

United States Department of Justice Legal Services

Department
of Justice
Legal Services
Division

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United States Department of Justice Legal Activities

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

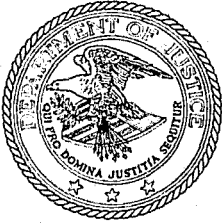
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“The ability of this or any administration to succeed depends in no small degree upon the energy, the dedication, and the spirit of our Nation’s civil servants . . . America is passing into a new era, reversing a long trend of government expansion. 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.”

. 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.

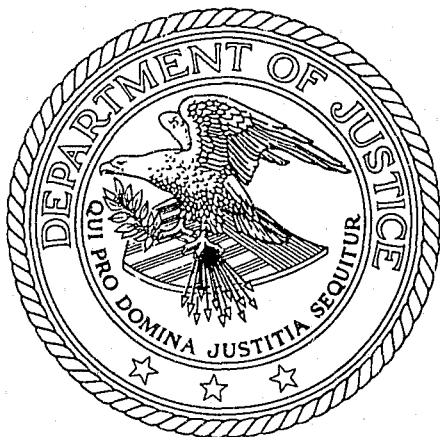
The breadth of experience and responsibility given Department attorneys is unequalled. I am also convinced that we must continue to recruit and hire the finest attorneys we can, because there is no organization whose legal work is of more importance to the country. I strongly encourage all attorneys 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 levels, and work locations of its employees. But more than ever before, Justice is one department with 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: 63,000

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 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
Office of Intelligence Policy and Review
Office of Justice Programs
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. (Department policy regarding attorney employment eligibility and application procedures may be subject to change from time to time. If you have specific inquiries, please contact the Office of Attorney Personnel Management at the address or telephone number indicated below.) 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 Applicant Coordinator of the nearest FBI field office, the telephone number of which is found in most directories.

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 the 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 Federal Employees' Retirement System (FERS) is in effect for federal employees hired on or after January 1, 1984. The plan includes a basic government pension as well as social security coverage, which are both based on salary and length of service. FERS also features an optional thrift plan that allows employees to contribute up to 10 percent of pay, tax-free until retirement, with the government matching contributions up to 5 percent.

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 may also be approved for male employees who desire to assist in the delivery and/or postpartum 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.

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.

For Promotion To	Minimum Time in Next Lower Grade
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, 6 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 law school graduation. Resumes or applications from experienced attorneys are accepted at any time of the year. 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.) Please note that Department policy regarding attorney employment eligibility and application procedures may be subject to change from time to time. If you have specific inquiries, please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure.

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.

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 1987) is listed below:

Years of Experience	Grade Level
1	GS-11 (\$27,172-35,326)
1 - 2-1/2	GS-12 (\$32,567-42,341)
2-1/2 - 4-1/2	GS-13 (\$38,727-50,346)
4-1/2 - 6-1/2	GS-14 (\$45,763-59,488)
6-1/2 - and above	GS-15 (\$53,830-69,976)

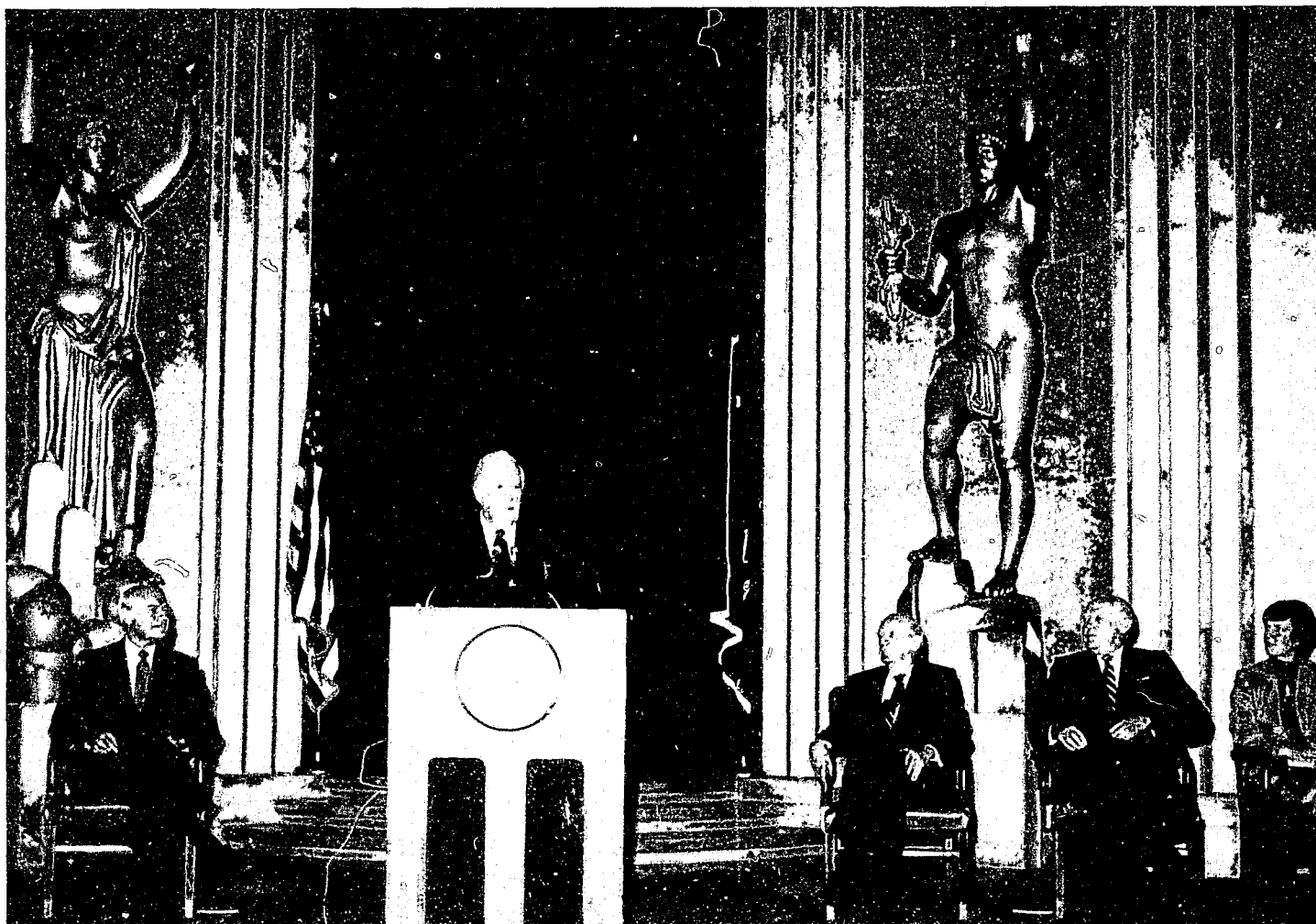
There are 10 steps to each grade level. The range of salaries provided above lists the first and tenth steps of each grade level. These salary levels are expected to remain current through at least December 1987. Please contact the Office

of Attorney Personnel Management at the address or telephone number on page one of this brochure for salary information past that date. Salaries in excess of the applicant's salary at his/her current position must be fully justified.

Honor Program (Including Graduating Law Students, Graduate Law Students and Judicial Law Clerks)

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

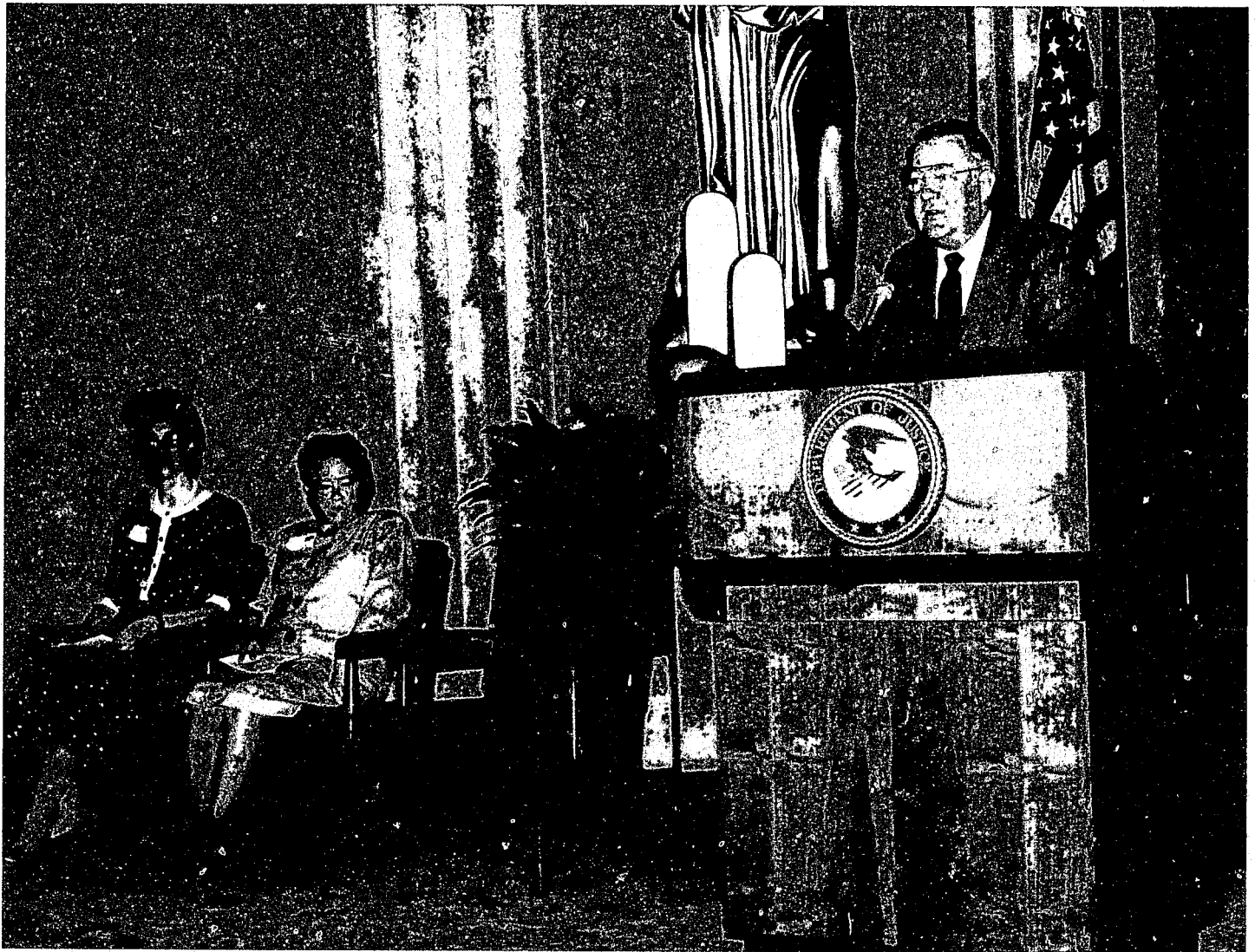


On December 5, 1983, the Department celebrated the thirtieth anniversary of the Attorney General's Honor Program. Pictured (l. to r.): Former Attorney General William French Smith; former Chief Justice of the United States Warren E. Burger; former Attorneys General Herbert Brownell and William P. Rogers;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

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 two persons elected to

the federal legislature - Senator 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 of the District of Columbia hosted a Reception to Honor Senior Women at the Department of Justice, in the Department's Great Hall. Pictured are Attorney General Edwin Meese III addressing the honorees, and Patricia Gillman (left), then-President of the Women's Bar Association of the District of Columbia, and Mary C. Lawton, 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.

