasive economic fraud estimated

to cost the public as much as \$2.8 billion a year. To address those issues that are beyond federal jurisdiction, the Office also maintains liaison with state and local enforcement agencies.

Appellate Staff

The primary function of the Appellate Staff is to brief and argue cases before the federal courts of appeals. While its caseload is representative of litigation from all Division components, only those cases that present the most important issues or have national impact are generally handled here. Appellate Staff attorneys draft memoranda to the Solicitor General recommending for or against appeals of adverse judgments and prepare briefs on the merits, petitions for certiorari, and jurisdictional statements for filing with the U.S. Supreme Court.

Office of Policy and Legislation

The Office of Policy and Legislation provides a focal point through which the Civil Division can affect legislation and administration policy. Because it conducts the government's litigation, the Civil Division is in a unique position to identify the problems in programs and procedures created by or revealed in litigation. This Office works with other organizations within the Department, the Office of Management and Budget, other federal agencies, and the Congress to correct problems identified in the course of litigation and to suggest alternatives to current or proposed policy. Among the activities of this Office are the drafting of legislation, the preparation of Congressional testimony and speeches, the review of legislative or regulatory proposals to determine their effect on Department policies or activities, and participation in interagency committees and working groups. In addition, the Office works on court reform and procedural legislation.

Examples of Recent Litigation

In a landmark case alleging injuries due to exposure to low levels of ionizing radiation, *Johnston v. United States*, four employees of an aircraft instrument overhaul plant who contracted cancer sued the United States for damages. They alleged that some of the war surplus instruments they had overhauled for the Air Force had radioactive dials which caused their illness. After a lengthy trial, the district court held that plaintiffs had failed to prove causation.

At the same time, litigation arising out of exposure to asbestos continues. Collectively, these cases constitute the largest single class of litigation pending in the federal and state judicial systems. Seeking the protection of bankruptcy laws, major corporations have sought to shift the burden of compensating victims of asbestos-related diseases to the tax-

payer. In other cases, victims (or their survivors) have brought actions directly against the government. To date, the only judgment adverse to the government was *Shuman v. United States*, in which the widow of a shipyard worker alleged that her husband's death had been caused by exposure to asbestos while involved in the construction of a Navy vessel. Division attorneys, however, were successful in getting that decision reversed on appeal.

The September 1, 1983 Soviet downing of Korean Airlines flight 007 over the Sea of Japan has given rise to numerous lawsuits against, among others, the United States. Alleging that the United States was negligent in failing to warn the aircraft it was off course and entering Soviet airspace, the estates and personal representatives of those killed in the aircraft are seeking tens of millions of dollars in damages.

The past several years have witnessed an explosion in bankruptcy filings. Civil Division attorneys representing the monetary and regulatory interests of the United States, have been involved in most of the major cases, such as the bankruptcies of *Braniff*, *Continental Airlines*, *Air Florida*, *Wickes*, *Seatrain*, and *Waterman Steamship Company*.

Significant monetary interests are also at stake in a number of utility cases. This litigation involves, for example, billions of dollars in loans made to Rural Electrification Administration borrowers and to participants in synthetic fuel projects, such as the Great Plains Coal Gasification Plant.

Focusing on the serious problem of procurement fraud, the Attorney General and the Secretary of Defense jointly established the Defense Procurement Fraud Unit. Division attorneys have played a significant role in addressing this issue. For example, a suit seeking recovery of over \$18 million under the Civil RICO and False Claims Acts were filed against individuals and corporations accused of subverting procedures to obtain service contracts for American military bases in Europe. Similarly, Civil Division attorneys are litigating a \$17 million claim against Litton Industries for allegedly submitting fraudulent data in support of a price adjustment for the construction of three nuclear-powered submarines. Recent settlements for cost overcharges on defense contracts include \$2.6 million from American Elec-

tronics Laboratories, Inc. and \$1.9 million from General Electric, Inc.

Efforts in combating non-defense fraud involve similar activities. Division attorneys have filed suit against several corporations and individuals for \$16 million in damages arising from a scheme to pay bribes and extraordinary commissions in connection with the Export-Import Bank's financing the sale of \$250 million worth of equipment to PEMEX (the Mexican national oil company). Recent settlements for defective pricing on government Multiple Award Schedule contracts include \$2.3 million from Medline Industries, Inc. and \$1.1 million from ITT Dialcom. Division attorneys also have achieved summary judgments in favor of the United States to recover bribe monies taken in the ABSCAM cases including \$48,000 against John Jenrette, \$45,000 against Raymond Lederer, and \$45,000 against Michael Meyer.

In other significant litigation, the government's suit continues against General Motors Corporation. This suit seeks the recall of 1.1 million "X-Car" automobiles, and civil penalties in the amount of over \$4 million, as a result of a design defect in the braking system. In litigation for over two years, this case is the first seeking to impose civil penalties against a manufacturer for providing false information to the government in the course of a defect investigation. In a similar effort to protect the American consumer, a major drug firm, Smith Kline-Beckman Corporation and three of its medical officers were successfully prosecuted for failure to report adverse reactions, including potentially fatal liver damage, to the new drug Selacryn.

Many Civil Division cases have implications well beyond their given facts. In *Waller v. Butkovich*, for example, Division attorneys prevailed in a 12-week *Bivens* trial on behalf of individual federal law enforcement agents. Charges against these agents arose out of their handling of an exchange of gun fire between members of the Ku Klux Klan and the Communist Workers Party in Greensboro, North Carolina. An adverse decision might have severely limited the ability of federal law enforcement agencies to combat the activities of violent race hate groups.

Civil Rights Division

The Civil Rights Division is responsible for enforcing the nation's laws and Executive orders relating to civil rights. These laws prohibit discrimination in the areas of housing, public education, voting, employment, public accommodations and credit on the basis of race, national origin, color and religion. Additionally, some laws enforced by the Division prohibit discrimination on the basis of sex, age, and handicap. Moreover, the Division enforces laws designed to

protect institutionalized persons, and federal criminal statutes which prohibit violation of individuals' civil rights and interference with the exercise of other federally protected activities.

The primary work of the Division involves litigation and related matters. Except for the criminal enforcement work, where cases are normally tried before a jury, the suits filed by the Division are in equity—usually before a single judge

seeking injunctive relief.

The Division has undertaken an extensive program to upgrade its automated litigation support, recently purchasing over 70 IBM personal computers. In addition, the Division is in the process of developing a single integrated workstation to provide word processing, case management, automated legal research and management information.

The Civil Rights Division does not have regional offices. All Division employees are stationed in Washington, D.C. Nearly all Division attorneys are required to travel since litigation activities occur in all parts of the United States. Experienced attorney applicants who wish to be considered for the Appellate and Criminal Sections normally are expected to have significant experience in the subject areas.

Appellate Section

The Appellate Section is responsible for handling appeals arising from the Division's litigation, and developing the Division's *amicus curiae* participation in appellate courts. Section attorneys review court decisions to determine if an appeal or amicus participation is appropriate, prepare briefs, and participate in oral arguments. The Appellate Section also is responsible for preparing all papers submitted by the Division in the U.S. Supreme Court. It also assists in formulating the Division's positions on legislative matters.

Coordination and Review Section

The Coordination and Review Section ensures that all federal executive agencies effectively and consistently implement Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the nondiscrimination provisions of other federal grant statutes prohibiting discrimination on the basis of race, color, national origin, handicap, religion or sex. Under Executive Order 12250, the Section undertakes a diverse array of regulatory and administrative initiatives. The Section reviews all new civil rights regulations for consistency, adequacy, and clarity, and assists agencies in the development of appropriate regulations. The Section also issues interpretations of these regulations in individual administrative cases and provides guidance to the agencies on new civil rights issues. The Section annually reviews the civil rights plans of each federal agency, offers agencies training and technical assistance to improve their civil rights enforcement procedures and programs, and promotes interagency information sharing and cooperation.

The Coordination and Review Section developed government-wide policies that, for the first time, apply Section 504 to the federal government's own activities. The Section is now overseeing the development of regulations in over 90 federal agencies to ensure that disabled people have access to the government's programs.

Criminal Section

The Criminal Section enforces statutes designed to preserve personal liberties. Two of these laws, passed during Reconstruction, prohibit persons from acting under color of law or in conspiracy with others to interfere with an individual's federally protected rights. Other statutes prohibit the holding of individuals in peonage or involuntary servitude. The Section also is responsible for the enforcement of the provisions of the 1968 Civil Rights Act which prohibits the use of force or threats of force to injure or intimidate any person involved in the exercise of certain federal rights and activities.

The Section receives approximately 10,000 complaints and inquiries each year. Of these, about 3,400 are fully investigated by the Federal Bureau of Investigation. The results of approximately 50 investigations are presented to federal grand juries, and approximately 30 cases are tried annually.

Educational Opportunities Litigation Section

The Educational Opportunities Litigation Section enforces federal statutes which require nondiscrimination in public education. The Section's enforcement efforts involve elementary and secondary schools, as well as public colleges and universities. The statutes enforced by this Section include Title IV of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974.

With respect to secondary and elementary schools, the Division is committed to desegregating schools operating in violation of the Constitution, while improving the nature of relief by providing incentive desegregation plans. Instead of remedies based upon mandatory student assignments and compelled transportation to distant schools, the Division advocates constitutionally acceptable plans developed through the use of education experts that utilize as desegregation tools educational incentives and enhancements, such as magnet schools, enrichment programs, and other viable voluntary measures, and offers free transportation to those students who choose to take advantage of these opportunities. These alternative desegregation remedies are not only accomplishing the objective of enhancing educational opportunities in public schools, but, as designed, are intended as well to limit (and even reverse) student enrollment losses prompted by mandatory reassignments that have too often tended to resegregate urban school systems and undermine community support for public schooling.

Employment Litigation Section

The Employment Litigation Section enforces the federal prohibitions against discrimination in employment. These include Title VII of the Civil Rights Act of 1964, the State

and Local Assistance Act (general revenue sharing) and the Omnibus Crime Control and Safe Streets Act (grant assistance). The Department of Justice is the sole federal agency empowered to initiate litigation to redress employment discrimination by units of state and local government. In addition, it has litigating responsibility in the employment area in the private sector on referral of "pattern and practice" cases from other agencies.

The Employment Litigation Section is committed to ensuring that qualified applicants are not denied employment or promotional opportunities either through purposeful discrimination or by the use of selection procedures which have a disparate impact and are not either job related or reflective of a bona fide occupational qualification.

The Section insists as an element of relief that every identified victim of discrimination be "made whole" with back pay, seniority awards, and other relief; that special recruitment of minorities and women be undertaken to overcome past patterns of exclusion; and that all future hiring, promotion and layoff decisions be made on a nondiscriminatory basis from the developed pool of applicants. The Section does not use race or gender preferential selection requirements that confer an undeserved benefit on nonvictims of discrimination at the expense of persons who are themselves innocent of any discrimination or other wrongdoing.

Housing and Civil Enforcement Section

The Housing and Civil Enforcement Section enforces the federal prohibitions against discrimination in housing, credit, public accommodations and the provision of municipal services under federally funded programs. These statutes include the Fair Housing Act, the Equal Credit Opportunity Act, Title II and Title VI of the Civil Rights Act of 1964, the State and Local Assistance Act and the Housing and Community Development Act (community development block grants).

Special Litigation Section

The Special Litigation Section is responsible for ensuring the rights of persons confined in penal institutions or committed to facilities for the mentally ill, developmentally disabled, elderly, and juveniles pursuant to the Civil Rights of Institutionalized Persons Act, Public Law 96-247. The Special Litigation Section, along with certain other sections, is charged with the responsibility for enforcing Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against physically and mentally handicapped persons by recipients of federal financial assistance. This statute addresses discrimination suffered by handicapped persons in health and social services, education and employment, as well as in architectural accessibility of such services.

Voting Section

The Voting Section enforces federal provisions which pertain to nondiscrimination in the exercise of voting rights. These include the 1965 Voting Rights Act, the Overseas Citizens Voting Rights Act, and the voting rights provisions which have evolved from the Civil Rights Acts of 1957, 1960 and 1964. In 1982, the Congress determined that the Voting Rights Act was still necessary to attain the desired goal of elimination of discrimination in voting on the basis of race and language minority status. Congress thus amended the Act to address more subtle forms of discrimination, extended the provisions of Section 5 requiring federal pre-clearance of voting changes in certain states, and adopted new provisions permitting jurisdictions to exempt themselves from the Act's special coverage, upon demonstration of a record of compliance and affirmative efforts to eliminate discriminatory voting practices.