Responsibilities

The Department of Justice offers the beginning attorney experience that would be difficult to duplicate anywhere else. Honor Program attorneys typically are entrusted with an extraordinarily high level of responsibility very early in their careers. The opportunity to litigate often arises in the first year of employment. To prepare Honor Program attorneys to be effective litigators, advocacy training is offered through the Department's excellent one-of-a-kind training facility, the Attorney General's Advocacy Institute. Addi-

tionally, many of the Department's litigating components offer further specialized training, both formal and informal.

Because of the important nature of the Department's work, an Honor Program attorney may handle cases of national significance, often on the cutting edge of law. Further, Department attorneys have the privilege of representing the United States in court. The many substantive areas represented by the Department require that duties will vary from organization to organization. However, below are the comments of recent Honor Program attorneys, illustrative of their first-year experiences.



Pictured are the Honor Program attorneys profiled in the Honor Program "Responsibilities" section (left to right), Peter Anderson, Amelia Salzman, Verlin Hughes, Lori Fields (seated), Bart Van de Weghe, Patricia Brennan, Robert Rasmussen, and Michael Wenig (Joan Hartman is not pictured).

Joan Hartman, Civil Division

The Civil Division offers an unparalleled opportunity to develop cases of national importance. During my first year, I have been assigned fraud and conflict of interest cases against major defense contractors. I was a member of a team that tried a conflict of interest case involving several high level employees of the Department of Defense (DOD) and have twice gone to court to enforce subpoenas issued by the DOD Inspector General in other fraud matters. I have argued motions in district court a dozen times and have several upcoming arguments in the circuit courts of appeal. In sum, the Civil Division has provided me with both exciting work and a matchless level of experience and responsibility.

Robert Rasmussen, Civil Division

*I handled a number of interesting cases in my first six months in the Civil Division. For example, I drafted the government's merits brief in the Supreme Court in *COMPLAT v. United States*, which involved a challenge to the Customs Service's regulations that allow "grey market" importation. Nearly \$6 billion in goods come into the country each year under these regulations. I also briefed and argued a food stamp class action in the Second Circuit. The district court's decision in this case, were it left undisturbed, would cost the government an estimated \$70 million. I have found these two cases, along with my other assignments, interesting and challenging. I know from talking to my friends at private law firms that only at the Department of Justice could I have been given such responsibility in my first six months of practice.*

Lori Fields, Civil Division

During my first year as an attorney in the Civil Division, I was personally responsible for defending the constitutionality of the Farm Credit Amendments Act of 1985. That legislation sought to save the Farm Credit System, which is the nation's largest agricultural lender, from bankruptcy by authorizing the reallocation of \$60 million of System resources. During a three week period, I defended the legislation in six different district courts around the country. It was constitutional litigation at its best, involving both interesting issues and courtroom experience.

Michael Wenig, Land and Natural Resources Division

Immediately after being sworn in, I was assigned cases as the sole Justice and lead attorney. After practicing law for a month, I began taking depositions. My first defense of a motion for preliminary injunction, still another major 'rite of passage' at Environmental Defense, came four months after that. In my one and a half years at Justice, I've had four oral arguments on dispositive motions, been in court on numerous other occasions, and written numerous briefs. The extent and variety of experience available to Honor grads at Environmental Defense is limited only by our physical capacity to take on more work. At times I've felt like a kid facing a full candy jar but unable to reach in because my pockets were already filled.

Amelia S. Salzman, Land and Natural Resources Division

In less than two weeks from my arrival at Policy, Legislation and Special Litigation, I was asked to write a memorandum to the Assistant Attorney General on a delicate question involving separation of powers. I later went to the meeting, prepared to listen, and instead found myself asked to make an oral presentation to the Assistant Attorney General, two of his deputies and several section chiefs. Things continued at this rapid pace. In addition to my day-to-day responsibilities of reviewing and commenting on proposed legislation and being involved in policy decisions, I have had a significant amount of litigation experience. I inherited two Clean Water Act enforcement cases, one settled within six months, the other has been somewhat more enduring: after a marathon deposition session (nine in two days), I came within six days of trial when the judge postponed indefinitely, hoping we would settle and after which time the judge granted my motion for partial summary judgment on the issue of liability (the case still has not settled). I also filed a Clean Air Act enforcement action against several defendants which is in the final stages of discovery and I performed two appellate arguments: one before the D.C. Circuit and the other before the Ninth Circuit. It was quite a year.

Patricia C. Brennan, Tax Division

As a trial attorney in the Civil Trial Section, Western Region, I have been assigned to a variety of cases in Alaska, Idaho and Washington state involving issues of bankruptcy law and federal civil procedure as well as substantive tax law. In comparing my experiences with those of my law school classmates in the private sector, it is my observation that the Honor Program presents the following advantages. First, unlike associates in many private law firms, the attorneys here are assigned sole responsibility for their cases, deciding how to handle the case, when and how to conduct discovery, negotiating settlements where appropriate, and traveling to courts in different jurisdictions to represent the government's position at hearings and at trial. Second, trial attorneys here have a wealth of information, both legal and practical, upon which they can draw. This information comes from fellow line attorneys and supervisors throughout the entire Justice Department. It is this combination of autonomy and resources which makes the Honor Program in the Tax Division a unique and invaluable experience for attorneys beginning their legal careers.

Peter D. Anderson, Tax Division

Since entering the Honor Program with the Criminal Section of Tax Division, I have been assigned numerous cases for felony prosecution. I have also worked extensively with the New England President's Organized Crime Drug Enforcement Task Force investigating criminal violations through the grand jury. This involves working with the U.S. Attorneys' Offices, evaluating and recommending criminal tax cases against narcotics traffickers. My litigation activities include a series of recent cases involving constitutional tax protesters in the Judicial District of New Hampshire. Several of the defendants belong to organizations which advance arguments that the Sixteenth Amendment of the United States Constitution was not properly ratified, and thus the income tax laws are unconstitutional. After two of the defendants pleaded guilty to tax evasion charges, this series of cases culminated in the trial and conviction of a tax protester charged with five counts of tax evasion arising from his failure to pay taxes from 1980 to 1984. Having spoken with many of my law school friends engaged in private or corporate practice, I am convinced that few other legal positions offer young attorneys the opportunity to litigate in federal court.

Bart Van de Weghe, Civil Rights Division

The Civil Rights Division offers new attorneys the opportunity to litigate major cases, many of which involve the interests of substantial numbers of individuals, in a variety of areas including employment, criminal law, housing, voting and education. During my first year in the Employment Litigation Section, I was assigned to a major pattern-or-practice case filed against a large employer in the New Orleans area. Within the first few months, I was getting hands-on litigation experience which included responsibility for drafting interrogatories and requests to produce documents, preparing expert and lay witnesses for depositions, and conducting empirical analyses pertaining to a variety of issues in the case. As a member of a three-attorney team with a trial scheduled in two months, I will soon be conducting depositions, preparing exhibits for trial, and

assisting in the preparation of our pre-trial briefs. Finally, with the trial expected to last approximately 10 weeks, I will be responsible for the direct and cross-examination of various witnesses and for the legal and factual development of certain issues in the case. This substantial and varied amount of litigation experience will all have occurred less than one year after joining the section.

Verlin Hughes, Civil Rights Division

Six months into practice, I found myself as sole and lead attorney on several cases, including active litigation against the state of Alabama. This has meant many long hours and a lot of personal anxiety and frustration. But these experiences have given me a sense of confidence that I can meet whatever challenges and accept whatever responsibilities might arise. Where I come from what has happened to me is known as 'being thrown in the water and told to sink or swim.' However, I will always be thankful for the opportunity to prove my abilities to my supervisors and colleagues at the Justice Department, but, most importantly, to myself. It's difficult and it's frustrating, but it's also rewarding beyond any other circumstances I could imagine myself in so soon out of law school.

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. Selection for the Program is not made on the basis of class rank alone. Selection considerations include many factors, such as: 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. Students in their final year of law school who will graduate in the fall or winter prior to the year in which they will be employed, or in the spring or summer of the year in which they will be employed, 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. Persons who will conclude their clerkships during the year in which employment will begin 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 forms.

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 sub-



Deputy Attorney General Arnold I. Burns personally welcomes 1986 Honor Program attorneys at a reception in their honor.

ject 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.

Please note that Department policy regarding attorney employment eligibility and application procedures may be subject to change from time to time. If you have specific inquiries, please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure.

Application Forms

Third-year law students, graduate law students and Judicial Law Clerks (JLCs) must submit the Honor Pro-

gram application. Applications (and instructions) are available at these designated locations as of the end of August each year:

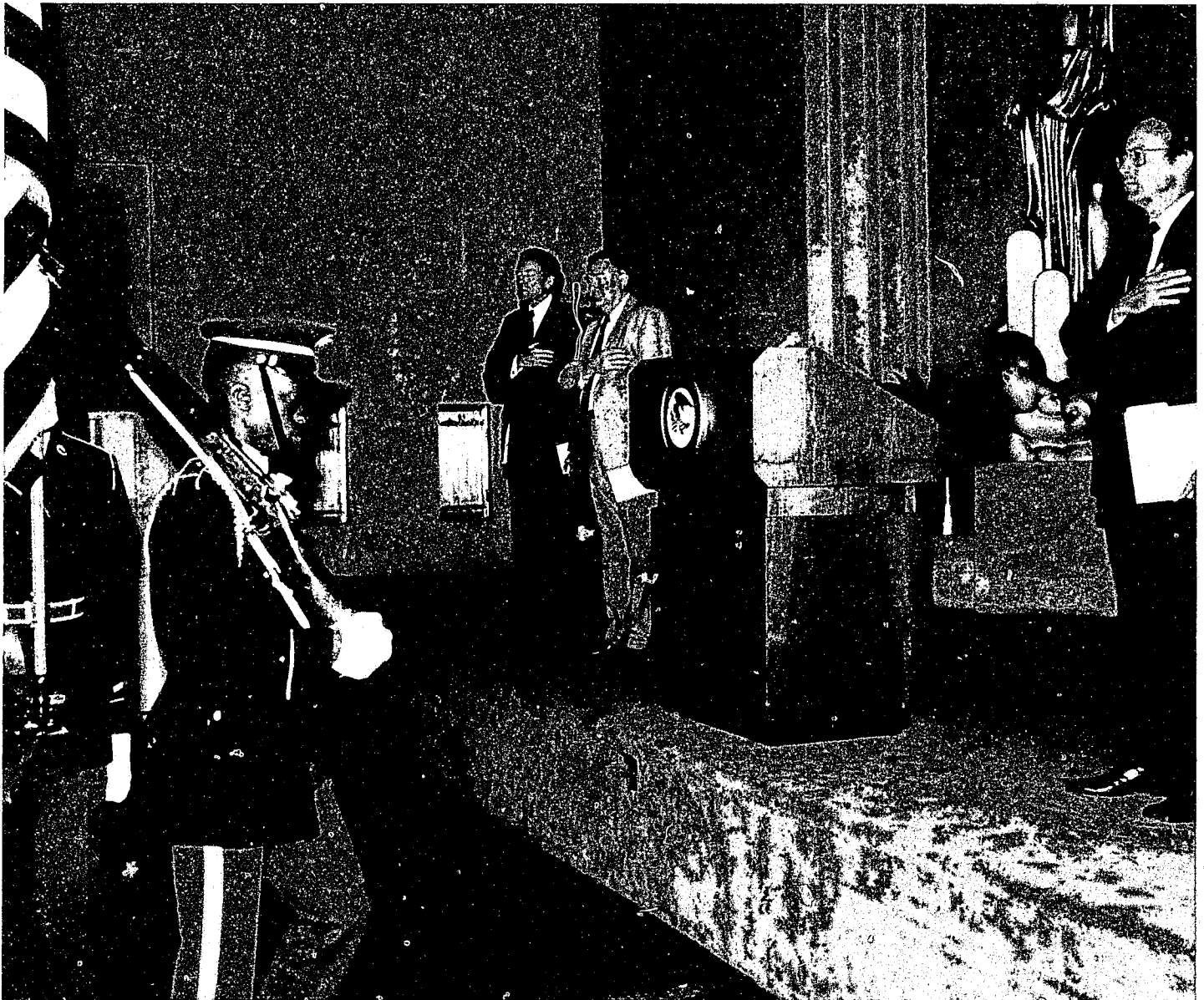
- The applications for third-year students, graduate law students, and JLCs are available at the placement offices of law schools nationwide.
- The applications for federal JLCs are also available in the chambers of all federal judges.
- The applications for state JLCs are also available in the central administrative office for each state court.

Recruitment for the Honor Program is undertaken during the autumn which precedes the year of employment (e.g., during the autumn of 1987 for employment in 1988). The specific September deadline date is indicated on each year's Honor Program application form. 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 (\$27,172 per annum as of January 1987). The beginning salary for a Judicial Law Clerk, or Honor Program attorney with a graduate law degree, is GS-12 (\$32,567 per annum as of January 1987). These salary levels are expected to remain current through at least December 1987. Please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure for salary information past that date.



On May 6, 1986, Senator Orrin G. Hatch (l. to r.), Attorney General Edwin Meese III, and Judge Kenneth W. Starr addressed 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

Each year the Department hires as Summer Law Interns a number of students who have completed their second year of law school. These appointments are assigned a GS-7 level (\$18,358 per annum as of January 1987). Some limited hiring of first year law students is done, with those appointments assigned a GS-5 level (\$14,822 per annum as of January 1987). 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 (\$27,172 per annum as of January 1987), the grade level is at the discretion of the employing organization and may be lower. As stated above, these salary levels are expected to remain current through at least December 1987. Please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure for salary information past that date. The Summer Law Intern Program is highly competitive.

Applications (and instructions) for employment are available at the placement offices of law schools nationwide as of the end of August each year. **Recruitment for the Summer Law Intern Program is undertaken during the autumn which precedes the year of employment (e.g., during the autumn of 1987 for employment in 1988). The specific September deadline date is indicated on each year's Summer Law Intern Program application form. 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.

Please note that Department policy regarding law student employment eligibility and application procedures may be subject to change from time to time. If you have specific inquiries, please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure.

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 law school is at the GS-7 level (\$18,358 per annum as of January 1987). The salary level for a student with less academic completion is at the GS-5 level (\$14,822 per annum as of January 1987). These salary levels are expected to remain current through at least December 1987. Please contact the Office of Attorney Personnel Management at the address or telephone number on page one of this brochure for salary information past that date.

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.

The Part-Time, Work-Study Intern and Volunteer Programs are open to law students who have not yet received



1986 Summer Law Interns (l. to r.) Howard Chang (Harvard University), John Kropf (University of Pittsburgh), and Frances Sheehy (University of Arizona) enjoy a crab feast, one of the interns' get-togethers.

their J.D. degree; graduate law students are not eligible to apply. 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 three copies of the application form, students must send four copies of their current transcript and resume. Writing

samples and Standard Forms 171 should not be sent unless specifically requested.

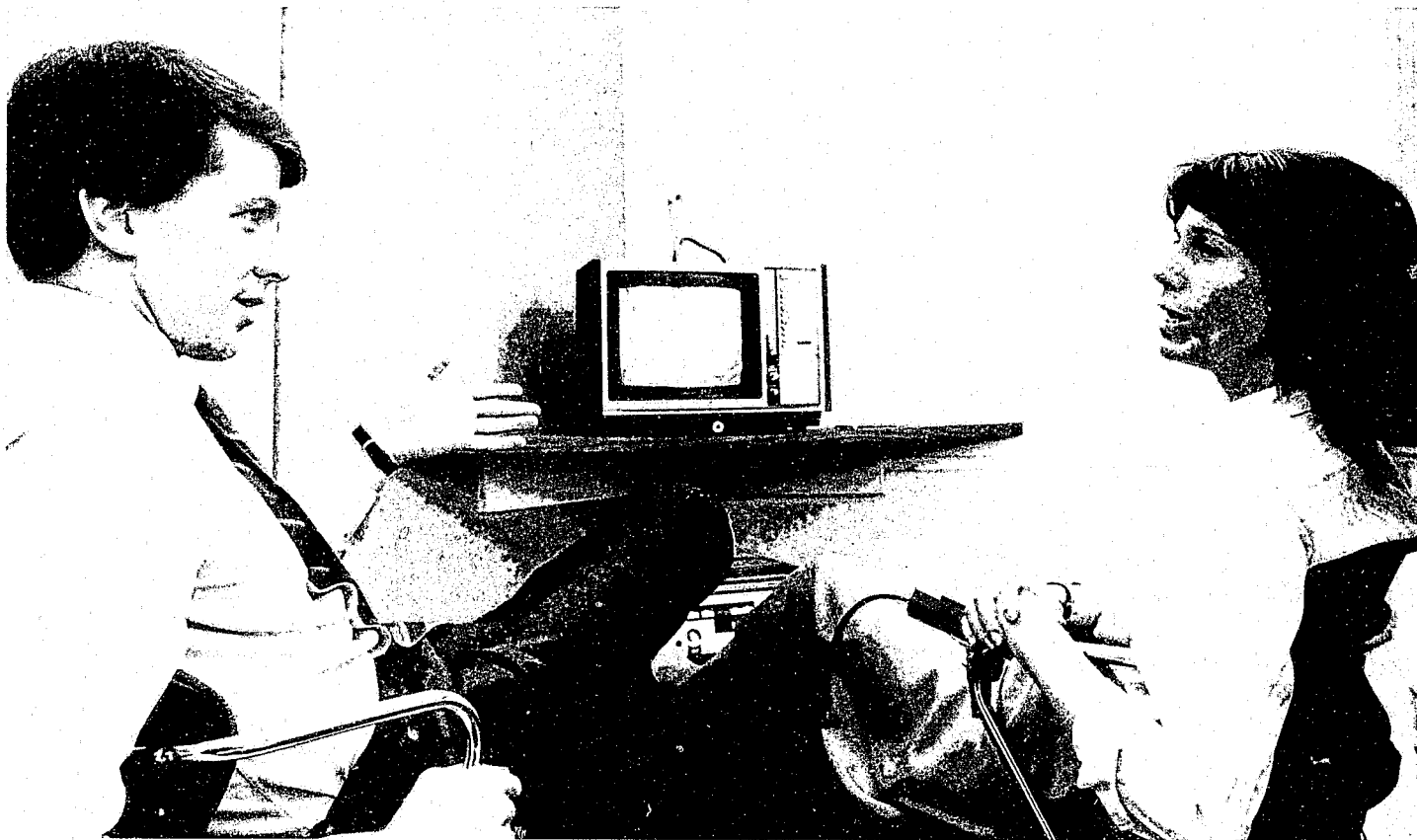
Please refer to the discussion of U.S. Attorneys' Offices in this brochure for information on applying for a Part-Time, Work-Study Intern or Volunteer position in those offices. For all other organizations in the Department, application materials should be sent to the Office of Attorney Personnel Management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

Legal Education Program

Continuing legal education and training are offered to attorneys through the Legal Education Program 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 the Legal Education Program: 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 as well as the Department of Justice. 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 Legal Education Program 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



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

specialists outside the Department, as well as commercial materials. These tapes are available on loan and are in continual use around the country 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, the Legal Education Program 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 topic is done with the participation of 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 pro-

gram, including both graduating law students hired under the Honor Program and experienced attorneys newly hired by the Department.