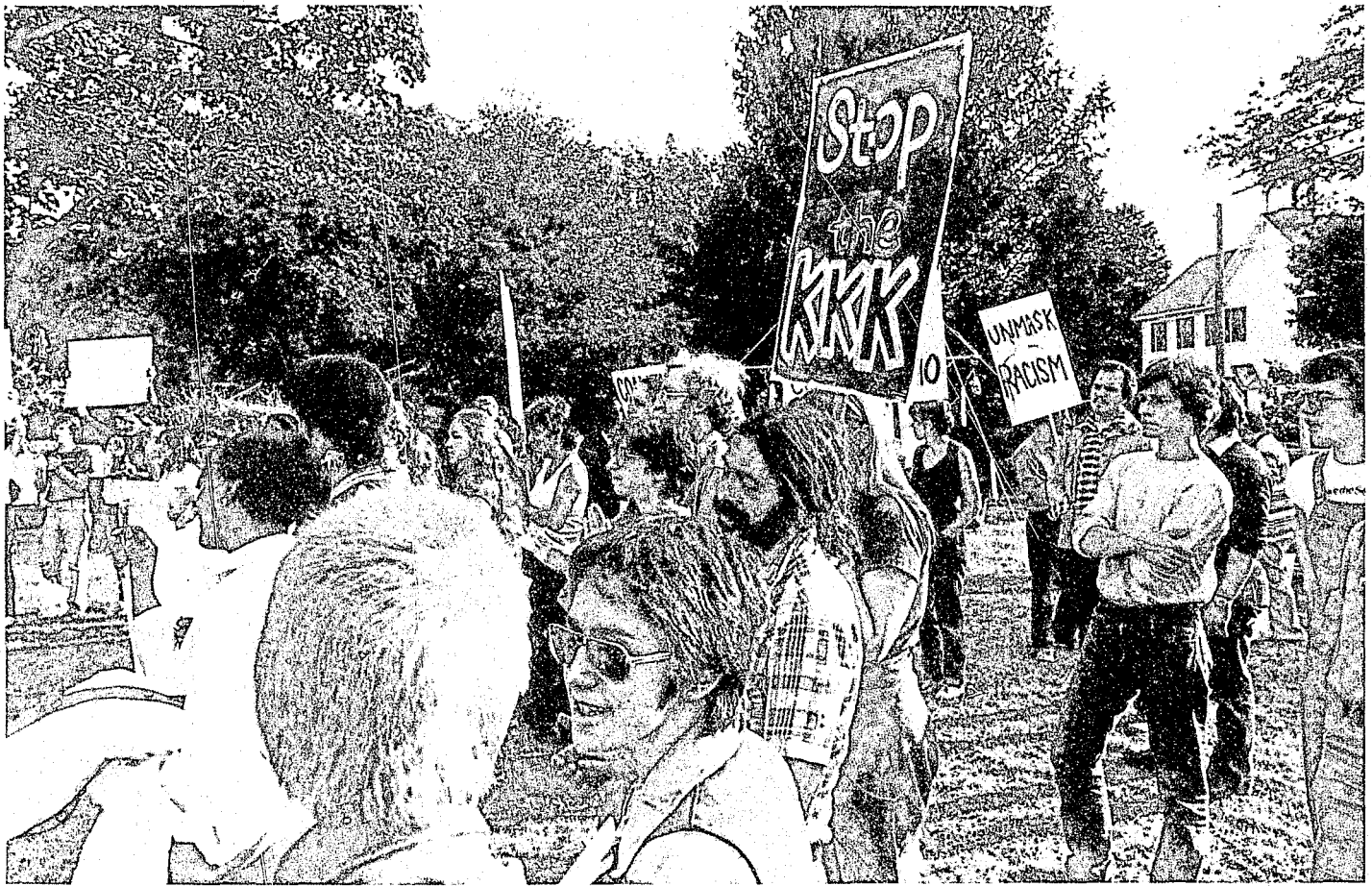
Under the provisions of the Voting Rights Act, the Voting Section continues to maintain an active program for monitoring elections in covered jurisdictions to ensure nondiscrimination in the electoral process. In 1985, over 700 federal observers were assigned to cover 12 elections in 29 counties in five states.

Examples of Recent Litigation

Recent criminal cases filed this year included 11 racial violence cases charging 30 defendants. Six of these 11 cases involved activity of the Ku Klux Klan and charged 16 defendants overall; seven of these defendants were found guilty and the remaining nine are awaiting trial. A two-year grand jury investigation of crossburnings and shootings into the residences of individuals living in Iredell and Alexander counties, North Carolina, resulted in the conviction of three members of the White Knights of Liberty as well as the indictment of nine other members. The indictment charges that the defendants sought on many occasions to intimidate white women and black men from associating with each other by burning crosses at their homes and firing guns into their dwellings.

The Division also has continued its efforts to deter the victimization of migrant workers and other minorities in violation of the involuntary servitude and peonage statutes.

In the area of public education, the Educational Opportunities Section continues to focus on eliminating discrimination in education. The Section entered into a consent decree in *Zentgraf and United States v. Texas A&M University*, a Title IX case which provides for the nondiscriminatory participation by female cadets in all programs and activities of the university's Corps of Cadets. In *United States v. Massachusetts Maritime Academy*, negotiations were conducted with that institution concerning appropriate measures to remedy a finding of illegal sex discrimination.



In 1985, the Civil Rights Division reviewed over 9,000 complaints alleging criminal interference with civil rights.

Uniphoto

In the area of elementary and secondary education, the Section devoted considerable resources to a large number of cases where school districts sought modification of existing desegregation orders. *United States v. Phoenix Union HSD No. 120*, a Title VI referral from the Department of Education concerning the high school district in Phoenix, Arizona, resulted in a consent decree using magnet schools to encourage voluntary student desegregation.

The Section also increased its enforcement efforts with regard to Native Americans, initiating investigations of alleged disparate educational opportunities by public school districts in the states of North Dakota, Montana, Idaho, Arizona and New Mexico.

The Employment Litigation Section filed nine new suits pursuant to Title VII of the Civil Rights Act of 1968, as amended, and other provisions of federal law prohibiting discriminatory employment practices. Consent or litigated decrees were obtained in 10 cases. The consent decrees and other orders provided for the payment of more than \$5,114,000 in backpay to persons identified as harmed by the defendants' prior practices. The decrees also provided for priority job offers to such persons, the elimination of unlawful discrimination practices, and the enhanced recruitment of the group(s) previously excluded.

The Employment Litigation Section made extensive use of the Division's growing computer resources in the prosecution of suits; and in the identification of persons harmed by the discriminatory practices of the defendants, both in contested litigation and pursuant to consent decrees.

During 1985, the Housing and Civil Enforcement Section filed 18 new Fair Housing Act cases of which 11 were successfully resolved through the entry of consent decrees. Nine of the suits charged apartment complexes or apartment rental agencies with discrimination on the basis of race in seven states. The Section successfully resolved four of these cases through pre-suit negotiations and consent decrees were filed simultaneously with the complaints; a post-complaint consent decree was entered in a fifth case. Five other cases involved allegations of racial discrimination at timeshare developments. The defendants in these suits controlled the sale of approximately 12,000 timeshare units, and one complaint included both Fair Housing and Equal Credit Opportunity Act allegations. In three of these suits, the complaints were accompanied by consent decrees. Three of the remaining cases, two in the Houston, Texas, area and one in Ohio, alleged that the use of racially restrictive covenants violated the Fair Housing Act.

In addition to the consent decrees obtained in suits brought during 1985, settlement decrees were entered in 10 cases filed in previous years. Seven of the decrees were entered in cases which alleged that real estate companies selling single-family homes in the Chicago metropolitan area had steered potential buyers on the basis of race. The other cases, all involving alleged racial discrimination, were brought against the operators of 10 apartment complexes, with over 1,600 units, in Memphis; the owners of a development in Texas with more than 10,000 timeshare units; and a trailer park owner.

The Special Litigation Section, under the mandate of the Civil Rights of Institutionalized Persons Act, took action in 14 cases, including five new cases, and initiated 12 new investigations this year. These investigations were at mental health institutions; mental retardation facilities; juvenile detention centers; and adult correctional institutions. There are 26 pending Civil Rights of Institutionalized Persons Act investigations. The Section successfully negotiated and entered into five judicially enforceable consent decrees pursuant to the Act. One settlement remedies conditions at the Rosewood Center, Maryland's largest mental retardation facility; three consent decrees address conditions of confinement in local jails; and another resolves a lawsuit previously filed against the City of Newark concerning the constitutionality of conditions at Newark City detention facilities. Despite attempts to negotiate a settlement agreement, Massachusetts officials refused to enter into an agreement which would remedy unconstitutional conditions at Worcester State Hospital.

The Voting Section achieves compliance with the statutes through litigation, administrative review of changes of any standard, practice or procedure affecting voting which occurs in a jurisdiction covered by the special provisions of the

Acts, or the assignment of federal observers to monitor election day activities.

In 1985, four consent decrees in petitions to enforce Section 2 of the Voting Rights Act led cities, counties and school boards to adopt racially fair districting plans to replace dilutive at-large elections before the end of 1985, including a decree in the Section's first Voting Rights Act lawsuit against a Maryland jurisdiction. The effectiveness of such Section 2 relief was demonstrated dramatically when, for the first time in history, black candidates were elected in 1985 to the city council and the school board of Valdosta, Georgia, using election districts adopted under consent decrees. Seven years of litigation ended when a federal district court in Alabama, in a Section 2 case on remand from the Eleventh Circuit Court of Appeals, entered its decision that the at-large method of election for the county commission and the school board in Marengo County, Alabama, resulted in a denial of minorities' voting rights and must be replaced by a fair single-member district plan.

Section 5 of the Voting Rights Act requires that covered jurisdictions submit all changes in voting standards, practices, or procedures to either the United States District Court for the District of Columbia for judicial review, or to the Attorney General for administrative review. Changes that are not submitted and those that are not successfully precleared are not legally enforceable. The Attorney General, by law, must make a determination whether the changes have the purpose or effect of discriminating on account of race, color, or membership in a language minority group. In 1985, over 2,800 submissions involving more than 12,000 changes were submitted to the Attorney General under Section 5, and 102 objections were interposed to voting changes.

Criminal Division

The Criminal Division formulates federal criminal law enforcement policies, coordinates the implementation of those policies, and conducts selected prosecutions with respect to all federal criminal laws except those which are specifically assigned to the Antitrust, Civil Rights, Land and Natural Resources or Tax Divisions. The Division oversees the prosecution of criminal offenses under more than 900 statutes. Although most criminal prosecutions are conducted by the U.S. Attorneys, the Criminal Division asserts direct responsibility for certain general categories of offenses and, in some specific cases when circumstances warrant, Division intervention. The Criminal Division also supervises certain civil litigation regarding federal liquor, narcotics, counterfeiting, gambling, firearms, customs, agriculture and immigration laws, and litigation resulting from petitions for writs of

habeas corpus by members of the Armed Forces, actions brought by or on behalf of federal prisoners, alleged investigative misconduct, and legal actions related to national security issues.

In general, attorneys with litigating experience are selected for employment by the individual components of the Division according to the suitability of the candidate for the particular requirements of the employing section or office.

The Criminal Division has Organized Crime and Racketeering Strike Forces, and field offices under the Strike Forces, throughout the country. Strike Forces are located in the following cities: Boston, Brooklyn, Buffalo, Chicago, Cleveland, Detroit, Kansas City, Las Vegas, Los Angeles, Miami, Newark, New Orleans, Philadelphia, and San Francisco. The Section's field offices are located in the follow-

ing cities: Atlanta, Camden, Fort Lauderdale, Honolulu, Milwaukee, New Haven, Providence, Rochester, Syracuse, and Tampa. The Narcotic and Dangerous Drug Section maintains field offices in Miami and San Juan, Puerto Rico.

Organized Crime and Racketeering Section

The Organized Crime and Racketeering Section conducts investigations and prosecutes cases to suppress the illicit activities of organized crime in major United States cities. Most of the attorneys in this Section are stationed in Organized Crime Strike Forces and field offices with representatives of federal enforcement agencies, and in some instances, state and local enforcement agencies. As enumerated above, the Strike Forces operate in 26 major cities around the country.

Narcotic and Dangerous Drug Section

The Narcotic and Dangerous Drug Section investigates and prosecutes high level drug traffickers and members of criminal organizations involved in the importation, manufacture, shipment or distribution of illicit narcotics and dangerous drugs, with particular emphasis on litigation attacking the financial underpinnings of those criminal organizations.

Public Integrity Section

The Public Integrity Section investigates and prosecutes corruption cases involving public officials and the electoral system at the federal, state and local levels.

Fraud Section

The Fraud Section directs and coordinates the federal effort against fraud and white collar crime, focusing primarily upon frauds that involve government programs and procurement, international and multi-district fraud, the security and commodity exchanges, banking practices and consumer victimization. The Section conducts investigations and prosecutes certain fraud cases of national significance or great complexity.

Internal Security Section

The Internal Security Section investigates and prosecutes cases affecting the national security, foreign relations, and the export of military and strategic commodities and technology. It also administers and enforces the Foreign Agents Registration Act of 1938 and related statutes. This Section has exclusive prosecutorial responsibility for criminal statutes regarding espionage, sabotage, neutrality, and

atomic energy. Criminal cases involving classified information, especially the application of the Classified Information Procedures Act, are coordinated by this Section.

General Litigation and Legal Advice Section

The General Litigation and Legal Advice Section investigates and prosecutes cases under a broad spectrum of federal criminal statutes regarding crimes against the government and the public. This Section provides legal advice to U.S. Attorneys and investigative agencies and also handles certain civil matters including the defense of suits against actions taken by the Bureau of Prisons and the Parole Commission.

Appellate Section

The Appellate Section assists the Office of the Solicitor General in obtaining favorable constitutional and statutory interpretations in criminal cases being heard on appeal before the U.S. Supreme Court and the 12 U.S. Courts of Appeals.

Office of Special Investigations

The Office of Special Investigations detects, identifies and takes appropriate legal action leading to the denaturalization and/or deportation of Nazi war criminals who were involved in atrocities committed against civilian populations during World War II, and who subsequently illegally entered the United States.

Office of International Affairs

The Office of International Affairs supports the Department's legal divisions, the U.S. Attorneys, and state and local prosecutors regarding international criminal justice enforcement matters pursuant to treaties concerning extradition, mutual legal assistance and prisoner exchange. The Office also engages in treaty negotiations, in concert with the State Department, in these areas.

Office of Enforcement Operations

The Office of Enforcement Operations oversees the use of sensitive and sophisticated investigative techniques such as witness protection and electronic surveillance. It also assists and supports government prosecutors by approving grants of immunity and responding to inquiries under the Freedom of Information Act and the Privacy Act.

Asset Forfeiture Office

The Asset Forfeiture Office develops uniform policies and assists in the prosecution of both civil and criminal asset forfeiture cases, particularly regarding narcotics trafficking, organized crime and customs violations. The Office adjudicates all judicial petitions for remission or mitigation of forfeited assets, and determines equitable sharing of judicially forfeited assets with state and local law enforcement agencies.

Office of Legislation

The Office of Legislation develops legislative proposals, legal memoranda, Congressional testimony, and prepares comments upon pending and proposed legislation affecting the federal criminal justice system. It also provides legal support to the Advisory Committee on Criminal Rules of the Judicial Conference regarding the Federal Rules of Criminal Procedure.

Office of Administration

The Office of Administration provides all administrative support to each of the sections, offices and field offices of the Division, including administrative management, automated data processing, personnel services, procurement, budget formulation and the execution of financial plans.

Office of Policy and Management Analysis

The Office of Policy and Management Analysis develops and recommends positions on policy and management issues for Department and Division officials. Its work includes developing priorities and objectives, program planning and evaluation, management improvement and research liaison.

Examples of Recent Litigation

One of the highest priorities of the Criminal Division in recent years has been to prosecute offenses against the procurement system of the Department of Defense. In 1983, the Defense Procurement Fraud Unit was established to coordinate the activities in this area and to screen cases before they are presented to U.S. Attorneys for prosecution. Most of these cases require the inspection of millions of documents, followed by the analysis of the records to

discern patterns of abuse, and then the preparation of exhibits that will demonstrate first to a grand jury, and then later, if necessary, to a trial jury the nature and extent of the criminal conduct. In addition to coordinating these activities, the Defense Procurement Fraud Unit assists U.S. Attorneys in conducting prosecutions for which they are responsible and the Unit conducts a few cases itself when circumstances warrant. The cases assembled by the Unit for prosecution include instances of cost mischarging, subverting the bid and proposal process, and furnishing substandard goods.

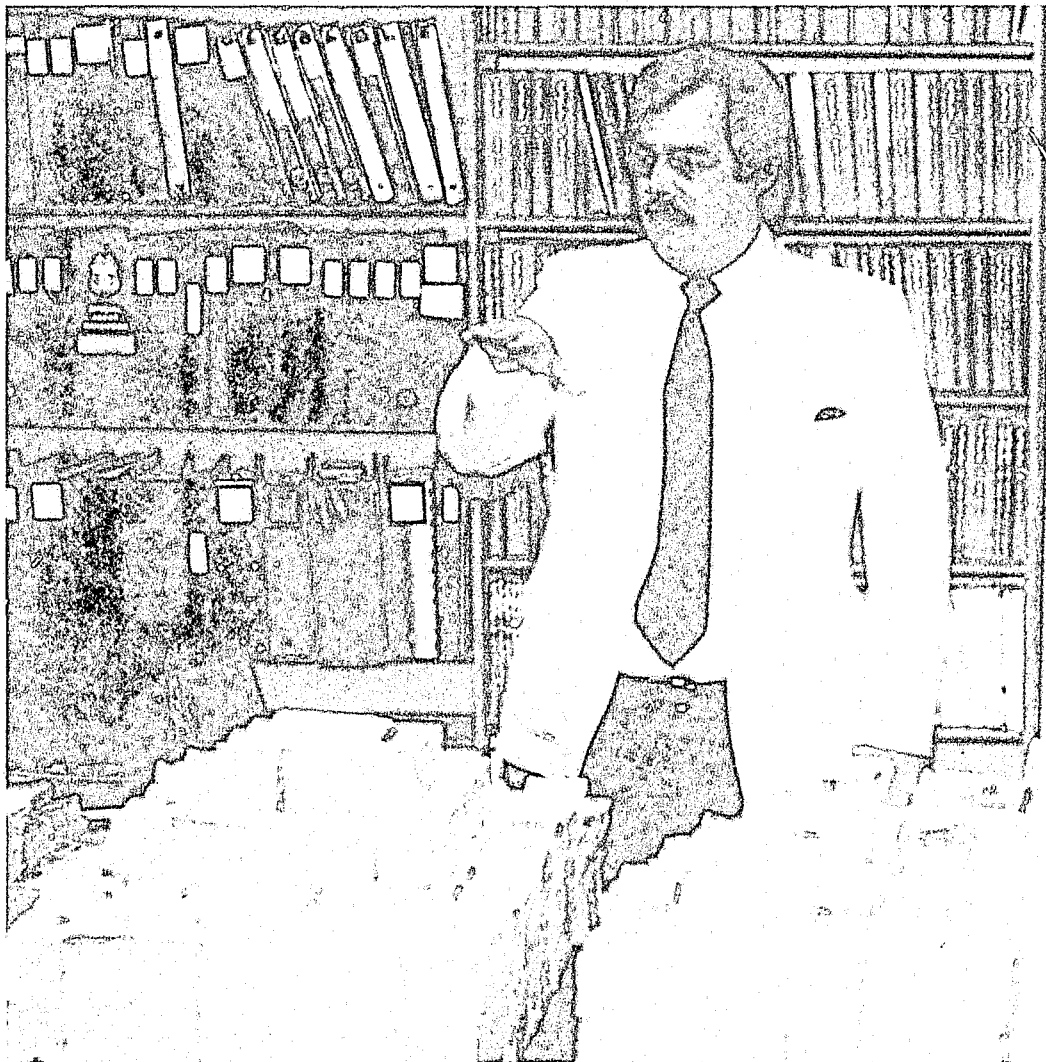
The Criminal Division also has been very active recently in organizing the prosecution of a series of espionage cases. Among the most significant of these cases are those of John A. Walker, his son Michael Walker, his brother Arthur J. Walker, and Jerry A. Whitworth, who are charged with espionage on behalf of the Soviet Union. John A. Walker, a retired Chief Warrant Officer in the U.S. Navy, was arrested in Maryland on May 20, 1985, after he left classified Navy documents at a "dead drop." Subsequent investigation led to the arrest and indictment of Michael Walker, a Navy enlisted man, Arthur J. Walker, a retired Lieutenant Commander, and Jerry Whitworth, a retired Chief Radioman. Arthur Walker was convicted after trial and was sentenced to three concurrent terms of life imprisonment and a \$250,000 fine. John Walker and his son Michael Walker pled guilty, and they will be sentenced after they provide testimony at the trial of the last defendant, Jerry Whitworth.

The indictment of John Z. DeLorean in September 1985, provided an opportunity for the Criminal Division to apply for the production of records in the jurisdiction of several foreign nations and to test the utility of some previously untested international treaty provisions. The charges against DeLorean included racketeering, mail fraud, and tax evasion, stemming from a scheme to raise money allegedly to save DeLorean's Northern Ireland sports car company. The indictment alleged that DeLorean diverted millions of dollars, through complicated bank transactions with Dutch, Swiss, and United States banks, to his personal use. Numerous requests for judicial assistance were presented to both the Netherlands and Switzerland, and both nations authorized the production of records that were significant in obtaining the indictment against DeLorean.

Another important, current initiative of the Criminal Division is to seize the assets of criminal offenders and to secure title to those assets quickly in order to deny the offenders and their associates the means to carry on their criminal activities. In the past, forfeiture cases were sometimes not prosecuted very aggressively for fear of jeopardizing the companion criminal prosecution. In a recent case, however, the Division's Asset Forfeiture Office, working closely with the Gulf Coast Drug Task Force, obtained in settlement \$7.5 million resulting from illegal drug proceeds linked to individuals accused of the murder of a Drug Enforcement

agent. The amount of the settlement represented approximately 92 percent of the seized funds and accrued interest from the civil forfeiture case, *United States v. Funds Being Held in the Name of European Commodities, Ltd., et al*, filed in the Southern District of Texas. Further, the resolu-

tion of this case resulted not only in the confiscation of substantial financial resources from a criminal enterprise, but it demonstrated that an important forfeiture case could proceed to a successful conclusion without compromising a related criminal prosecution.



Trial Attorney Jorge Rios of the Narcotic and Dangerous Drug Section, explains the seizure of \$3.7 million in U.S. currency from a Colombian money launderer, part of the \$10 million that was ultimately forfeited to the government in the United States v. Sonal case. This case was prosecuted by Operation Greenback, which Rios then directed, in the Southern District of Florida. The prosecution resulted in the criminal conviction of Colombian citizen Beno Ghitis, head of the money laundering operation.

Land and Natural Resources Division

The responsibilities of the Land and Natural Resources Division include litigation involving the protection and enhancement of the American environment and wildlife resources; the acquisition, administration and disposition of public land, water and mineral resources; and the safeguarding of Indian rights and property.

Environmental Defense Section

The Environmental Defense Section defends litigation primarily on behalf of the Environmental Protection Agency (EPA), related to air and water resources, regulation and control of pesticides, and hazardous waste regulation and

abatement. This defensive litigation generally falls into one of two categories: suits by industry and environmental groups challenging agency regulations which are, by statute, filed originally in the courts of appeals; and challenges to agency decisions relating to individual activities such as permits, grants, and variances, which are filed in district courts.

The Section also is responsible for defending a variety of federal agencies in actions brought to abate or clean up pollution emanating from federal facilities and installations. A majority of these actions arise in the context of hazardous waste disposal where it is alleged that the responsible federal agency failed to properly contain or dispose of hazardous chemical wastes. The potential liability of the United States and the resultant fiscal implications are enormous. In addition, the Section has pursued a vigorous enforcement litigation program on behalf of the Corps of Engineers to prevent unauthorized dredging and filling of waters of the United States.

Environmental Enforcement Section

The Environmental Enforcement Section brings civil and criminal enforcement cases primarily on behalf of the Environmental Protection Agency related to the control and abatement of pollution of air and water resources, the regulation and control of toxic substances and pesticides, and the environmental hazards posed by hazardous wastes. These cases seek to enforce various environmental statutes, including the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, the Compensation and Liability Act ("Superfund"), the Clean Air Act, the Clean Water Act, and the Toxic Substances Control Act. The Section's major priorities include prosecutions under the "Superfund" statute and in the criminal area.

In the hazardous waste area, most cases are brought under "Superfund" for the purposes of protecting public health and ensuring that responsible parties, rather than the public, bear the burden of abating hazardous waste pollution. These cases frequently involve multiple defendants, present complex technical and legal issues, and require the use of computerized litigation support. The Section also reviews EPA policies upon request and advises senior Department management officials on issues relating to environmental enforcement.

Wildlife and Marine Resources Section

The Wildlife and Marine Resources Section prosecutes and defends criminal and civil cases arising under the federal wildlife laws, and laws concerning the conservation and management of marine fish and mammals. Prosecutions focus on major smugglers and black market dealers in protected wildlife, most recently involving a large-scale international black market in birds of prey such as the endangered

peregrine falcon. Controversial defensive civil litigation, particularly under the Endangered Species Act, in which the needs of protected species often collide with pressures for development and economic exploitation of resources is also the responsibility of the Section. Competing social and economic demands for limited fishery resources, such as Pacific salmon, also generate substantial litigation for Section attorneys.

General Litigation Section

The General Litigation Section conducts trial work in the federal district courts and the U.S. Claims Court involving all matters concerning federal property and natural resources not subject to one of the Division's specialized sections. This includes litigation under the National Environmental Policy Act, the Federal Land Policy Management Act, the National Historic Preservation Act, all mineral laws, including onshore and offshore oil and gas, as well as coal mining matters. Seeking judicial deference to difficult resource management decisions of clients such as the Department of the Interior is a critical litigative goal. Attorneys also handle claims of "takings" or inverse condemnation against the United States, actions involving Indian trust property, quiet title actions, trespass actions and other actions to enforce protection of public lands. The Section defends the programs of natural resource management of other federal agencies, including water projects, grazing programs, timber sales, military programs, and property disposal.

Indian Claims Section

The Indian Claims Section represents the United States in all legal and equitable claims asserted by Indian tribes on the grounds that the United States has failed to live up to its obligations to the tribes. Issues pursued in the litigation encompass a broad range of tribal resource complaints, including allegations of federal mismanagement of water rights and resources; oil, gas and mineral production; range, fishery and timber resources; and tribal funds.

Indian Resources Section

The Indian Resources Section represents the United States in cases where the government supports rights claimed by individual Indians or Indian tribes. These include suits to establish water rights, to establish and protect hunting and fishing rights, to collect damages for trespass on Indian lands, and to establish reservation boundaries and rights to land. Other suits seek to protect rights unique to Indian tribes as quasi-sovereign governments, including rights to self-government and freedom from state regulation or taxation. This litigation is costly and protracted and the Section seeks ways of narrowing issues prior to litigation.

Land Acquisition Section

The acquisition of land for the federal government, either by direct purchase or condemnation proceedings, is the responsibility of the Land Acquisition Section. In this litigation, the attorneys seek to implement the protections of the Fifth Amendment in a way which is fair both to property owners and taxpayers. Where land is purchased, attorneys prepare contracts or options to purchase and obtain title approval. Where land is acquired through condemnation, attorneys try the cases either directly or in conjunction with the U.S. Attorneys. Legal issues frequently include the power of the United States to condemn under specific acts of Congress, ascertainment of the market value of property, applicability of zoning regulations, and problems related to subdivisions, capitalization of income, and the admissibility of evidence.

Policy, Legislation and Special Litigation Section

The Policy, Legislation and Special Litigation Section serves as special counsel to the Assistant Attorney General, and provides staff support for the Division's activities with working groups of the Cabinet Council and various agencies. The Section coordinates and directs the Division's legislative program including appearances of Division witnesses before Congressional committees. Other duties involve liaison with the public, the media and professional groups with an interest in the Division's work. Attorneys in the Section litigate cases for other sections and handle special litigation projects. These include an *amicus curiae* program, involving the United States in cases where major legal issues are to be decided and in which the United States has not previously been a party.

Appellate Section

The Appellate Section handles all appeals in cases initially tried in lower courts by other sections within the Land and Natural Resources Division. Attorneys draft briefs for all Division cases which reach the U.S. Supreme Court, and formulate recommendations to the Solicitor General that seek authority to appeal unfavorable decisions. New attorneys in this Section can anticipate briefing and presenting oral argument of at least three cases before federal courts of appeals and state appellate courts before the end of their first year.

Administrative Section

In addition to the administrative functions of budget, personnel, procurement and other traditional services, the Section oversees an active automated litigation support program.