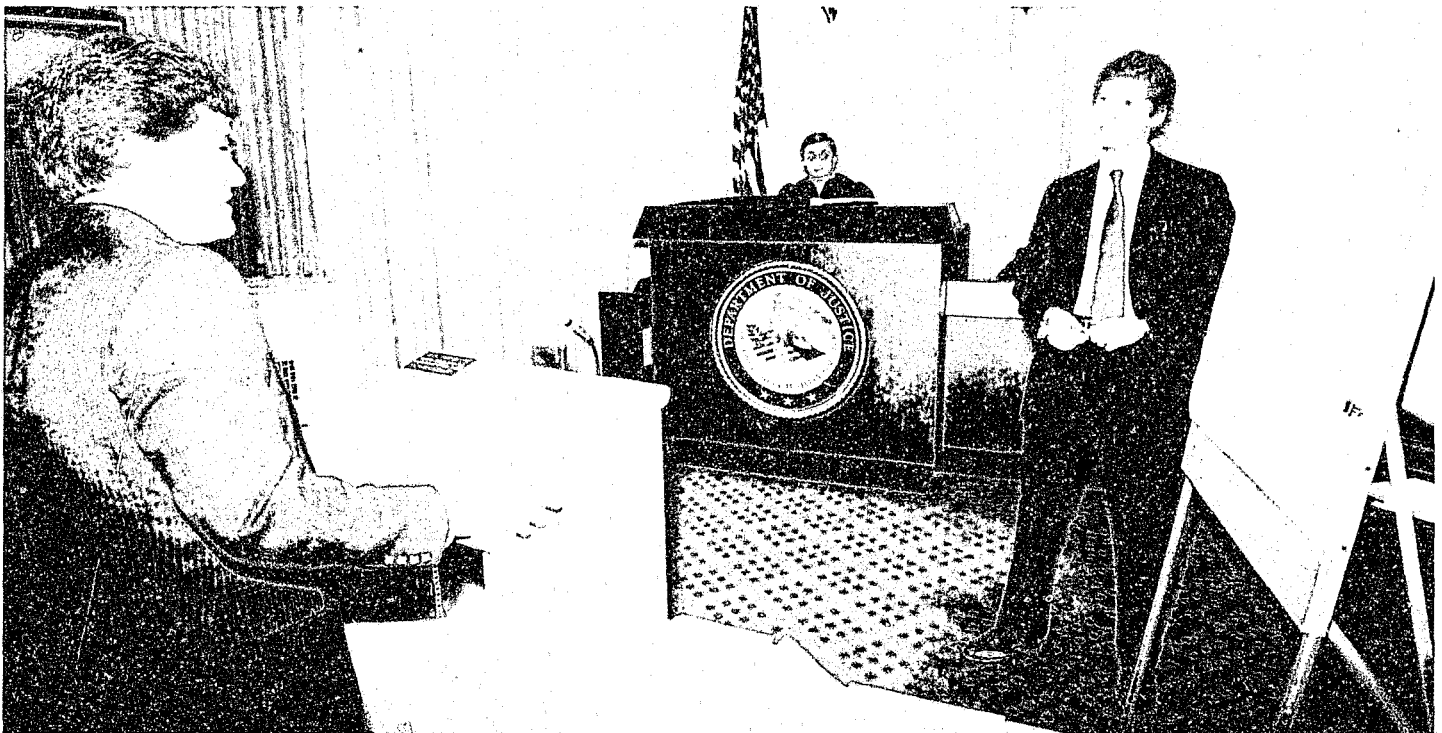
The Advocacy Institute offers six Criminal Trial Advocacy, six Civil Trial Advocacy, and four Appellate Advocacy courses. The case materials used in the courses reflect the Department's varied caseload. Overviews of each course outlined below illustrate the extensive nature of the training given.

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 during which visiting federal judges preside over the students' performances 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.



In a Criminal Trial Advocacy course, Tax Division 1985 Honor Program recruit 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.

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, 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. During the course, each attorney argues three times. 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.

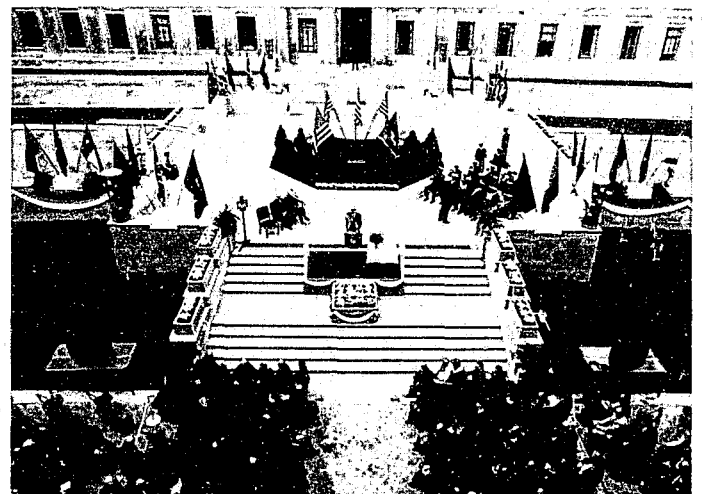
Legal Education Institute

The Legal Education Institute (LEI) courses are offered to attorneys of the executive branch including the Department of Justice. Certain substantive law seminars are also open to Assistant U.S. Attorneys, such as the bankruptcy series. The LEI specializes in substantive law teaching, with skills training in the areas of negotiations, discovery, attorney management, legal writing, basic civil trial, and legal research. Seminars cover the law in a number of different areas including: government contracts, bankruptcy, federal employment law, basic agency civil practice, labor law, fraud in procurement, and the federal regulatory practice. Instructors are senior trial attorneys from the Department of Justice who specialize in civil practice, senior trial counsel from the agencies, and private practitioners specializing in particular aspects of the subject being taught. Course books are prepared to act as complete desk references of the specific law. Specialized seminars are also presented that are meant to enhance the working relationship between the Department and agency attorneys.

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 63,000 persons throughout the world, performs many law enforcement functions in addition to providing legal services to the government. The Department of Justice consists of 17 offices, 7 divisions, 6 bureaus, and 2 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>	<u>Organization</u>	<u>Number of Attorneys</u>
Office of the Attorney General	7	United States Trustees' Offices	135
Office of the Deputy Attorney General	8	Executive Office for United States Attorneys	18
Office of the Associate Attorney General	5	United States Attorneys' Offices	2,654
Office of the Solicitor General	23	United States Marshals Service	7
Office of Intelligence Policy and Review	11	Federal Bureau of Investigation	5 ²
Office of Legal Counsel	20	Bureau of Prisons, Federal Prison Industries	23
Office of Legal Policy	35	Drug Enforcement Administration	22
Office of Legislative Affairs	11	Office of Justice Programs	5
Office of Liaison Services	3	Community Relations Service	1
Office of the Pardon Attorney	4	United States National Central Bureau - INTERPOL	1
Office of Professional Responsibility	6	United States Parole Commission	6
Office of Public Affairs	0	Foreign Claims Settlement Commission	2
Justice Management Division	33	TOTAL	5,268
Antitrust Division	266		
Civil Division	496		
Civil Rights Division	183		
Criminal Division	395		
Land and Natural Resources Division	260		
Tax Division	328		
Immigration and Naturalization Service	186 ¹		
Executive Office for Immigration Review	109		

¹The Immigration and Naturalization Service anticipates hiring approximately an additional 200 attorneys in fiscal year 1988.

²The FBI employs 1,300 attorneys who are classified as "Special Agents," of whom 51 are assigned to the Legal Counsel Division at FBI Headquarters. The FBI only employs five persons as attorneys who are not also Special Agents.

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 Department Resources Board, 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, with emphasis on criminal investigations, prosecutions and those Department organizations having criminal law enforcement responsibilities.



Attorney General Edwin Meese III, flanked on the right by Deputy Attorney General Arnold I. Burns and on the left by Associate Attorney General Stephen S. Trott, conducts a meeting of the National Association of Attorneys General, held on March 9, 1987.



Deputy Attorney General Arnold I. Burns (right) confers with William H. Webster, then-Director, Federal Bureau of Investigation, in the Office of the Attorney General.

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 11 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 represents the Attorney General and the Department in dealings with other governments and with nongovernmental organizations interested in the justice field. At the same time, the Office provides those governments and organizations with a central point of communication with the Department.

Principal points of liaison for the Office include:

- State governors, attorneys general, legislators, and law enforcement directors.
- Local mayors, prosecutors, public safety directors, sheriffs, and chiefs of police.
- Federal, state, and local judicial conferences and judicial administrative bodies.
- Foreign justice and police ministers and their departments; foreign judiciaries.

- The American Bar Association, the National District Attorneys Association, the Federalist Society, and other federal, state, local, and foreign bar organizations.
- The International Association of Chiefs of Police and other societies of the law enforcement professions.
- Law schools and other academic institutions with substantive interests in justice fields.

There are currently three attorneys, including the Director, in the Office, which is the youngest (and still growing) branch of the Department. Attorneys in the Office deal with various questions of federal, state, and foreign law and legislation; articulate the Department's policy views for the benefit of the governments and organizations to which it furnishes liaison for the Attorney General; and prepare assessments of significant external legal developments.

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 reprove.

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 Departmen-

tal 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 Office 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.

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. There are no attorney positions in the Office of Public Affairs.

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.

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.

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 pro-

vides 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, 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.