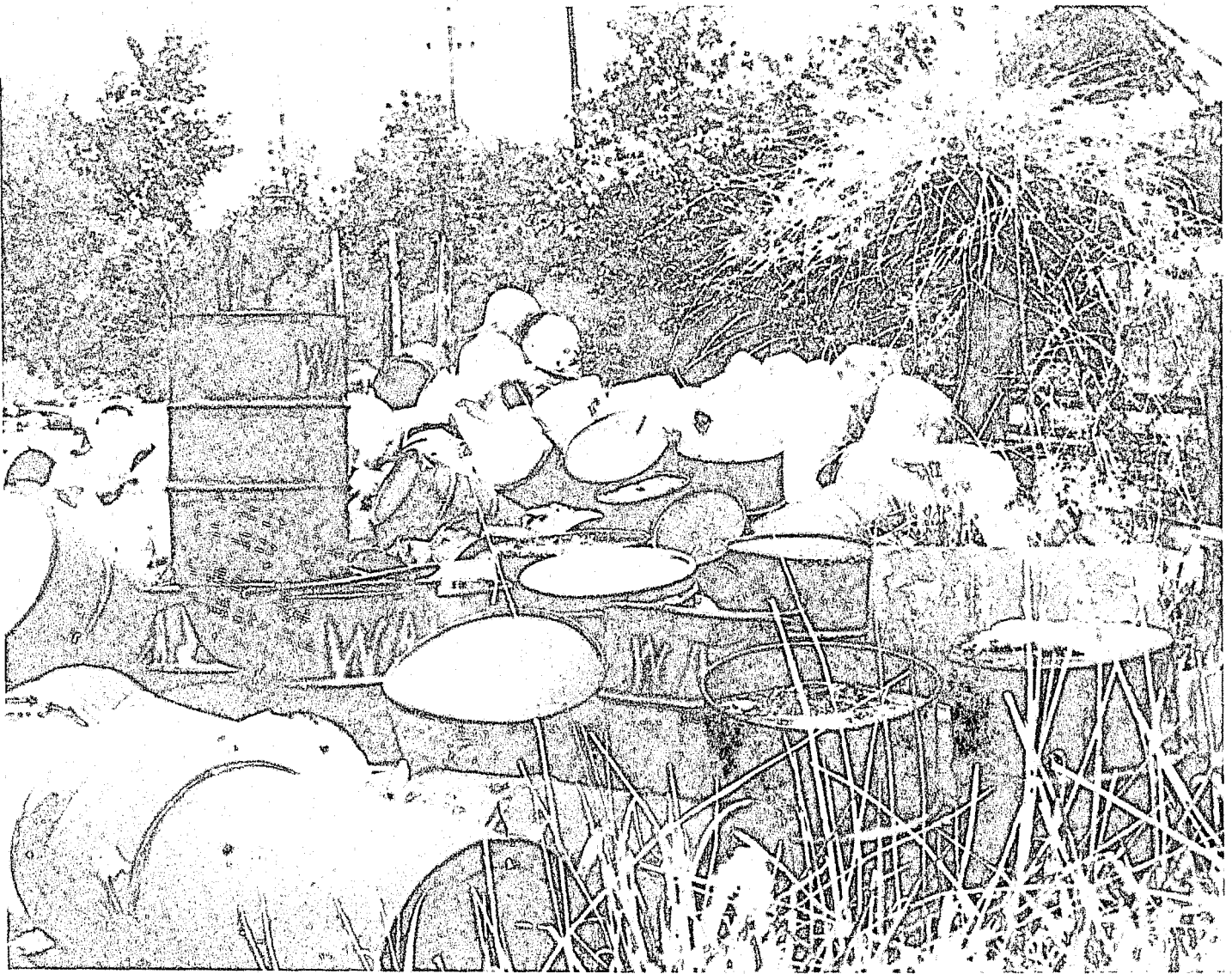
Computer technology is applied in the organization and management of large volumes of evidentiary materials in complex or protracted litigation within the Division. A typical case may involve 100,000 documents which require microfilming, the design of a coding form, an index for creation of a computer database, and the generation of numerous reports. For management purposes, the Division maintains an automated docket tracking system and an attorney time reporting system to assist in reducing costs of litigation in every way possible.

Examples of Recent Litigation

A major priority of the Land and Natural Resources Division is litigation to protect the environment. The Clean Water Act (CWA) and the Clean Air Act (CAA) are focal points of the Division's efforts to enhance the American environment. The Division resolved two major CWA pretreatment cases on behalf of the Environmental Protection Agency (EPA). They are *U.S. v. General Motors* and *U.S. v. Chrysler Corporation*. Plants owned by General Motors and Chrysler respectively failed to comply with the CWA's established deadline for meeting electroplating pretreatment standards. As a result, General Motors undertook long-term construction projects to meet the standards, employed interim measures in an effort to meet the standards prior to completion of the long-term construction, and paid penalties for failing to comply with the CWA. Chrysler paid a \$1.5 million up front penalty and initiated measures to meet the CWA's standards.

Eighty-nine enforcement actions were filed by the Division under the CAA during 1985. Enforcement against major stationary sources is a primary component of the air enforcement strategy. In *U.S. v. Lehigh Portland Cement Co.*, the court denied the defendant's motion to dismiss an enforcement action and found that EPA may bring an enforcement action even though state authorities took previous enforcement actions for the same violations. This is referred to as "overfiling" the state. Significant CAA trials included *U.S. v. St. Joe Resources*, which resulted in the payment of \$2.2 million in penalties and costs and the installation of sulphur dioxide pollution abatement equipment, and *U.S. v. City of St. Louis*, in which judgment was granted for the United States for chronic particulate emission violations at two refuse incineration facilities.

Several important settlements were reached under "Superfund" during 1985. Among these were *U.S. v. Westinghouse*, in which the defendant agreed in a consent decree to clean up five land fills contaminated with PCBs; *U.S. v. Conservation Chemical Corporation*, a case involving over 225 parties, in which the U.S. and generator defendants agreed to a preliminary settlement whereby the four primary generators will agree to remedy surface and groundwater contamination in a hazardous waste dump; and *U.S. v. Aerojet General Corporation*, in which the defendant will agree to a com-



Litigation involving the cleanup of hazardous waste dump sites and the protection of the nation's environment are major concerns of the Land and Natural Resources Division.

prehensive remedial program for cleaning up surface and groundwater contamination at a 20,000-acre site.

The Environmental Crimes Unit has recorded notable accomplishments, with over 100 indictments returned and nearly \$1.5 million in fines levied from 1983 through 1985. Three officers of Drum Recovery, Inc. were sentenced in Oregon for numerous environmental violations. The corporation's president was sentenced to a one-year prison term and ordered to pay a final third of the cleanup costs as restitution. In *U.S. v. Cairns*, the president and several officers of one of the largest wood preservation companies were convicted of illegally dumping hazardous wastes into Puget Sound. The company was fined \$1 million and its president sentenced to a 60-day jail term.

Some of the Division's major accomplishments in the area of environmental defense are best represented by a review of significant litigation conducted during 1985. In *Chevron*

v. NRDC, the Division successfully defended EPA's major regulatory reform effort under the Clean Air Act (CAA) known as the "bubble" concept. Provided that total emissions from an industrial plant do not exceed prescribed limits, the company may decide which pollution sources within the plant should be controlled, based on considerations of cost and technical feasibility. The U.S. Supreme Court unanimously upheld EPA's approach in the *Chevron* case. Another major U.S. Supreme Court case involved constitutional challenges to EPA's regulation of pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). In *Ruckelshaus v. Monsanto*, the Court upheld FIFRA's data consideration scheme against Monsanto's argument that it worked a "taking" of property without compensation.

In addition to environmental concerns, during 1985 the Division committed a portion of its staff to the prosecutions of persons dealing in falcons and other birds of prey. As a

result of the prosecutions in such cases as *U.S. v. Ciesielski, et al* and *U.S. v. Luckman*, the existence of extraordinary black markets was made known in which endangered and threatened birds command as much as \$100,000 per bird.

Outer Continental Shelf (OCS) oil and gas leasing in the federal waters of the United States is one of the Department of the Interior's most important programs. In monetary terms alone, it is a significant source of revenue for the federal government. OCS sales are highly controversial and generate extensive litigation. The Division coordinates closely with Interior and has attorneys assigned to upcoming sales in anticipation of litigation. In *Village of False Pass v. Clark*, the Ninth Circuit upheld OCS Lease Sale 70, involving the St. George Basin in Alaska, against challenges based on the Endangered Species Act and the Council on Environmental Quality's worst case analysis regulation under the National Environmental Policy Act.

In the area of Indian resources, the Division won a victory for the government in the Big Horn Water Rights adjudication when the court affirmed the Master's decision to recognize substantially all of the water claims made by the United States on behalf of the involved tribes. The case was the first Indian reserved water rights adjudication to undergo an actual trial on the merits in a state court, and represented a major victory for federal water rights claimants. In *U.S. v. Roosevelt Water Conservation District*, the United States

settled a 50-year-old dispute between the Gila River Indian Community and the Roosevelt Water Conservation District in Arizona. Since 1927, the tribe has suffered serious flood damage to lands within the reservation from the operation of the defendant's irrigation canal and attendant works. To forego trial, \$300,000 was awarded to the United States on the tribe's behalf.

In the past four years, the Division has progressively expanded the use of computers in case preparation. The benefits of this automated litigation support can be seen in *U.S. v. Shell Oil Co.*, in which over one million pages so far have been screened and microfilmed at 10 locations nationwide. A document center has been established to support the litigation team of attorneys and expert witnesses, both locally and in the field. The document center staff, working with over 50 filing cabinets of documents and 500 reels of microfilm, can manipulate the database in response to requests from attorneys and paralegals to identify and locate specific papers. End-to-end, the documents in this case would stretch 208 miles. The use of automation has brought this enormous collection under control, permitting the 10 Division attorneys assigned to the case to focus on strategy and direction, and not on paper management. This extensive information retrieval system has proven essential to the conduct of discovery and these techniques are being used successfully in a number of other cases.

Tax Division

The Tax Division is responsible for representing the United States and its officers in all civil and criminal litigation involving federal, state and local taxes in all courts, except the U.S. Tax Court. The Internal Revenue Service (IRS) is the Division's principal client, and the Division's primary activities are the collection of federal revenues through the institution of many types of civil actions at the request of the IRS and the defense of tax refund and a variety of other civil suits brought by taxpayers; the enforcement of criminal tax laws through the supervision and authorization of criminal investigations and prosecutions; and the handling of appellate tax cases, both civil and criminal. The Division also represents other federal departments and agencies in cases involving the immunity of the federal government from state and local taxation.

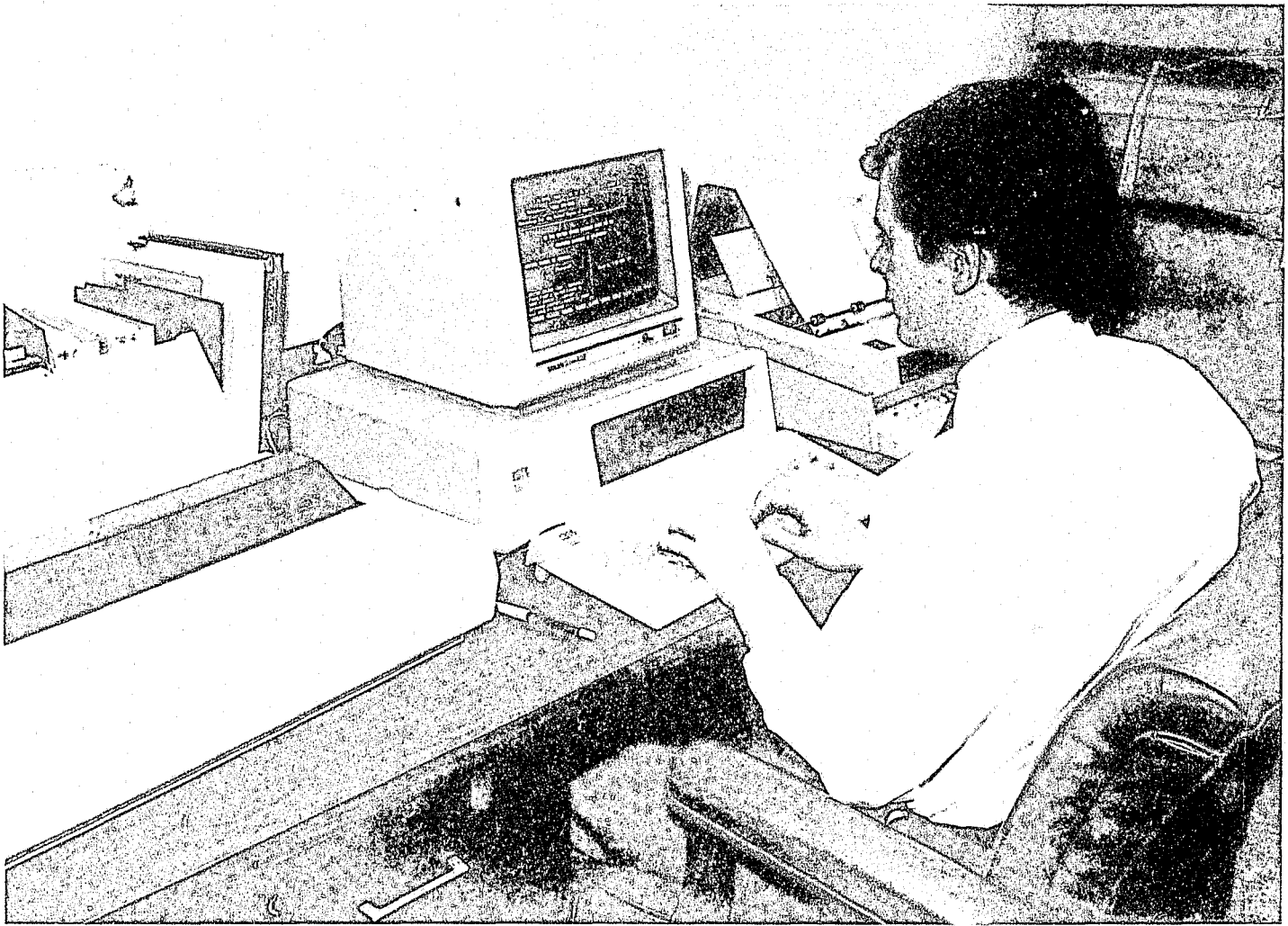
Tax Division attorneys are instrumental in forming tax litigation policy on issues important to the development of an equitable and effective tax system. In cooperation with the Treasury Department or the IRS, the Division also participates in the formulation of legislative and administrative policy when the area concerned is, or has been, the subject of litigation.

Tax Division attorneys and support staff are assisted by sophisticated computer systems, which are used for word processing, docket management, and legal research. Recently, the Division has obtained personal computers for its civil trial sections, allowing attorneys and paralegals to use innovative techniques to manage data in complex cases.

Attorneys in the Tax Division are stationed in Washington, D.C., except for a small staff located in the Division's Dallas field office. Newly hired attorneys assigned to the Dallas field office are provided a limited period of orientation and training in Washington, D.C. In recruiting experienced attorneys, the Division looks for those applicants who possess excellent academic credentials and experience in the form of litigation, a judicial clerkship, or advanced tax courses.

Appellate Section

The Appellate Section has the responsibility for handling appeals in civil and criminal tax cases, except those cases in the U.S. Supreme Court. Appellate Section attorneys prepare briefs and present oral arguments in the courts of



A Tax Division trial attorney uses one of the Division's personal computers to keep track of documents to be used in a trial involving abusive tax shelters.

appeals, various state appellate courts and, on assignment, from the Office of the Solicitor General in the U.S. Supreme Court. Appellate attorneys also review adverse Tax Court, Claims Court and District Court decisions and prepare recommendations as to whether an appeal should be taken. The final decision on appeal is made by the Solicitor General, to whom the Tax Division and the Chief Counsel of the IRS submit recommendations.

In connection with tax litigation in the U.S. Supreme Court, attorneys in the Division's Appellate Section prepare petitions for certiorari and memoranda in opposition to taxpayers' petitions, as well as briefs and memoranda of law on the merits, under the supervision of the Office of the Solicitor General.

Criminal Section

The Criminal Section promotes the uniform enforcement of the nation's criminal tax laws. Its attorneys review and analyze the recommendations for prosecution of tax offenses

received from both the IRS and U.S. Attorneys to determine whether prosecution should be authorized. The Section's approval also is required to initiate and expand tax grand jury investigations arising under the nation's internal revenue laws. Criminal Section attorneys conduct and participate directly in major grand jury investigations. They also handle the trial of these cases and provide assistance to many U.S. Attorneys' Offices in specific criminal tax litigation. The Criminal Section's litigation frequently involves complex and technical cases where additional resources and expertise are required.

Civil Trial Sections

The Claims Court Section defends all tax refund suits filed in that Court. Four Civil Trial Sections, organized along geographic lines, represent the government in tax refund suits in the U.S. district courts, and also handle a wide variety of other litigation in federal and state courts. These actions include: suits brought by the United States to collect unpaid

assessments, suits to foreclose federal tax liens or to determine the priority of such liens, suits to obtain judgments against delinquent taxpayers, suits to enforce IRS administrative summonses and to establish tax claims in bankruptcy, receivership and probate proceedings; suits against IRS employees for damages claimed because of alleged injuries caused by them in the performance of their official duties; and suits against the Secretary of the Treasury, the Commissioner of Internal Revenue, or other officials to test the validity of federal tax regulations or rulings.

In dealing with this caseload, the Tax Division's civil trial attorneys are responsible for every phase of their assigned cases from initial pleadings through discovery and trial.

Offices

The *Office of Review* appraises settlement offers in light of litigating potential and policy considerations, furnishes advice and assistance to the trial sections on particularly complex cases, takes final action on those settlements within its redelegated authority, and advises the Assistant Attorney General or his delegate on settlements which require final action at a higher level within the Division or Department. It assists in resolving disputes between the litigating sections and the IRS, so that the Division's and the client agency's positions are consistent.

The *Office of Legislation and Policy* conducts legal research on proposed legislation on which the Division has been asked to comment.

The *Office of Special Litigation* is responsible for litigation resulting from the enactment of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA)—primarily injunction actions and penalty cases against abusive tax shelters and their promoters.

Examples of Recent Litigation

There have been a number of significant cases decided recently by the courts in the tax area. For example, in *Stearns-Roger Corporation v. United States*, the Tenth Circuit, affirming the Tax Division's victory in the district court, held that the taxpayer-corporation's payments exceeding \$6 million to its "captive insurance" subsidiary did not constitute tax deductible insurance premiums. In disallowing the deductions the court held that, in order for a transaction to give rise to a deductible insurance payment, there must be a shifting of the risk of loss. Because of the parent-subsidiary relationship, the risk of loss remained with the taxpayer and the transaction was, in economic substance, equivalent to the establishment of non-deductible reserves for self-insurance.

The Tax Division also prevailed in an important case involving the individual liability of an officer of a corporate employer for the employer's failure to pay over to the United States taxes withheld from employees' wages. In *Roth v. United States*, a corporate officer admitted that he was

responsible for the corporation's failure to pay over the taxes, but claimed that he should not be held liable because he had merely acted at the direction of his superiors. The Eleventh Circuit held that an officer may not avoid individual liability by claiming that his actions were attributable to the directives of a superior corporate official. This decision will substantially aid the government in collecting unpaid withholding taxes from responsible corporate officers.

The Tax Division has emphasized civil and criminal efforts against the promoters of abusive tax shelters. In *United States v. Vance*, the Division obtained an injunction preventing the continued promotion of abusive shelters involving the backdating of interests in farming operations. Evidence gathered in an IRS "sting" operation was introduced by the government at trial.

In *United States v. Dunn*, a tax shelter promoter was sentenced to prison for masterminding a fraudulent Treasury bill futures tax shelter scheme which generated fictitious tax deductions of \$1.75 million.

Criminal Section attorneys also have been instrumental in obtaining tax law violation convictions against narcotics traffickers. For example, in *United States v. Phillips*, the Tax Division obtained convictions against three drug traffickers who were part of a ring that generated more than \$20 million in profits in a four-year period.

Finally, in the area of state and local taxation, the Tax Division recently sought to file an *amicus* brief in a suit by a domestic subsidiary of a multinational corporation challenging a state's imposition of the "worldwide unitary method" of income taxation. Under the unitary method, a state taxes a multinational corporation based on a percentage of the firm's worldwide income, rather than on income earned in the state. In its *amicus* brief, the Tax Division will argue that the state's unitary method interferes with the position taken by the United States in the conduct of its foreign relations and foreign economic policy, and violates the Foreign Commerce Clause of the United States Constitution.

Broyles v. United States, a pending estate tax refund suit in the Central District of Illinois, involves a challenge by the executor of an estate to the Internal Revenue Service's valuation of farmland and oil and mineral rights owned by the decedent at the time of his death. The Civil Trial Section attorney assigned to the case hired an independent appraiser to provide expert testimony for the government at trial. Civil Trial Section attorneys handle many such valuation cases, most often involving the valuation of real estate or closely held businesses.

In *DeStefano v. United States*, pending in the Northern District of Illinois, the Tax Division is defending an income tax refund suit in which a partner in a large architectural firm is challenging the Internal Revenue Service's denial of the firm's application to change from an accrual method of accounting to the cash method. The case raises important issues concerning proper accounting practices for businesses and the standard of judicial review of Internal Revenue Service discretionary determinations.

Executive Office for United States Attorneys

While the legal divisions are responsible for the supervision of litigation conducted by U.S. Attorneys, the Executive Office for United States Attorneys has supervisory responsibilities with regard to U.S. Attorneys' non-litigative functions, including operation of the Law Enforcement Coordinating Committees, general executive assistance, certain administrative and legal services, personnel, training, and oversight for the U.S. Attorneys' Offices. These support and oversight functions include preparation and justification of annual budgets for the operation of the 94 U.S. Attorney districts; development of legal and management information systems, provision of space, security, telecommunications, equipment, library; and other services for U.S. Attorneys' Offices. The Executive Office also serves a liaison function for U.S. Attorneys with the legal divisions and other organizations, and assists in resolution of disputes.

While the Executive Office employs attorneys in each of their sections, the majority of the legal work is performed by the attorneys in the Legal Services Section and the Office of Legal Education. The Office of Legal Education is fully explained in a separate section in this brochure. The work of the Legal Services Section is outlined below.

Legal Services Section

The Legal Services Section provides legal counsel and advice to the Executive Office for U.S. Attorneys, and to the U.S. Attorneys' Offices. This Section maintains liaison between U.S. Attorneys and Department organizations as well as other government entities such as the General Accounting Office. It makes conflict of interest and ethical conduct determinations; it reviews U.S. Attorneys' authorization requests for outside activities, and representation requests when U.S. Attorneys are sued individually concerning performance of official duties. It handles recusals and cross-designation requests concerning federal, state and local prosecutors. Legal Services handles and advises U.S. Attorneys on personnel issues such as equal employment opportunity cases, misconduct allegations made against Assistant U.S. Attorneys, conflict of interest and ethical issues. This Section handles and responds to the Freedom of Information Act/Privacy Act requests made to the U.S. Attorneys' Offices and its Executive Office. The Section publishes and maintains the *United States Attorneys' Manual* and the *United States Attorneys' Bulletin*. The Section also monitors and drafts legislation and it handles a broad variety of legal issues relevant to the management and administration of the U.S. Attorneys' Offices.

United States Attorneys' Offices

Federal law places upon the Attorney General responsibility for the conduct of all litigation affecting the interests of the United States. This responsibility is discharged by delegating authority to officers throughout the country to handle such litigation and to appear in the various federal courts as the government's advocates. These field officers are the United States Attorneys. There are 93 U.S. Attorneys stationed throughout the United States, Puerto Rico, Guam and the Northern Marianas. One U.S. Attorney is assigned to each judicial district with the exception of Guam and the Northern Marianas, where a single U.S. Attorney serves in both districts.

U.S. Attorneys perform their responsibilities with the support of 2,541 Assistant U.S. Attorneys and 3,169 non-attorney personnel. U.S. Attorneys are appointed by the President and confirmed by the Senate for terms of four years, or at the pleasure of the President. They and their Assistant U.S. Attorneys must be residents of the districts to which they are appointed. This requirement does not apply to the District of Columbia or the Southern and Eastern Districts of New York, which require residence within 20 miles of the district.

Employment Information

General employment information for law student recruitment programs is outlined below. However, for specific information concerning attorney employment opportunities in the U.S. Attorneys' Offices, an applicant should write directly to the U.S. Attorney for the district in which he or she has an interest. All recruitment is handled independently within each office. Addresses for individual U.S. Attorneys' Offices are printed at the end of this brochure.

Summer Law Intern Program

Summer Law Intern positions at the GS-7 level are available in many of the U.S. Attorneys' Offices. To qualify, students must have completed their second year of law school and be eligible for senior standing when they return to school in the fall. The applicant should submit a Standard Form 171 directly to the U.S. Attorney's Office for which he or she wishes to be considered. Please contact individual U.S. Attorneys' Offices for filing deadlines.

Part-Time Program, Work-Study Intern Program and Volunteer Program

These law student employment programs are available in many U.S. Attorneys' Offices. Interested applicants should contact the U.S. Attorney's Office in which they have an interest. The application form, which is Standard Form 171, will be accepted at U.S. Attorneys' Offices throughout the year.

Examples of Recent Litigation

An Eastern District of New York case involved the successful prosecution of five members of an organized crime family that operated a massive narcotics distribution organization. The patriarch of the family, Joseph Fama, Sr., pled guilty to managing a continuing criminal enterprise and was sentenced to a 20-year term of imprisonment. The remaining members of the Fama family were convicted of various narcotics offenses and were sentenced to prison terms ranging from five to twelve years. The significance of the Fama narcotics distribution organization is best measured by noting the results of a search of the Fama residence in Brooklyn, New York, which yielded the following: \$3.3 million in cash, the largest cash seizure ever made in the New York area as a result of a narcotics investigation; 10 pounds of heroin having a retail value of approximately \$6.6 million; eight pounds of cocaine having a street value of approximately \$880,000; 100 pounds of marijuana; 28 handguns, and substantial amounts of narcotics paraphernalia and records. The U.S. Attorney's Office is currently litigating the forfeiture of the cash as well as other proceeds from the Fama organization's narcotics activities, which includes jewelry, automobiles, electronics equipment and art objects.

On July 19, 1984, near Ukiah, California, 11 gunmen robbed a Brink's armored car of \$3.6 million. Investigation by the Federal Bureau of Investigation (FBI) with the assistance of an informant provided by the Secret Service revealed that the robbers were part of a neo-Nazi organization called "The Order;" the organization is identified as having its roots in a pro-Aryan movement in Northern Idaho and Eastern Washington. Evidence that "The Order" was involved in murder, counterfeiting, other robberies and interstate transportation of stolen property spurred the formation of a task force of Assistant U.S. Attorneys from

Oregon, Idaho, California, and Washington, as well as FBI agents from various field offices. In April 1985, an indictment was issued out of the Western District of Washington charging 23 members of "The Order" with racketeering violations. Five of the 23 defendants were arrested in the Eastern District of Washington, where additional charges were filed relating to specific acts of racketeering. As the result of negotiations between these defendants and the task force attorneys, all five defendants pled guilty in the Eastern District of Washington to the racketeering indictment pursuant to Rule 20 and agreed to fully cooperate with government prosecutors. The agreement included forfeiting hundreds of thousands of dollars of cash and property obtained through the criminal enterprise. The five defendants also agreed to assist in the further investigation of the case and to testify against other "Order" members. The five are awaiting sentencing of up to 20 years, pending trial of the remaining defendants.

In the Western District of Arkansas, James Ellison, leader of a white supremacist group known as "The Covenant, the Sword, and The Arm of the Lord," was convicted of racketeering charges based upon arson relating to fires at a Jewish Community Center, the bombing of a natural gas pipeline, and other arson offenses. Ellison also was convicted of conspiracy to possess illegal weapons based upon the seizure of numerous machine guns, grenades, explosives, and silencers found during a search of the group's 224-acre compound after a four-day siege by more than 300 law enforcement officers. Ellison received a sentence of 20 years. The case was investigated jointly by the Arkansas State Police, the FBI, and the Bureau of Alcohol, Tobacco and Firearms.

On April 24, 1985, the United States was awarded a judgment of more than \$23 million in interest against Gulf Oil Corporation ("Gulf") in connection with the Department of Energy's (DOE) claim regarding the lost value on a consent order fund during five years of litigation over the terms of the fund's ultimate distribution. Some six years earlier, Gulf and the DOE had established a \$42.24 million consent order fund to settle allegations by the DOE that Gulf had overcharged purchasers of petroleum products in violation of the Economic Stabilization Act. Gulf later attempted to renege on the agreement and sought to have the consent order declared invalid. In March 1984, the U.S. Attorney's Office for the Eastern District of New York, moved for summary judgment on the DOE's claim to interest. The April 24, 1985 decision, awarding interest on the fund to the United States, resolved the last open issue in the case.

United States Marshals Service

United States Marshals were the first federal law enforcement officers and currently serve a central role in federal law enforcement from arrest through incarceration and enforce

orders of the United States courts. The U.S. Marshals' principal areas of current jurisdiction include court security, federal fugitive apprehension, witness protection, prisoner

transportation, maintenance of drug-related seized assets, and service and execution of federal court orders. U.S. Marshals and their staffs are located in each of the 94 federal judicial districts encompassing the 50 states, District of Columbia, Guam, Puerto Rico, the Virgin Islands, and the Northern Mariana Islands. The Director of the Service provides overall direction under the supervision of the Attorney General.

The Office of Legal Counsel for the U.S. Marshals Service consists of a staff of seven attorneys and assistants located in the Service's national office in McLean, Virginia. It has the responsibility for providing legal counsel and legal services to the Director and the U.S. Marshals nationwide as in-house counsel for the agency. The Office's work includes a variety of areas, including personnel and labor relations,

civil tort and contract liability, criminal law, prisoner rights, ethics, Freedom of Information Act/Privacy Act, legislation, government forfeitures, admiralty, procurement and fiscal matters, and training.