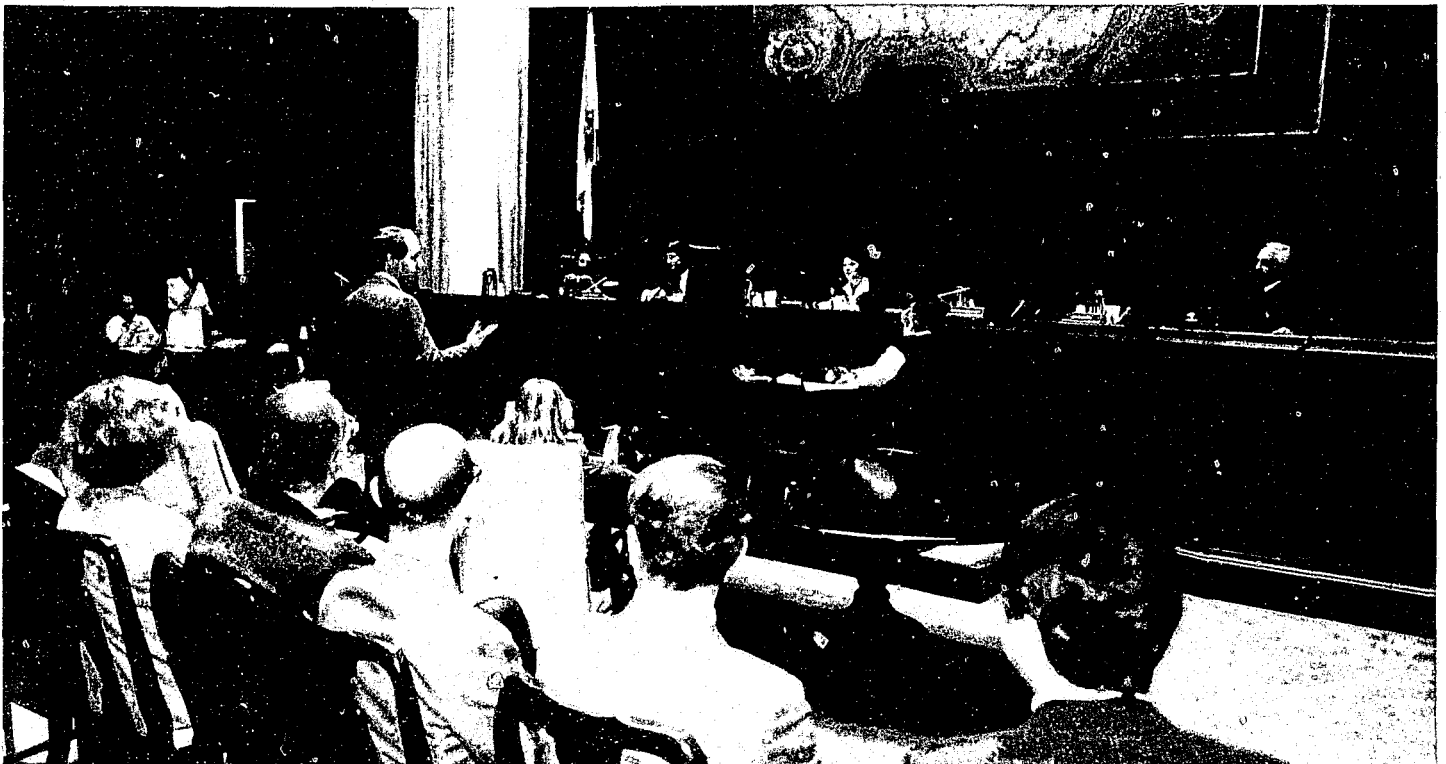
Antitrust Division

"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 accomplishes 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 anti-trust 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

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 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.

ing systems for the preparation of legal documents and memoranda.

Eight of the Division's attorney-staffed 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.

Training

For many years, Division attorneys stationed in Washington, D.C. have served brief tours as Special Assistant United States Attorneys in the U.S. District Court in Alexandria, Virginia, and in the Superior Court at the District of Columbia. These training details provide the opportunity to gain firsthand experience in actual trial court settings. Despite the fact that the prosecutions do not involve Sherman Act conspiracies, the skills learned from these tours have a direct applicability to the Division's work.

For recently hired attorneys, the Division has initiated a full day of training as part of an orientation program. The program provides an overview of the Division's operations and procedures and enables the new attorneys to meet all the section and office chiefs' top staff and policymakers in the Division.

In addition, the Division has occasionally sponsored lecture programs on various topics such as the merger guidelines, the horizontal restraints program, and programs which bring in guest lecturers. The Economic Regulatory and Economic Litigation Sections have scheduled monthly "brown bag" seminars for many years that cover substantive developments in antitrust and related fields. Division economists establish the topics and schedule and discuss recent cases or cases that include interesting economic and legal issues.

The Division also provides training in the use of litigation support tools through seminars sponsored by the Information Systems Support Group. The Antitrust Library staff sponsors training sessions for LEXIS through Mead Data, and training in the use of JURIS and other automated data facilities is available in the Main Library of the Department of Justice.

Litigation I and II and the Field Offices

Of the five litigating sections located in Washington, D.C., two—Litigation I and II—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 liaison with U.S. Attorneys, State Attorneys General, and other local law enforcement agencies. Field offices are located in Atlanta, Chicago, Cleveland, Dallas, New York, Philadelphia and San Francisco.

The litigating 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 Washington, D.C. 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 in Los Angeles to block MacAndrews and Forbes Group, Inc.'s proposed acquisition of Metrocolor Laboratories from Lorimar Telepicture. MacAndrews and Forbes currently owns Technicolor, Inc. The acquisition would have reduced the number of primary film laboratories for major motion pictures from three to two. A temporary restraining order was granted. The complaint alleged that the proposed acquisition might substantially lessen competition in the production of 35 millimeter release prints for motion pictures receiving national distribution ("wide-release" prints), a \$100 million dollar annual market, and in the production of 70 mm release prints, a \$10 million annual market. As a result of the Division's objections, the proposed transaction was terminated.

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 7, 1987, the Division filed felony informations in Philadelphia, Pennsylvania, charging four antique dealers with conspiring to rig bids for the purchase of antiques at public auctions. The informations charged that, beginning at least in 1980 and continuing until at least 1985, the defendants had conspired with others, in violation of Section 1 of the Sherman Act, to refrain from bidding against each other for antiques sold at public auctions in Pennsylvania, New Jersey, Delaware and Maryland. After these public auctions, the defendants and co-conspirators held private auctions among themselves for the items they had obtained, distributing among themselves a portion of the proceeds from the private auctions. The Division believes that such practices are widespread and occur in all phases of auctioneering, and it will continue to investigate similar schemes.

In another recent case, the Division filed a felony information charging Bean Dredging Corporation of Metairie, Louisiana, and one of its vice-presidents with bid rigging in connection with dredging construction projects in the Gulf of Mexico. The information charged that the defendants conspired with others, in violation of Section 1 of the Sherman Act, to allocate the contracts for, and rig bids on, hydraulic cutterhead dredging projects let for bidding by the Army Corps of Engineers in the Gulf from April 1983 through June 1984. The charges were the result of an ongoing grand jury investigation into alleged antitrust violations in the dredging industry on the Gulf Coast.

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 2 years, the Division participated in 99 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 in Department of Transportation (DOT) matters pertaining to seven airline acquisitions, three of which resulted in hearings. In the Texas Air Corporation/Eastern Airlines Merger, after Texas Air agreed to spin off sufficient slots to Pan American to enable it to offer a competing shuttle service along the eastern corridor, the Division urged DOT to approve the merger.

In the rail area, the Division appeared before the Interstate Commerce Commission and successfully opposed the merger

between the Southern Pacific Railway and the Atchinson, Topeka, and Santa Fe Railway. Also, an in-depth study of the viability of certain divestitures proposed by Norfolk Southern Railroad to remedy competition problems associated with Norfolk Southern's proposed acquisition of Conrail was undertaken. This study was terminated in the summer of 1986 when Norfolk Southern withdrew its offer to buy Conrail stock.

Other examples of recent participation in regulatory matters include the Division's opposition to restrictions on private international remail services, opposition to extension of regulation to foreign exchange-traded futures, and opposition to the Federal Home Loan Bank Board's proposed extension of a three-year protection from takeovers for any institution converting from a mutual stock form of ownership or acquiring such a converted institution.

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 the 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 provides 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 com-

munication 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.

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 represents the United States and its officers and agencies in a wide variety of suits challenging the constitutionality or legality of numerous governmental policies, programs or actions. The Branch principally handles the defense of such suits, the subjects of which cover virtually all areas of federal government activity, from domestic welfare programs to international agreements. The Branch is responsible for such diverse mat-

ters as litigation of federal banking statutes and 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 the appointment process for members of the Federal Reserve Board's Open Market Committee. The Branch also is defending against a challenge to the use of the American Bar Association's Committee on the Federal Judiciary to advise the President and the Justice Department on potential judicial nominations. The plaintiffs allege that such advice violates the Federal Advisory Committee Act.

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



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.

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. Recent cases in all of these areas present novel and challenging claims that seek to use and extend the tort system to establish government liability.

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, the State Department, and other agencies responsible for the movement of citizens and aliens across our borders. Litigation activities include district and circuit court challenges to the apprehension, detention, and deportation of aliens, the issuance of visas and passports, and the response of the government to applications for naturalization, political asylum, and other immigration benefits. The Office also is responsible for defending litigation raising constitutional challenges to the immigration laws, and for the defense and prosecution of cases arising under the amnesty and employer sanction provisions of the recent immigration reform.

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.

Examples of Recent Litigation

While regulatory, safety, and environmental agencies have long been fertile ground for lawsuits, the tort system is being challenged in unusual ways. In the first suit of its kind, Civil Division attorneys tried and won a case which sought to make the Parole Commission and the Bureau of Prisons liable for the murder of a person killed by a former prisoner who became a serial murderer after his parole.

Cases arising out of exposure to asbestos collectively 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 taxpayer. To date, Division attorneys have successfully defended the United States, both at trial and on appeal, against these efforts by former asbestos manufacturers and marketers. Other types of toxic tort cases also abound. In 1986, Division attorneys successfully defended a variety of these suits, including a \$1.3 billion case brought to trial by 1,300 plaintiffs allegedly exposed to DDT manufactured on federal property.

Litigation continues based on the 1985 Delta air crash at Dallas/Fort Worth and the 1986 Aeromexico midair collision above Cerritos, California, with plaintiffs alleging negligence in the air traffic control services provided in each instance by the Federal Aviation Administration. Also in the past year, Division attorneys achieved significant monetary recoveries in several instances where ships ran aground on invaluable coral reefs, damaging these natural resources.

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*, *Wheeling-Pittsburgh*, and *LTV*.