The Office of Legal Counsel represents the Marshals Service in all administrative personnel hearings. It adjudicates all administrative claims filed against the Marshals Service under the Federal Tort Claims Act. It provides direct assistance to the U.S. Attorneys and the legal divisions of the Department of Justice in federal court litigation brought against the Marshals Service and its employees, including serving as trial counsel in some cases. It serves as a national monitor and central clearinghouse for all legal decisions affecting the Service.

United States Trustees' Offices

The United States Trustees, under the supervision of the Attorney General, handle the administration and oversight of cases filed pursuant to chapters 7, 11 and 13 of Title I of the Bankruptcy Reform Act of 1978. The U.S. Trustees establish, supervise and maintain panels of private trustees to serve in chapter 7 liquidation cases and the standing trustees who administer chapter 13 plans. In chapter 11 cases where businesses continue to operate as debtors in possession, the U.S. Trustees play a particularly active administrative role which includes requiring debtors to file monthly financial reports, and insuring that current tax liabilities are paid and adequate insurance coverage maintained. Since the U.S. Trustees have standing to raise and be heard on any issue related to their duties, they are often the party moving for appointment of a trustee or examiner, requesting the dismissal or conversion of a case to chapter 7, or objecting to the adequacy of required disclosure statements. As part of their general oversight responsibilities, the U.S. Trustees also scrutinize the hiring of professionals, review the reasonableness of fee requests and monitor the system for criminal activity.

In recruiting experienced attorneys, the U.S. Trustees' Offices look for applicants with a general knowledge of bankruptcy principles coupled with a background in economics, accounting, commercial transactions or corporate law. Staff attorneys carry a heavy caseload and routinely appear in court on a variety of matters related to case administration.

At present, there are field offices located in Boston, New York, Newark, Alexandria, Birmingham, Dallas, Chicago, Minneapolis, Los Angeles and Denver. In addition, branch offices are located in Worcester, Massachusetts; Portland, Maine; Norfolk, Virginia; Wichita, Kansas; Santa Ana, California; and Camden, New Jersey. The Executive Office for U.S. Trustees, located in Washington, D. C., administers the program for the Department of Justice.

Examples of Recent Litigation

A.H. Robins Company, Inc. - This worldwide pharmaceutical company filed for relief under chapter 11 as tort claims continued to mount against it for the manufacture of the Dalkon Shield, an intrauterine device. Following the precedent set earlier by the Johns-Manville Corp., A.H. Robins is seeking to utilize the bankruptcy reorganization period to fix its liability to thousands of potential claimants who used its product over the past 16 years. The U.S. Trustee appointed a committee to represent Dalkon Shield claimants and negotiations are underway to identify the potential claimants and to decide how their claims will be treated under any plan of reorganization. The U.S. Trustee also has participated in the drafting of administrative orders designed to streamline noticing procedures.

United Press International, Inc. - UPI, one of the two major wire services in the country, filed for reorganization under chapter 11 after months of speculation about its financial condition. The U.S. Trustee had a creditors' committee formed within 48 hours after the case was filed in the District of Columbia, and a series of meetings began immediately. Despite the many differences between past and present management, labor and management, and trade and wage creditors, it was unanimously acknowledged that the most important asset to be preserved was intangible—UPI's staff. The U.S. Trustee, in addition to acting as case administrator and mediating between the parties to obtain an operating agreement, aided in the resolution of UPI's ongoing labor difficulties by locating and negotiating the acceptance of a professional labor mediator who succeeded in circumventing the need for proceeding on UPI's motion to reject the collective bargaining agreement.

Equity Programs Investment Corporation - EPIC, a subsidiary of Community Savings & Loan which itself was in

a Maryland state-held conservatorship, filed chapter 11 petitions for 357 real estate limited partnerships in which it was a general partner. With the recent Maryland savings and loan crisis as a backdrop, the bankruptcy court ordered certain information in the bankruptcy petitions sealed to prevent a possible bank run on those institutions which had purchased EPIC's mortgage-backed securities. Several of the country's largest mortgage insurers are at risk for over \$400 million

on the EPIC securities and 6,000 investors face losing their investment and paying tax recapture penalties. Concerns also have focused on the fact that since 52% of the 20,500 homes which comprise the partnerships' assets are in the Houston-Dallas-Ft. Worth areas, any plan to liquidate the properties, en masse, would only serve to depress their value and cause serious repercussions throughout the housing industries in those areas.

Immigration and Naturalization Service

The Immigration and Naturalization Service (INS) enforces the immigration laws of the United States, and adjudicates applications for naturalization and other types of benefits available to individuals under the immigration and nationality laws. The work of Service attorneys supports these activities. Many of the cases upon which attorneys work, such as asylum, have a high visibility and involve constitutional and international issues.

Attorneys are assigned to district offices located throughout the United States. There is a city and state listing of these offices in a separate section of the brochure. Two special programs offer attorneys intensive federal court litigation experience. The Special Assistant U.S. Attorney program selects Service attorneys to serve on the staff of a U.S. Attorney's Office and to specialize in civil or criminal immigration litigation arising in federal, district, and circuit courts. Another program places Service attorneys on one-year details with the Office of Immigration Litigation, Civil Division, working on complex immigration litigation arising in federal courts. There are career opportunities for experienced attorneys as attorney managers on the district, regional, and central office levels. Experienced attorneys also may apply for careers in the Office of General Counsel providing legal advice to the top policy officials of the Service by working on legislative and regulatory changes in the immigration laws.

The nationwide organization of INS gives attorneys unusual opportunities for travel and relocation. Therefore, hiring preference will be given to attorneys who enjoy frequent travel, and will actively seek relocation opportunities. Many promotion opportunities require relocation.

Attorneys hired under the Honor Program are assigned to a district office under the supervision of a chief legal officer. They gain experience in the areas discussed below.

Trial Litigation

After a short initial training period, attorneys are given full responsibility for the preparation and presentation of deportation and exclusion cases in administrative hearings before Immigration Judges. At issue in these cases is an alien's ability to enter or continue to reside in the United States. Applications for relief from deportation or exclusion,

including applications for asylum, are often presented during such hearings. INS attorneys gain exceptional litigation experience, with most making daily court appearances. Attorneys brief all appeals of their cases, and are detailed to the Board of Immigration Appeals in Falls Church, Virginia, to argue appeals.

Operational Legal Advice

Service attorneys provide on-the-spot legal assistance to line law enforcement officers such as investigators, adjudicators, border patrol agents, immigration inspectors, and detention and deportation officers. They also provide direct legal advice to District Directors who have been delegated much of the Attorney General's decision making authority under the immigration and nationality laws. These operating officials depend on advice from Service attorneys to avoid adverse court decisions and possible personal liability. Service attorneys also are called upon to provide expertise and litigation assistance to U.S. Attorneys and attorneys from the Office of Immigration Litigation who are litigating INS cases in federal court. Such assistance may include preparing pleadings, briefs, and acting as co-counsel for the government in federal court cases. Attorneys also advise agency managers on diverse questions such as tort claims, contracts, Freedom of Information and Privacy Act requests. They represent the agency in administrative hearings before the Equal Employment Opportunity Commission and the Merit Systems Protection Board.

Computerization

The Service's legal offices are currently acquiring the Legal Case Tracking System which will enable 120,000 cases to be monitored nationwide in both administrative and judicial proceedings. In addition, the Service utilizes IBM word processors and personal computers which provide efficient nationwide communications and access to the JURIS legal research database.



Immigration and Naturalization Service (INS) attorneys provide legal advice to enforcement officers. Pictured are INS Border Patrol Agents observing the southern border of the United States to prevent the entry of illegal aliens.

Examples of Recent Litigation

The Service continues to be involved in a number of complex litigation matters.

In *Garcia-Mir v. Smith*, the Eleventh Circuit Court of Appeals has upheld the authority of the Executive branch to detain and deny parole to illegal Mariel Cuban criminals.

In *INS v. Cardoza-Fonseca*, the Solicitor General has filed a petition for certiorari which seeks to resolve the question of whether the "well-founded fear" standard for asylum is

more generous than the "clear probability" standard for withholding of deportation.

In *International Molders' and Allied Workers' Local Union 164 v. Nelson*, the plaintiffs challenge the policies, practices, and conduct of INS officers during the course of area control operations directed at places of employment. An interlocutory appeal from a preliminary injunction entered against INS is currently pending before the Ninth Circuit Court of Appeals.

Executive Office for Immigration Review

The Attorney General is charged with the administration and enforcement of the Immigration and Nationality Act of 1952, and all other laws relating to the immigration and naturalization of aliens. The Attorney General has delegated

certain aspects of his authority to administer and interpret the immigration laws to the Executive Office for Immigration Review. The Executive Office for Immigration Review is completely independent of the Immigration and Naturali-

zation Service, the organization charged with the enforcement of the immigration laws.

Board of Immigration Appeals

The Board of Immigration Appeals is a quasi-judicial organization composed of a Chairman, four Board members and a Chief Attorney Examiner who is also an alternate Board member. It is located in Falls Church, Virginia, and hears oral argument only in that location. A staff of attorney advisors assists the Board in the preparation of decisions, often with the assistance of the JURIS computerized legal research system.

The Board has been given nationwide jurisdiction to hear appeals from certain decisions entered by district directors of the Immigration and Naturalization Service, and by Immigration Judges. There is a city and state listing of these offices in a separate section of the brochure. In addition, the Board, with the approval of the Attorney General, is responsible for suspending or barring from practice before the Service and the Board any representative or attorney.

Decisions of the Board are binding on all Service officers and Immigration Judges unless modified or overruled by the Attorney General, and are subject to judicial review in the federal courts. The majority of appeals reaching the Board involves orders of deportation and applications for relief from deportation. Other cases before the Board include exclusion proceedings involving aliens seeking admission to the United States, petitions to classify the status of alien relatives for the issuance of preference immigrant visas, fines imposed upon carriers for the violation of the immigration laws, and motions for reopening and reconsideration of decisions previously rendered.

Office of the Chief Immigration Judge

The Office of the Chief Immigration Judge is responsible for the general supervision and direction of the Immigration Judges in the performance of their duties. It establishes operational policies for the offices of the Immigration Judges and evaluates the performance of those offices. The Office includes a headquarters staff of management and legal personnel structured as Counsel to the Chief Immigration Judge, a Planning and Analysis Unit and a Central Docketing Unit. In several of the larger offices of the Immigration Judges, attorney advisors assist Immigration Judges in legal research and in the drafting of opinions. Applicants hired under the Attorney General's Honor Program for the offices of the Immigration Judges will have an appointment of one year only.

The Immigration Judges preside at formal, quasi-judicial deportation and exclusion proceedings. In addition to deter-

mining whether individuals are excludable or deportable from the United States, the Immigration Judges have jurisdiction to consider applications for various forms of discretionary or mandatory relief. These include applications for such relief as asylum, adjustment of status, suspension of deportation, and waivers of excludability. Their decisions are administratively final unless appealed or certified to the Board of Immigration Appeals.

The Office of the Chief Immigration Judge is currently implementing a computerized information system. Among its many capacities will be computerized legal research using the Department of Justice's JURIS system.

Examples of Recent Litigation

In *Matter of Acosta*, a 1985 decision involving an individual from El Salvador applying for asylum, the Board resolved the complex issue of what constitutes the standard of proof for asylum and withholding of deportation. While dismissing the respondent's appeal, the Board stated that the standards for the two forms of relief are not meaningfully different and that they converge. The case included a lengthy analysis of the relevant law as well as a detailed statement of the elements necessary to make out a persecution claim.

In another important case decided in 1985, *Matter of Linnas*, the Board addressed a deportation case originally before an Immigration Judge involving an individual charged with participating in Nazi persecution during World War II. The Board discussed the term "country," determining that a person who was a native of Estonia, which is now occupied by the Soviet Union, may be deported to the Soviet Union, since that country is the only one willing to accept the person at this time.

Two recent significant cases illustrate the interplay between the immigration law and the criminal law. In an exclusion proceeding, *Matter of Rodriguez-Coto*, the Board reviewed the case of a Cuban citizen who had been convicted of armed robbery. The Board found that the interpretation of the statutory phrases "particularly serious crime" and "serious non-political crime" does not vary with the evidence of persecution presented. Since the applicant previously had been convicted of a particularly serious crime constituting a danger to the United States and no new evidence relating to that finding had been presented, he was not eligible for asylum or withholding of deportation. In *Matter of Garcia*, the Board examined a Texas statute dealing with the withholding of adjudication of guilt in a matter relating to possession of marijuana. The Board concluded that since under the statute, no adjudication of guilt existed, there was no conviction for immigration purposes. Deportation proceedings were terminated.

The cases adjudicated by the Immigration Judges ranged from determinations whether aliens seeking to enter the United States as nonimmigrants were, in fact, bona fide visitors, to consideration of an individual's deportability based on his criminal activities.

Federal Bureau of Investigation

The Federal Bureau of Investigation (FBI) investigates violations of certain federal statutes, collects evidence in cases in which the United States is or may be an interested party, and performs other duties imposed by law or Presidential directive. If a possible violation of federal law under the jurisdiction of the FBI has occurred, it will be investigated and the facts presented to the appropriate U.S. Attorney or Department of Justice official who will determine whether prosecution or further action is warranted.

The overall objectives of the FBI are to have a significant impact on criminal activity, to investigate civil matters in which the federal government has an interest, and to provide information to the Executive branch relating to national security. Top priority investigative emphasis has been assigned to those areas that affect society the most: organized crime, foreign counterintelligence, white-collar crime and terrorism. A high percentage of those and other investigations are conducted by legally trained special agents.

The Legal Counsel, and staff, furnish legal advice to the Director and other FBI officials, research legal questions concerning law enforcement matters, and supervise civil litigation and administrative claims involving the FBI, its personnel, and records. The Legal Counsel's staff also represents the FBI at administrative proceedings before the Merit

Systems Protection Board and the Equal Employment Opportunity Commission, and administers a legal training program for FBI personnel and other law enforcement officers.

To ensure constancy in legal training, legal advisors are appointed to assist all assigned investigative personnel in each of the 59 field offices. These legal advisors are experienced special agents who hold law degrees. Their role is to offer advice to fellow special agents regarding arrest problems, search and seizure, and the preparation of affidavits and other similar documents. In-service refresher courses are conducted by the FBI to ensure that investigations conform to the letter and spirit of the law. All attorneys in the Legal Counsel Division are special agents of the FBI.

The FBI handles its recruitment independently. FBI recruitment activities are carried out year round and recent college graduates, as well as "career change" graduates with work experience, are encouraged to apply.