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 was filed against individuals and corporations accused of subverting procedures to obtain service contracts for American military bases in Europe. Recent settlements for cost overcharges on defense contracts include \$6 million from Litton Industries over and above what it paid in restitution for fraudulently inflating the price of materials during contract negotiations for electronic instruments. In another case, Division attorneys achieved a \$2.5 million settlement from Stencel Aero Engineering Corporation for submitting false invoices for the manufacture and assembly of ejector seats for Navy jets.

Efforts to combat non-defense fraud involve similar activities. Division attorneys filed suit against Paradyne Corporation, alleging that it fraudulently obtained a massive contract to supply the Social Security Administration with computers. Recent settlements for defective pricing on Government Multiple Award Schedule contracts include close to \$4 million from two companies for failing to disclose relevant pricing information during negotiation. Division attorneys also recovered \$2.6 million from Idle Wild Farm, Inc. for skimming beef donated by the Agriculture Department for use in the School Lunch Program.

The Civil Division has participated in several landmark cases brought against foreign governments under the Foreign Sovereign Immunities Act. Default judgments had been entered against the Peoples Republic of China and the Soviet Union in three cases which sought to recover damages under a variety of tort and contract theories. In conjunction with State Department efforts, the Division filed statements of interest supporting the federal government's request to set aside the defaults and to have the defenses entered on the merits. Division attorneys have been successful in the case

involving the Peoples Republic of China, while those involving the Soviet government are still pending.

During the past year, Division attorneys also have handled significant and highly controversial litigation involving the power of national and state banks, including their authority to provide non-banking services. The Division has defended the efforts of the Farm Credit Administration, one of the nation's largest agricultural lenders, to contribute surplus funds to assist weaker institutions. Over 12 cases have been filed challenging aspects of this program, which involves over \$300 million in assessments. The past year in particular has seen a rash of litigation which attempts to hold the United States responsible for the recent failures of private banks.

Division attorneys also are actively involved in litigation which seeks to protect the American consumer. Officials of the Beech-Nut Nutrition Company, the nation's second largest manufacturer of baby food products, were charged with intentionally shipping adulterated and misbranded juices. This litigation involves charges of intent to defraud and mislead, and conspiracy and mail fraud.

Some of the Division's most significant litigation occurs at the appellate stage. For example, in *Bowsher v. Synar*, the U.S. Supreme Court accepted the argument of Division attorneys and struck down on separation of powers grounds a portion of the Gramm-Rudman-Hollings Act. This decision has far-reaching and major consequences for the conduct of government operations. Division attorneys also have recently litigated such matters as the President's authority to appoint an Ambassador to the Vatican, the validity of the determination to prevent release of property brought into this country by former Philippine President Marcos, and the proper interpretation and application of the asylum provisions of the newly amended immigration act.

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 usually non-jury cases, tried before a single judge.

The Division is pursuing a phased implementation of a uniform office automation system which provides word processing, automated legal research, communications, and document transfer. The system has been installed in three of the Division's sections and will be installed in three others by year's end. Other sections are provided with IBM microcomputer equipment to foster access to similar capabilities.

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 has primary responsibility for handling Division and *amicus curiae* cases in the U.S. Supreme Court and the courts of appeals, for giving legal advice to federal agencies and other organizations within the Department, and for preparing comments on selected legislative matters. Most of the Section's appeals are from district court judgments in cases originally handled by Civil Rights Division trial sections.

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.

In 1978, Congress extended the protections of Section 504 of the Rehabilitation Act of 1973 to programs and activities conducted by federal executive agencies. The Section is now coordinating the development of regulations by over 90 federal agencies to ensure that disabled people have access to the government's programs.

Criminal Section

The Criminal Section enforces federal 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 prohibit the use of force or threats of force to injure or intimidate any person involved in the exercise of certain federal rights and activities.

Educational Opportunities Section

The Educational Opportunities 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. The Section also has responsibility for representing the Department of Education in certain types of suits filed against the Secretary of Education.

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 not only accomplish the objective of enhancing educational opportunities in public schools, but as designed, serve 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 based upon race, sex, religion and national origin. 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 such employment discrimination by units of state and local government. In addition, it represents other federal agencies who are sued by virtue of their enforcement of federal equal employment opportunity laws. It also has litigating responsibility in the employment area in the private sector on referral from the Department of Labor of cases against federal contractors.

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 seeks as an element of relief that identified victims of discrimination be "made whole" with back pay,

seniority awards, and other relief; that affirmative 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 was established in November 1983, to enforce more effectively the federal statutes prohibiting discrimination in housing, consumer credit, and public accommodations. The principal responsibilities of the Section involve the preparation and presentation of lawsuits brought under the Fair Housing Act of 1968 and the Equal Credit Opportunity Act. The Section also is responsible for coordinating with the U.S. Attorneys' Offices the enforcement of Title II of the Civil Rights Act of 1964, which prohibits discrimination in places of public accommodation, and for handling matters relating to discrimination in the provision of municipal services. The

Section's Title II work has increased over the last two years, with more cases being filed during this period than in the preceding seven years.

In enforcing the Fair Housing Act, the Section has sought to create an enforcement presence in all areas of the country and has pursued discrimination cases against a wide range of defendants, including owners and managers of apartment buildings, operators of mobile home parks, apartment referral services, real estate companies, developers of time-share properties, and newspapers with discriminatory housing advertisements. This broad spectrum of housing enforcement activities is designed to ensure that the guarantee of equal housing opportunity is not an empty promise.

Special Litigation Section

The Special Litigation Section is responsible for the enforcement of the Civil Rights of Institutionalized Persons Act, Section 504 of the Rehabilitation Act of 1973, the Education of Handicapped Act, and the Revenue Sharing Act, where these statutes protect the rights of institutionalized and other handicapped persons, and for the protection of rights secured under Title III of the Civil Rights Act of 1964, which prohibits discrimination in public facilities on the basis of race, color, religion, or national origin.

The Civil Rights of Institutionalized Persons Act was signed into law in May 1980. The Act gives the Attorney



The Voting Section enforces the Voting Rights Act of 1965, as amended, and other federal voting statutes assuring that all qualified citizens have an equally available opportunity to register and vote without discrimination on account of race, color, membership in a language minority group, or age.

General authority to initiate action on behalf of civilly or criminally institutionalized persons where "egregious or flagrant" conditions are believed to exist that deprive those persons of their federally protected or constitutional rights. Since enactment of the statute, the Section has reviewed complaints from over 400 facilities and initiated 86 investigations in 32 states and 2 territories, involving 95 institutions housing some 100,000 persons.

Voting Section

The Voting Section enforces voting laws, including the Voting Rights Act of 1965, as amended in 1970, 1975, and 1982; the Voting Accessibility for the Elderly and Handicapped Act; the Federal Voting Assistance Act; the Overseas Citizens Voting Rights Act; the Uniformed and Overseas Citizens Absentee Voting Act; and 42 U.S.C. 1971 and 1974. These statutes are designed to safeguard the right to vote of racial and language minorities, disabled and illiterate persons, overseas citizens, persons who change their residence shortly before a presidential election, and persons 18 to 20 years of age.

In enforcing the Voting Rights Act, the Section, among other activities, brings lawsuits against states, counties, cities, and other jurisdictions to remedy denials and abridgements of the right to vote; reviews changes in voting laws and procedures administratively under Section 5 of the Voting Rights Act; and monitors election day activities through the assignment of federal observers under Section 8 of the Act.

A major focus of the Section's litigation program is to challenge, under Section 2 of the Voting Rights Act, voting practices that have a discriminatory result, particularly electoral systems that dilute minorities' opportunities to elect candidates of their choice. The Section has been involved in more than 25 such actions, 5 of which were filed in fiscal year 1986. Finally, the Section continued its active election monitoring program to ensure nondiscrimination in the electoral process.

Examples of Recent Litigation

Recent criminal cases filed this year included 7 racial violence cases charging 21 defendants. Two of these 7 cases involved activity of the Ku Klux Klan and charged 13 defendants.

A three-year grand jury investigation in the Western District of North Carolina into crossburnings and shootings by members of the White Knights of Liberty of the Ku Klux Klan was concluded. Of 21 individuals charged during the investigation, 19 were ultimately convicted, including 3 statewide leaders of the Ku Klux Klan.

In Philadelphia, four defendants, including a juvenile, were convicted of destroying by fire the home of a black

couple who had moved into a white neighborhood. The defendants received prison terms and were ordered to pay restitution to the family.

Several cases were litigated involving violations of the peonage and involuntary servitude statutes in order to deter the victimization of migrant workers and others. One case resulted in two convictions of individuals involved in the smuggling of Indonesian laborers into the United States to perform domestic work.

Two wealthy homeowners, who recruited illegal aliens to perform domestic work in their homes in California, Nevada and Hawaii and who misled the victims as to their working conditions and physically abused them, were tried and convicted of violations of the laws against involuntary servitude, conspiracy, transportation of illegal aliens, and escape from federal custody.

In another involuntary servitude case, eight members of a religious cult called the House of Judah, including its leader who was called "the Prophet," were indicted, tried and convicted for conspiring to hold children in involuntary servitude and for the actual enslavement of one child.

In the area of public education, the Educational Opportunities Section has litigated a number of cases, which focus on traditional desegregation issues, as well as "second generation" desegregation issues. The "second generation" issues include quality education for minority schools, disparate facilities at predominantly minority schools, and the illegal use of race-conscious quotas in admitting students to certain programs or schools. Recently, the Section filed and successfully litigated a desegregation suit against the Richland parish, Louisiana, Public School System. The suit involved the maintenance of racially identifiable schools, racially discriminatory teacher hiring and assignment practices, and disparate facilities at a predominantly black high school. In the area of public colleges, the Section successfully litigated a case against the state of Alabama, regarding the state's failure to eliminate all vestiges of its former racially dual system of higher education. In the past year, the Section has also filed several suits to protect the rights of handicapped persons, and has successfully represented the Department of Education (DOE) in several cases where school districts have sought to enjoin DOE from carrying out its enforcement responsibilities. Since 1981, the Section has filed 10 new suits and has negotiated approximately 50 consent decrees and agreed orders.