You may obtain additional information and necessary application forms by contacting the nearest FBI Office's Applicant Coordinator, or writing to the Personnel Resources Unit, Federal Bureau of Investigation, J. Edgar Hoover Building, 10th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20535.

Bureau of Prisons - Federal Prison Industries

The Bureau of Prisons oversees the operation of the Federal Prison System, consisting of 46 correctional institutions, as well as Federal Prison Industries, a self-sustaining government corporation which provides work experience and industrial learning opportunities for the federal inmate population. The National Institute of Corrections, which is authorized to carry out a program of technical assistance and training for state and local correctional personnel and others who work with offenders, also operates under the auspices of the Bureau of Prisons. There are a total of 23 attorneys in the Bureau of Prisons, six of whom are located in the Office of General Counsel, in Washington, D. C. The remaining attorneys are employed in the Bureau's regional field offices at the following locations: Dallas, Texas; Atlanta, Georgia; Kansas City, Missouri; Philadelphia, Pennsylvania; and Belmont, California.

The Office of General Counsel provides legal assistance and advice to the Director and to other management staff, including wardens. One of the chief functions of the Office is to provide in-house appellate review for inmate complaints filed under the Bureau's administrative remedy procedures. This procedure has led to a reduction in the number of law suits filed in federal courts by federal inmates.

The Office of General Counsel also handles requests for prisoners' records under the Freedom of Information and Privacy Acts, processes tort and other administrative claims, provides litigation assistance to U.S. Attorneys, supervises the publication of rules, advises on federal sentence computation and interpretation, supervises the processing of the Bureau's discrimination complaints, and provides legislative assistance on federal prison matters.

Drug Enforcement Administration

The Drug Enforcement Administration (DEA) is the primary narcotics enforcement agency for the United States, as well as one of the largest regulatory bodies in the federal government, regulating the entire controlled substances industry. The DEA Office of Chief Counsel, located in Washington, D.C., employs 20 attorneys.

General Legal Counsel

The Office processes all tort claims up to \$2,500 against DEA; assists in defense of civil actions against the agency and/or its employees; reviews all property seizures for probable cause and rules on petitions for remission or mitigation of forfeiture under \$100,000; represents management in formal and informal Merit Systems Protection Board proceedings involving DEA employees; reviews all contracts; handles legislative matters; provides other legal counsel on administrative and management matters; and provides specialized training on current legal issues.

Office of Administrative Law Judge

Separate and apart from DEA's Office of Chief Counsel is its Office of Administrative Law Judge, which conducts the agency's administrative hearings under the Administrative Procedure Act. The judge has an attorney/law clerk who does legal research and assists in the drafting of opinions, orders and memoranda for the judge. Many of the cases present complex issues involving competition and technical scientific questions. The attorney/law clerk is frequently required to travel throughout the country. The attorney/law clerk normally serves for one year.

Office of Justice Programs

The Office of Justice Programs (OJP) was established by the Justice Assistance Act of 1984, which was a part of the Comprehensive Crime Control Act signed by the President on October 12, 1984. The Justice Assistance Act restructured the criminal justice research and statistics units of the Department of Justice and established a new program of

Regulatory and Compliance Operations

The Office of Chief Counsel represents DEA in all administrative hearings relating to drug control, quotas, and the denial or revocation of registrations. This Office is responsible for legal training of state and federal personnel with respect to the investigation of drug diversion cases, drafts amendments to the Code of Federal Regulations and furnishes legal counsel necessary for the effective administration and enforcement of the regulatory features of the Controlled Substances Act.

Criminal Matters

The Office advises on case decisions and statutes, assists U.S. Attorneys in the interpretation of drug control laws and regulations, assists foreign prosecutors in securing evidence and documentation in the United States for prosecution of offenders in foreign countries; and provides legal review of operations required by Department and internal DEA procedures.

State Assistance

The Office of Chief Counsel provides legal assistance to DEA task forces in such areas as preparation of agreements, advising on tort liability, and assisting state legislative committees in the preparation of more effective drug control laws and regulations.

International Affairs

The Office of Chief Counsel prepares proposed bilateral and multilateral agreements; maintains liaison with the State Department and the Criminal Division regarding extradition treaties and letters rogatory; assists foreign governments in the preparation of drug related laws; and drafts laws, regulations and guidelines necessary to implement United States obligations.

financial and technical assistance to state and local governments.

The Office of Justice Programs, headed by an Assistant Attorney General, coordinates the activities of and provides staff support for the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and

Delinquency Prevention, and a newly created Bureau of Justice Assistance. In addition, it is responsible for maintaining a liaison with the executive and judicial branches of federal and state governments in matters related to criminal justice.

Within OJP is the Office for Victims of Crime which is responsible for implementing the recommendations of the President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence, and administering the Crime Victims Fund and the Federal Crime Victim Assistance Program under the Victims of Crime Act of 1984. The Office provides leadership to states and localities through the award of grants and contracts designed ultimately to balance the system of justice by recognizing that victims are an integral part of the criminal justice process who must be afforded the fairness, respect, and courtesy that they deserve.

In this regard, the Office is developing model legislation for states and training programs for judicial and law enforce-

ment personnel to improve the criminal justice system's response to victim needs. The Office also operates the National Victims Resource Center, a clearinghouse for victim-related information. In addition, the Office's Family Violence Section focuses on developing programs and increasing awareness concerning the victims of spouse abuse, child abuse, and child molestation.

The OJP Office of General Counsel, with a staff of eight attorneys, provides legal advice to the agencies authorized by the Justice Assistance Act, the Victims of Crime Act of 1974, and the Juvenile Justice and Delinquency Prevention Act, as amended. The Office represents these agencies in administrative hearings, Merit System Protection Board hearings, civil rights compliance appeals, and grievance arbitrations. The Office advises on legal questions arising under grants, contracts, and the statutes and regulations governing the expenditure of federal grant or contract funds. The Office also is responsible for drafting agency regulations and reviewing audit findings.

Bureau of Justice Assistance

The Bureau of Justice Assistance (BJA), established by the Justice Assistance Act of 1984, administers block grant and discretionary grant programs to assist state and local criminal justice agencies. BJA awards block funds to the states and territories, which in turn subgrant the funds to state and local units of government to assist them in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system. In 1985, over half of BJA's block grant funds were used for crime prevention, improving and speeding up the prosecution of offenders, and prison and jail overcrowding projects.

BJA discretionary funds are intended to provide a means of testing state of the art knowledge about criminal justice practices in a variety of sites. Discretionary funds in 1985 were awarded in three areas: effective prosecution of child sexual abuse cases, law enforcement crime prevention, and family violence intervention. Regulations governing the BJA financial assistance programs are published annually in the *Federal Register*.

BJA also administers or provides funding for the following national scope projects:

- The Public Safety Officers' Benefit Program, which provides a \$50,000 lump sum, tax free benefit to the survivors of all federal, state and local public safety officers killed in the line of duty.
- The Emergency Federal Law Enforcement Assistance Program, which provides assistance to state and local jurisdictions with special crime problems.

- The State Court Systems Management and Improvement Program, intended to assist the states in improving court activity.
- The Incarcerated Mariel-Cubans Program, which reimburses the states for their expenses in incarcerating Mariel-Cubans in state facilities.
- The Federal Surplus Property Transfer Program, which expedites the process of transferring surplus federal property to the state and local governments for correctional purposes.
- The National Crime Prevention Council, which maintains the McGruff "Take a Bite Out of Crime" campaign and provides resources and technical assistance to state and local governments for proven programs to prevent neighborhood crimes.
- The Regional Information Sharing System, which enhances the ability of state and local criminal justice agencies to identify, target, investigate, and prosecute multi-jurisdictional organized crime, drug trafficking, and white collar crime.
- The Prison Industry Enhancement Certification Program, which exempts non-federal prison industry projects from the limitations on the interstate sale of prison made goods.
- The Law Enforcement Accreditation Program, which accredits law enforcement agencies that have met the standards developed by the Commission on the Accreditation for Law Enforcement Agencies.

Bureau of Justice Statistics

The Bureau of Justice Statistics (BJS) is authorized to perform the following functions:

- Collect, analyze, publish, and disseminate statistical information on crime, victims of crime, criminal offenders, and the operation of justice at all levels of government.
- Provide financial and technical support to state statistical and operating agencies.
- Analyze national information policy on such issues as the privacy, confidentiality and security of criminal

justice data and the interstate exchange of criminal records.

In the six years since its creation, BJS has developed a program that responds to the diverse requirements of the 1979 Justice System Improvement Act and the 1984 Justice Assistance Act. These Acts addressed more than half a century of recommendations calling for an independent and objective national center to provide basic information on crime to the President, the Congress, the judiciary, state and local governments, the general public and the media.

National Institute of Justice

The National Institute of Justice (NIJ) is the principal federal agency for research, development, evaluation and dissemination of new knowledge to improve and strengthen the criminal justice system, and related civil justice aspects. Priority is given to policy-relevant research that can yield approaches and information state and local agencies can use to prevent and reduce crime and improve the administration of justice.

Institute research has helped to guide policymaking by police, prosecutors, judges and corrections officials in such areas as criminal arrest and evidence, pretrial release, sentencing, probation, and incarceration and public safety.

A study of the exclusionary rule documented the impact of the rule on criminal cases, showing that some 4,000 cases in California, most of them drug cases, were not prosecuted because of search and seizure issues. Nearly half the defendants released in these cases were rearrested.

Research on dangerousness is also underway, assessing the experience of jurisdictions where dangerousness is a criteria in pretrial decision-making. An ongoing experiment in the

courts of two major cities is testing arrestees for drug use and this information is being made available to judges to guide bail and sentencing decisions.

Selective incapacitation—ensuring that the most serious offenders are incarcerated—is a concept developed through NIJ research. Work is continuing on improving the ability to classify offenders according to the risk they pose to public safety.

The results of these and other important studies are made available to criminal justice practitioners and policymakers in a variety of forms—succinct *Research in Briefs*, manuals, training, fellowships and special seminars. The National Institute of Justice also maintains an international clearinghouse for justice-related research and information—the National Criminal Justice Reference Service. Using its database of 75,000 books, reports, articles, and audio visuals, the Institute's Reference Service is ready to answer questions from federal, state and local justice professionals and policymakers.

Office of Juvenile Justice and Delinquency Prevention

The Justice Assistance Act of 1984 reauthorizes through fiscal year 1988 the Office of Juvenile Justice and Delinquency Prevention (OJJDP), which was established by the Juvenile Justice and Delinquency Prevention Act of 1974. The fundamental structure of this program is:

- Coordination of federal efforts relating to juvenile justice and delinquency prevention.
- Administering a state formula grant program and a special emphasis discretionary grant program.
- Providing information, research, demonstration,

evaluation, and training programs and services through the National Institute for Juvenile Justice and Delinquency Prevention.

The Act also creates a new Missing Children's Assistance Program to coordinate and assist in the federal response to the interstate problem of missing children.

The Federal Coordinating Council, chaired by the Attorney General, is responsible for coordinating and providing policy direction for all federal juvenile delinquency-related programs.

Community Relations Service

The Community Relations Service (CRS) has the responsibility for assisting communities in resolving disputes relating to allegations of race, color, or national origin discrimination, and for resettling Cuban and Haitian entrants. Mediation and conciliation services are provided to assist communications in resolving disputes, and grants are provided to agencies and organizations for resettling Cuban and Haitian entrants.

Disputes handled fall into three categories:

- *Administration of justice*, which includes disputes involving police departments, correction facilities, and pretrial and sentencing mechanisms.
- *Education*, which includes disputes involving school security, school discipline, curriculum offerings, and resource allocations.
- *General community relations*, which includes disputes involving housing, Ku Klux Klan and other hate group activity, Indian treaty rights, and refugee resettlement.

The conciliation and mediation services provided by CRS serve as an alternative to litigation, and as a means of resolv-

ing racial conflicts without violence and economic loss. Conciliation is the act of alleviating tension by opening up communications among disputing groups or taking other steps informally to help work out an agreement. Mediation is a more formal process, similar to that used in labor disputes. Here, a CRS mediator brings the disputants face-to-face to consider grievances raised and to reach written agreements.

CRS also makes its services available to the judiciary. Federal district courts refer cases to CRS dealing with housing, allegations of excessive use of force by police, multi-district school desegregation, and bilingual education programs.

CRS operates out of 10 regional offices in the cities of Boston, New York, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco, and Seattle, with headquarters in Chevy Chase, Maryland.

The Community Relations Service has a General Counsel, however, there are no staff attorney positions.

International Criminal Police Organization - United States National Central Bureau

The INTERPOL - United States National Central Bureau (INTERPOL-USNCB) facilitates international law enforcement cooperation as the United States' representative to the International Criminal Police Organization (INTERPOL), an intergovernmental organization of 138 member countries. The INTERPOL-USNCB addresses the problem of international criminal activity and the movement of international criminals, both individuals and members of organized groups, who have committed criminal acts that transcend international borders, affecting law enforcement capabilities within the United States, and in the 137 other member countries. The functions of the INTERPOL-USNCB include

coordinating information for international investigations and providing efficient communications between the United States domestic law enforcement agencies at the federal, state and local levels, and the National Central Bureaus of other member countries. Use of the facilities of the INTERPOL-USNCB by the approximately 20,000 eligible state and local law enforcement agencies is essentially the only medium that state and local police have for securing the assistance of a foreign police force.

The INTERPOL-USNCB has a General Counsel, however, there are no staff attorney positions.

United States Parole Commission

The United States Parole Commission, established by the Parole Commission and Reorganization Act of 1976, is an independent agency in the Department of Justice created to carry out a national parole policy.

The Commission is authorized to:

- Grant or deny an application or recommendation to parole any eligible prisoner.
- Impose reasonable conditions on an order granting parole.
- Modify or revoke an order paroling any eligible prisoner.
- Request probation officers and other individuals, organizations, and public or private agencies to perform such duties with respect to any parolee as the Commission deems necessary for maintaining proper supervision of and assistance to such parolees, to assure that no probation officers, individuals, organizations, or agencies have excessive caseloads.

Under the Landrum-Griffin Labor Act and the Employees Retirement Income Security Act of 1974, the Commission is responsible for special hearings and decisions about employment restrictions applicable to individual ex-offenders.