In 1986, the Employment Litigation Section filed 18 new suits pursuant to Title VII of the Civil Rights Act of 1964, as amended, and other provisions of federal law prohibiting discriminatory employment practices. Consent decrees were obtained in 22 cases. The consent decrees and other orders provided for the payment of more than \$1.6 million in backpay to persons identified as harmed by the defendants' prior practices. The decrees and orders also provided for priority job offers to such persons, the elimination of unlawfully discriminatory practices, and the enhanced recruitment of the groups previously excluded.

The Employment Litigation Section also filed suits against 14 municipalities in the Cook County, Illinois area challenging residency requirements for application for municipal employment and related practices which operated to exclude non-residents from employment with the towns. Because the residents of the towns are all or substantially all white, the requirements operate to exclude all or substantially all black applicants from competing for jobs with the towns. In 11 of the cases, the Section has obtained consent decrees or judgments eliminating the durational residency requirements and establishing aggressive recruitment programs directed toward the previously excluded black applicants.

During fiscal year 1986, the Housing and Civil Enforcement Section filed 12 new Fair Housing Act cases of which 8 were successfully resolved through the entry of consent decrees. The new suits settled by consent decrees included an action against a public housing authority alleging discrimination on the basis of national origin; a case against the publishers of a state-wide daily newspaper in Jackson, Mississippi, involving advertisements that indicated preferences or limitations based on race, religion or sex; and race discrimination suits against the owner of apartment complexes, a resort developer, apartment rental firms, and trailer park operators.

In fiscal year 1986, the Special Litigation Section took action in 19 cases, including 6 cases filed pursuant to the Civil Rights of Institutionalized Persons Act. The Section also initiated 21 new investigations under that Act. Four investigations were commenced at mental health institutions;

five were initiated at mental retardation facilities; one at a nursing home; two at juvenile detention centers; and nine were started at adult penal institutions. The Section successfully negotiated and entered into three consent decrees pursuant to the Act.

In November 1985, the Voting Section brought an action under Section 2 of the Voting Rights Act against Los Angeles, California, on the ground that its councilmanic redistricting plan illegally limited the opportunity of Hispanics to elect candidates of their choice. This action resulted in the creation of a second councilmanic district in which Hispanics can elect a council member of their choice—a Hispanic was elected to the city council from that district in February 1987. An earlier lawsuit similarly had increased opportunities for blacks and Hispanics in Chicago, Illinois.

Other recent Voting Section litigation has resulted in increased opportunities for blacks to elect candidates of their choice in such places as Marengo County, Alabama; Darlington County, South Carolina; Wilkes County, Georgia; Wilson County, North Carolina; and the city of Cambridge, Maryland. Voting Section litigation similarly has vindicated the right to vote of Native Americans in such places as San Juan County, Utah; McKinley County, New Mexico; and Prior Lake, Minnesota. Actions brought under the Overseas Citizens Voting Rights Act in November 1986, against New York City and the state of Hawaii protected the right of overseas citizens to participate by absentee ballot in those elections for federal offices.

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 liquor, narcotics, counterfeiting, gambling, firearms, customs, and agriculture 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 certain 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's experience for the particular requirements of the employing section or office. Training is available through the Attorney General's Advocacy Institute, through specialized courses conducted by the Division, and also through temporary duty as a Special Assistant U.S. Attorney in one of the local U.S. Attorney's Offices.

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

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.

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 23 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.

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 U.S. 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

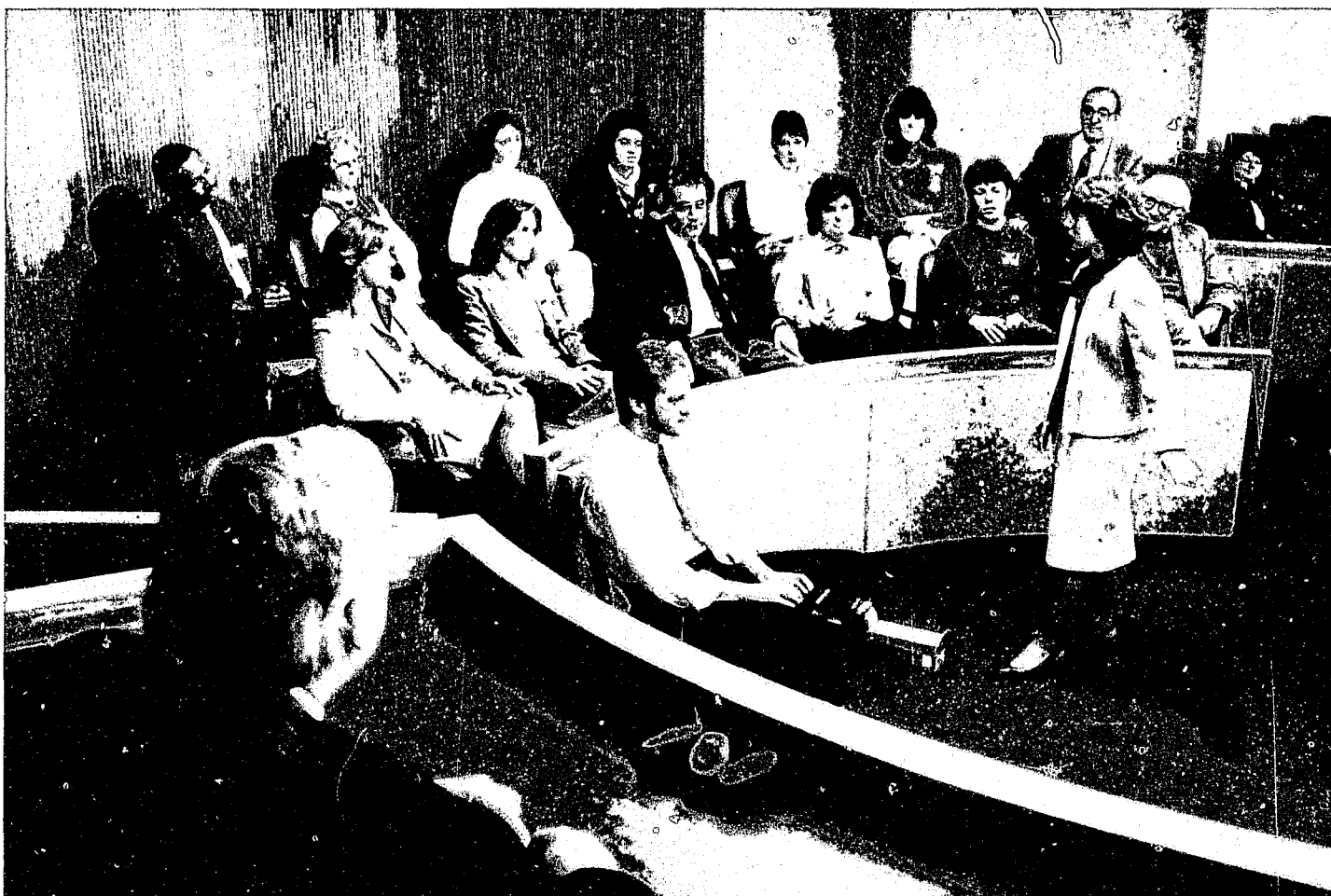
The Office of Administration provides all administrative support to each of the sections, offices and field offices of the Division, including administrative management, automated data processing, personnel services, procurement, budget formulation and the execution of financial plans.

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.

Obscenity Enforcement Unit

The Criminal Division has recently established the Obscenity Enforcement Unit, in the Office of the Assistant Attorney General, which consists of experienced prosecutors who are targeting the major offenders of the applicable federal criminal obscenity and child pornography statutes and coordinating the investigation of multi-district and international cases. In addition, the Unit assists U.S. Attorneys and state and local prosecutors, and conducts public information and education programs for government and private-sector groups. The staff coordinates policy development, including proposed legislation and agency guideline reforms.



The Criminal Division is responsible for supervising, or conducting, prosecution of both criminal offenses and selected civil litigation.

Examples of Recent Litigation

Over the past year, the battle against organized crime has grown more intense, with major trials in cities around the country, including Kansas City, Boston, Chicago, Hartford, Newark, and especially New York City, where figures from the so-called "five families" have been charged with a variety of violations of federal law. The Division's ability to fight organized crime received a boost with the use of one of the recently enacted provisions of the Crime Control Act which allows prosecutors to impound the proceeds of illicit activities.

"Family" captain Michael Franzese was sentenced to 10 years, fined \$35,000 and ordered to make restitution of \$10 million. In addition, \$4.7 million in property acquired by Franzese was forfeited to the government. Franzese's pleas to racketeering and other charges were grounded in his participation in frauds committed in the automobile industry in New York City, including the evasion of millions in gasoline excise tax owed to the federal, state and local governments.

In perhaps the most significant labor racketeering case of the decade, the court of appeals affirmed a lower court judgment which installed court-appointed trustees to replace the organized crime infiltrated seven-member executive board of Teamster Local 560 in Newark, New Jersey. The trial court found that the local had been infiltrated by "mobsters" and "gangsters aided and abetted by their relatives and sycophants" who had "engaged in a multifaceted orgy of criminal activity" which had extinguished all semblance of union democracy. Local 560 had been run for years by Anthony "Tony Pro" Provenzano, a captain in the Gambino crime family. When he was sentenced to 20 years in prison for extortion, to be followed by a life term in New York prisons for the slaying of his original rival for union office, his brother Nunzio Provenzano took over the union. When Nunzio received a 10-year sentence for labor racketeering, a third brother, Salvatore Provenzano, assumed the presidency and "Tony Pro's" daughter, Josephine Provenzano, became secretary-treasurer. The government brought suit under the civil provisions of the racketeering statutes to place the union back into the hands of its members—the first such action ever filed in federal court. Approval of this strategy by the appeals court opens the possibility of wresting many union locals from the control of organized criminals, and another such suit has already been filed.

The Criminal Division is aggressive in its pursuit of economic crime. Foremost among a number of recent significant cases involved E.F. Hutton. The conviction included the guilty plea of E.F. Hutton to 2,000 counts of mail and wire fraud. The fines imposed—some \$2.5 million—recovered the costs of the prosecution. Moreover, the rapid resolution of the case aided restitution of those who had been damaged by Hutton's activities and sent a message to the

corporate community that the Department would move vigorously against such activities.