The Commission is directed by nine commissioners appointed by the President with the advice and consent of the Senate. Terms are for six years. The commissioners form a policy and rule-making body that holds formal meetings at least quarterly. The Chairman of the Commission is designated by the President from among the commissioners. The Chairman designates three commissioners to serve on the National Appeals Board in Washington, D.C., and designates five commissioners to serve as the regional commissioners in the regional offices located in Philadelphia, Atlanta, Dallas, San Francisco, and Kansas City.

The Commission maintains an Office of General Counsel in Washington, D.C., with a staff of seven attorneys, to give legal assistance and advice to the Commission.

Foreign Claims Settlement Commission

The Foreign Claims Settlement Commission, employing a staff of four attorneys, is a quasi-judicial agency which determines claims of United States nationals for loss of property in specific foreign countries.

These losses occurred either as a result of nationalization of property by foreign governments or from damage and loss of property as a result of military operations during World

War II. In addition, the Commission determines claims of United States military and civilian personnel who have been held in a captured status during World War II, and the Korean and Vietnam conflicts.

The Commission also advises other agencies, including the Department of State, and the Congress on matters relating to international claims.

Directory of Field Office Locations Employing Attorneys*

ALABAMA

Birmingham:

U.S. Trustee Field Office

ARIZONA

Phoenix:

Immigration and Naturalization Service,
Western District Office
Office of the Immigration Judge

CALIFORNIA

Belmont:

Bureau of Prisons Regional Office

El Centro:

Office of the Immigration Judge

Los Angeles:

Criminal Division Strike Force
Immigration and Naturalization Service,
Western District Office
Office of the Immigration Judge
U.S. Trustee Field Office

Sacramento:

Immigration and Naturalization Service,
Western District Office

San Diego:

Immigration and Naturalization Service,
Western District Office
Office of the Immigration Judge

San Francisco:

Antitrust Division Field Office
Civil Division Field Office
Criminal Division Strike Force
Immigration and Naturalization Service,
Western District Office
Office of the Immigration Judge

San Pedro:

Immigration and Naturalization Service,
Regional Counsel Office - Western Region

Santa Ana:

U.S. Trustee Branch Office

COLORADO

Denver:

Immigration and Naturalization Service,
Northern District Office
Office of the Immigration Judge
U.S. Trustee Field Office

CONNECTICUT

New Haven:

Criminal Division Field Office

FLORIDA

Ft. Lauderdale:

Criminal Division Field Office

Miami:

Criminal Division Field Office
Criminal Division Strike Force
Immigration and Naturalization Service,
Southern District Office
Office of the Immigration Judge

Tampa:

Criminal Division Field Office

GEORGIA

Atlanta:

Antitrust Division Field Office
Bureau of Prisons Regional Office
Criminal Division Field Office
Immigration and Naturalization Service,
Southern District Office
Office of the Immigration Judge

HAWAII

Honolulu:

Criminal Division Field Office
Immigration and Naturalization Service,
Western District Office

ILLINOIS

Chicago:

Antitrust Division Field Office
Criminal Division Strike Force
Immigration and Naturalization Service,
Northern District Office
Office of the Immigration Judge
U.S. Trustee Field Office

KANSAS

Wichita:

U.S. Trustee Branch Office

LOUISIANA

New Orleans:

Criminal Division Strike Force
Immigration and Naturalization Service,
Southern District Office

MAINE

Portland:

U.S. Trustee Branch Office

MARYLAND

Baltimore:

Immigration and Naturalization Service,
Eastern District Office
Office of the Immigration Judge

*This directory excludes U.S. Attorneys' Offices which are listed separately.

MASSACHUSETTS**Boston:**

Criminal Division Strike Force
 Immigration and Naturalization Service,
 Eastern District Office
 Office of the Immigration Judge
 U.S. Trustee Field Office

Worcester:

U.S. Trustee Branch Office

MICHIGAN**Detroit:**

Criminal Division Strike Force
 Immigration and Naturalization Service,
 Northern District Office

MINNESOTA**Minneapolis:**

U.S. Trustee Field Office

St. Paul:

Immigration and Naturalization Service,
 Northern District Office

Twin Cities:

Immigration and Naturalization Service,
 Regional Counsel Office - Northern Region

MISSOURI**Kansas City:**

Bureau of Prisons Regional Office
 Criminal Division Strike Force
 Immigration and Naturalization Service,
 Northern District Office

NEVADA**Las Vegas:**

Criminal Division Strike Force

NEW JERSEY**Camden:**

Criminal Division Field Office
 U.S. Trustee Branch Office

Newark:

Criminal Division Strike Force
 Immigration and Naturalization Service,
 Eastern District Office
 Office of the Immigration Judge
 U.S. Trustee Field Office

NEW YORK**Brooklyn:**

Criminal Division Strike Force

Buffalo:

Criminal Division Strike Force
 Immigration and Naturalization Service,
 Eastern District Office
 Office of the Immigration Judge

New York:

Antitrust Division Field Office
 Civil Division Field Office
 Immigration and Naturalization Service,
 Eastern District Office
 Office of the Immigration Judge
 U.S. Trustee Field Office

Rochester:

Criminal Division Field Office

Syracuse:

Criminal Division Field Office

OHIO**Cleveland:**

Antitrust Division Field Office
 Criminal Division Strike Force
 Immigration and Naturalization Service,
 Northern District Office

OREGON**Portland:**

Civil Division Field Office
 Immigration and Naturalization Service,
 Northern District Office

PENNSYLVANIA**Philadelphia:**

Antitrust Division Field Office
 Bureau of Prisons Regional Office
 Criminal Division Strike Force
 Immigration and Naturalization Service,
 Eastern District Office

PUERTO RICO**San Juan:**

Criminal Division Field Office
 Immigration and Naturalization Service,
 Eastern District Office

RHODE ISLAND**Providence:**

Criminal Division Field Office

TEXAS**Dallas:**

Antitrust Division Field Office
 Bureau of Prisons Regional Office
 Immigration and Naturalization Service,
 Regional Counsel Office - Southern Region
 Office of the Immigration Judge
 Tax Division Field Office
 U.S. Trustee Field Office

El Paso:

Immigration and Naturalization Service,
 Southern District Office
 Office of the Immigration Judge

Harlingen:

Immigration and Naturalization Service,
Southern District Office
Office of the Immigration Judge

Houston:

Criminal Division Field Office
Immigration and Naturalization Service,
Southern District Office
Office of the Immigration Judge

San Antonio:

Immigration and Naturalization Service,
Southern District Office
Office of the Immigration Judge

VERMONT**Burlington:**

Immigration and Naturalization Service,
Regional Counsel Office - Eastern Region

VIRGINIA**Alexandria:**

U.S. Trustee Field Office

Falls Church:

Executive Office for Immigration Review

McLean:

U.S. Marshals Service

Norfolk:

U.S. Trustee Branch Office

WASHINGTON**Seattle:**

Immigration and Naturalization Service,
Northern District Office
Office of the Immigration Judge

WISCONSIN**Milwaukee:**

Criminal Division Field Office

Addresses of United States Attorneys' Offices

ALABAMA

Northern District

200 Federal Bldg., 1800 5th Ave. N.
Birmingham 35203

Middle District

P.O. Box 197
Montgomery 36101

Southern District

P.O. Drawer E
Mobile 36601

ALASKA

C-252 Federal Bldg. & U.S. Courthouse
Mail Box 9, 701 C St.
Anchorage 99513

ARIZONA

4000 U.S. Courthouse
230 N. First Ave.
Phoenix 85025

ARKANSAS

Eastern District

P.O. Box 1229
Little Rock 72203

Western District

P.O. Box 1524
Fort Smith 72901

CALIFORNIA

Northern District

450 Golden Gate Ave.
San Francisco 94102

Eastern District

3305 Federal Bldg.
650 Capitol Mall
Sacramento 95814

Central District

312 N. Spring St.
Los Angeles 90012

Southern District

5-N-19 U.S. Courthouse
940 Front St.
San Diego 92189

COLORADO

Suite 1200, Federal Bldg.
Drawer 3615
1961 Stout St.
Denver 80294

CONNECTICUT

P.O. Box 1824
New Haven 06508

DELAWARE

5001 New Federal Bldg.
844 King St.
Wilmington 19801

DISTRICT OF COLUMBIA

U.S. Courthouse, Room 2800
3rd & Constitution Ave., N.W.
Washington, D.C. 20001

FLORIDA

Northern District

227 N. Bronough St.
Suite 4014
Tallahassee 32301

Middle District

410 Robert Timberlake Bldg.
500 Zack St.
Tampa 33602

Southern District

155 South Miami Ave.
Miami 33130

GEORGIA

Northern District

1800 Richard Russell Bldg.
75 Spring St., S.W.
Atlanta 30335

Middle District

P.O. Box U
Macon 31202

Southern District

P.O. Box 8999
Savannah 31412

GUAM

Suite 502-A, PDN Bldg.
238 O'Hara St.
Agana 96910

HAWAII

Box 50183, Room C-242
PJKK Federal Bldg.
300 Ala Moana Blvd.
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IDAHO

693 Federal Bldg., Box 037
550 W. Fort St.
Boise 83724

ILLINOIS

Northern District

1500 South Everett McKinley Dirksen Bldg.
Room 1500, 219 S. Dearborn St.
Chicago 60604

Central District

P.O. Box 375
Springfield 62705

Southern District

750 Missouri Ave.
Room 330
East St. Louis 62201

INDIANA

Northern District
312 Federal Bldg.
507 State St.
Hammond 46320
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274 U.S. Courthouse
46 East Ohio St.
Indianapolis 46204

IOWA

Northern District
P.O. Box 4710
Cedar Rapids 52407
Southern District
115 U.S. Courthouse
East 1st & Walnut Sts.
Des Moines 50309

KANSAS

444 Quincy St.
Topeka 66683

KENTUCKY

Eastern District
P.O. Box 1490
Lexington 40591
Western District
211 USPO & Courthouse Bldg.
601 W. Broadway
Louisville 40202

LOUISIANA

Eastern District
Hale Boggs Federal Bldg.
500 Camp St.
New Orleans 70130
Middle District
352 Florida St.
Baton Rouge 70801
Western District
Room 3B12, Federal Bldg.
Shreveport 71101

MAINE

P.O. Box 1588
Portland 04104

MARYLAND

8th Floor, U.S. Courthouse
101 W. Lombard St.
Baltimore 21201

MASSACHUSETTS

1107 John W. McCormack Federal Bldg.
USPO & Courthouse
Boston 02109

MICHIGAN

Eastern District
817 Federal Bldg.
231 W. Lafayette
Detroit 48226

Western District
399 Federal Bldg.
Grand Rapids 49503

MINNESOTA

234 U.S. Courthouse
110 South 4th St.
Minneapolis 55401

MISSISSIPPI

Northern District
P.O. Drawer 886
Oxford 38655
Southern District
P.O. Box 2091
Jackson 39205

MISSOURI

Eastern District
414 U.S. Court & Custom Home
1114 Market St.
St. Louis 63101
Western District
549 U.S. Courthouse
811 Grand Ave.
Kansas City 64106

MONTANA

P.O. Box 1478
Billings 59103

NEBRASKA

P.O. Box 1228, DTS
Omaha 68101

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Box 16030
Las Vegas 89101

NEW HAMPSHIRE

55 Pleasant St., Fourth Floor
James Cleveland Federal Bldg. & Crth.
Concord 03301

NEW JERSEY

502 Federal Bldg.
970 Broad St.
Newark 07102

NEW MEXICO

P.O. Box 607
Albuquerque 87103

NEW YORK

Northern District
369 Federal Bldg.
100 South Clinton St.
Syracuse 13260
Eastern District
U.S. Courthouse
225 Cadman Plaza East
Brooklyn 11201
Southern District
One St. Andrews Plaza
New York 10007

Western District

502 U.S. Courthouse
Court & Franklin Sts.
Buffalo 14202

NORTH CAROLINA

Eastern District

P.O. Box 26897
Raleigh 27611

Middle District

P.O. Box 1858
Greensboro 27402

Western District

P.O. Box 132
Asheville 28802

NORTH DAKOTA

P.O. Box 2505
Fargo 58108

NORTH MARIANA ISLANDS

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Agana, Guam 96910

OHIO

Northern District

Suite 500
1404 East Ninth St.
Cleveland 44114

Southern District

220 USPO & Courthouse
5th & Walnut Sts.
Cincinnati 45202

OKLAHOMA

Northern District

3600 U.S. Courthouse
333 W. Fourth St.
Tulsa 74103

Eastern District

333 Federal Courthouse & Office Bldg.
Fifth & Okmulgee
Muskogee 74401

Western District

4434 U.S. Courthouse & Federal Office Bldg.
Oklahoma City 73102

OREGON

312 U.S. Courthouse
620 S.W. Main St.
Portland 97205

PENNSYLVANIA

Eastern District

3310 U.S. Courthouse
Independence Mall West
601 Market St.

Philadelphia 19106

Middle District

P.O. Box 309
Scranton 18501

Western District

633 USPO & Courthouse
7th Ave. & Grant St.
Pittsburgh 15219

PUERTO RICO

101 Federal Bldg.
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Hato Rey 00918

RHODE ISLAND

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SOUTH CAROLINA

P.O. Box 2266
Columbia 29202

SOUTH DAKOTA

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Sioux Falls 57101

TENNESSEE

Eastern District

P.O. Box 872
Knoxville 37901

Middle District

879 U.S. Courthouse
801 Broadway
Nashville 37203

Western District

1026 Federal Office Bldg.
167 N. Main St.
Memphis 38103

TEXAS

Northern District

310 U.S. Courthouse
10th & Lamar Sts.
Ft. Worth 76102

Southern District

P.O. Box 61129
Houston 77208

Eastern District

700 North Street
Suite 102
Beaumont 77701

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John H. Wood, Jr., Federal Bldg.
655 E. Durango Blvd.
San Antonio 78206

UTAH

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Salt Lake City 84145

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Burlington 05402

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2nd Floor
701 Prince St.
Alexandria 22314

Western District
P.O. Box 1709
Roanoke 24008

WASHINGTON

Eastern District
P.O. Box 1494
Spokane 99210

Western District
3600 Seafirst 5th Ave. Plaza
800 5th Ave.
Seattle 98104

WEST VIRGINIA

Northern District
P.O. Box 591
Wheeling 26003
Southern District
P.O. Box 3234
Charleston 25332

WISCONSIN

Eastern District
330 Federal Bldg.
517 E. Wisconsin Ave.
Milwaukee 53202
Western District
120 North Henry St.
Room 420
Madison 53703

WYOMING

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Cheyenne 82003