Other economic cases featured stiff penalties or sentences or both. The guilty plea of Jake Butcher and others for insider bank fraud that caused several bank failures in Tennessee and Kentucky resulted in a 20-year prison term for Butcher. General Electric pled guilty to charges of defrauding the Department of Defense, was fined \$1.04 million, forced to pay \$800,000 in restitution, and was temporarily suspended from doing business with the government. General Telephone and Electric pled guilty to conspiring to illegally obtain Pentagon budget documents, and company officials were charged individually. Former President of LTV Corporation, Paul Thayer, and Dallas stockbroker, Billy Bob Harris, each received four-year prison sentences for obstruction of justice in connection with an insider stock trading scheme. Fred Soudan drew a 35-year prison sentence for a \$56 million international insurance fraud.

Incidents of international terrorism multiplied in number and intensity during 1985. Attorney General Meese stressed his determination to deal with such incidents as criminal acts for which the perpetrators must be brought to justice. Investigations into the hijacking of TWA Flight 847 in June 1985, led to the issuing of arrest warrants for the terrorists involved. Similarly, warrants were issued for the arrests of those responsible for hijacking the cruise ship *Achille Lauro* and the murder of American Leon Klinghoffer.

Division representatives met with their counterparts from a number of nations in Western Europe to discuss ways in which international cooperation against terrorism can be enhanced. Moreover, the Division has availed itself of the provisions in new mutual assistance treaties, and expanded criminal jurisdiction provided by "long arm" statutes aimed at terrorist acts directed against Americans anywhere in the world, to pursue terrorists wherever they may try to hide.

During the past year, the Division has participated in the investigation and prosecution of 11 major espionage cases involving individuals accused of spying for the Soviet Union, the People's Republic of China, and Israel. Notable among these were the cases of John Walker and his son Michael, both of whom pled guilty, and Larry Chin, who was convicted on all counts.

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 a recent case, 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 Administration 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.* Further, the resolution 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.

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.

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. In addition, all Division employees now enjoy the convenience of state-of-the-art computer support through implementation of the Civil Division's AMICUS (Automated Management Information Civil User System), referred to in the Lands Division as LINC (Lands Information Network Connection). LINC integrates word processing, communications, litigation support, legal research, case management and a docket tracking system.

Specialized programs have been developed to acquaint new employees with their environment. These include orientation sessions, luncheon presentations by senior managers, section retreats, groundwater seminars, negotiation seminars and communications seminars. In addition, every other year, the Division sponsors nationwide seminars on subjects such as hazardous waste disposal and eminent domain.

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 on-shore 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. Finally, the 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

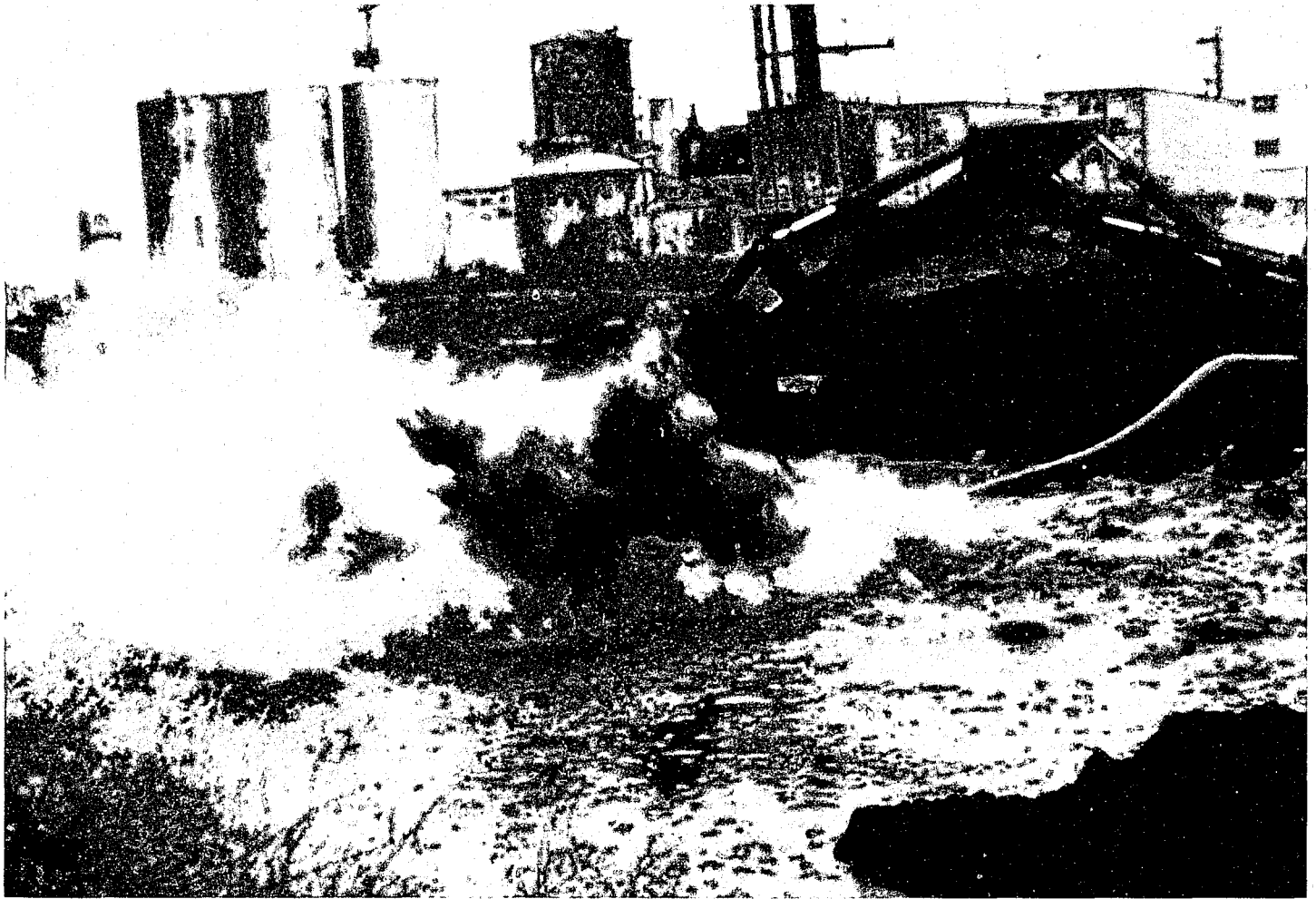
The Policy, Legislation and Special Litigation Section serves as special counsel to the Assistant Attorney General, and provides staff support for the Division's activities with working groups of the Cabinet Council and various agencies. The Section coordinates and directs the Division's legislative 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.

Examples of Recent Litigation

A major priority of the Land and Natural Resources Division is litigation to protect the environment. The Clean



The cleanup of this sludge lagoon at the Conservation Chemical site in Kansas City, Missouri, will be accomplished by private parties upon the successful conclusion of litigation by the Land and Natural Resources Division.

Water Act (CWA) and the Clean Air Act (CAA) are focal points of the Division's efforts to enhance the American environment. Last year, the Division successfully tried a major penalty action under the CAA against the St. Joe Minerals Corporation. Following trial, the company agreed to a finding of liability and a \$12.2 million penalty for violating sulfur dioxide emission rules. The Division was also successful in concluding several difficult enforcement cases aimed at curbing volatile organic compound emissions, which contribute to the nation's ozone problems. In addition, the Division continued its efforts to vigorously enforce the National Emission Standards for hazardous air pollutants. Recently, the Division expanded its enforcement of asbestos and vinyl chloride violations, and initiated enforcement actions related to benzene violations. In *U.S. v. Occidental Chemical Corp.*, the defendant agreed to pay a \$490,000 civil penalty and undertook a comprehensive compliance program.

In continuing to pursue this growing hazardous waste docket, the Division initiated actions in 1986 to enforce the Loss of Interim Status provision under the Resource Conservation and Recovery Act (RCRA). In several of these ac-

tions, the Division sought preliminary injunctive relief and successfully brought violators into compliance. For example, in *U.S. v. CCCI*, the violator agreed to cease operations as required by RCRA. The Division also successfully concluded a number of other complex matters, including *U.S. v. Reilly Tar*, in which the defendants have agreed to implement a \$50 million remedy at a site outside of St. Louis Park, Minnesota and *U.S. v. Western Processors*, in which the defendants have agreed to implement a remedy valued at over \$40 million to abate a site near Seattle, Washington.

The Division has been extremely successful in protecting the Environmental Protection Agency's (EPA) discretion to issue regulations that take into account both the costs of compliance and the technical feasibility of controlling pollution. In *NRDC v. EPA*, the court decided that EPA is free to consider costs and feasibility when it regulates emissions of vinyl chloride, a hazardous air pollutant. The court's decision sets a major precedent that will assist EPA in addressing numerous other hazardous air pollutants.

Apart from hazardous waste cases, the Division has been active in the area of wetlands enforcement. The Division achieved a highly favorable result in *U.S. v. Cumberland*

Farms. Cumberland had converted nearly 700 acres of the Great Cedar Swamp in Massachusetts to agricultural use without applying to the Army Corps of Engineers for a permit. Cumberland was ordered to fully restore the property and a civil penalty of at least \$150,000 was imposed for the violations. The opinion emphasized the importance of wetlands in maintaining water quality and providing wildlife habitat.

Biotechnology is a fascinating and rapidly developing area of science involving a myriad of federal agencies (e.g., EPA, Departments of Agriculture and Defense, National Institute of Health, Food and Drug Administration). The Division has been involved in almost all of the litigation to date in this new field and shares responsibility for assuring that the private sector development in this area continues to occur and that it occurs consistently with the public safety, health and environmental interest. In *Foundation on Economic Trends v. Block*, the district court granted the Division's motion for summary judgment, in this case challenging the Department of Agriculture's (USDA) animal breeding research, including certain recombinant DNA experiments. The latter includes the so-called "super-pig" experiments involving the use of a growth hormone gene. Plaintiffs raised challenges to the National Environmental Policy Act, the Administrative Procedure Act and the federal common law of nuisance, asserting that USDA activities have wrongfully focused on enhancing size and growth rates of farm animals and have resulted in the elimination of smaller, slower growing species of livestock, and ultimately the undermining of the family farm. In a far reaching decision, the court concluded that animal productivity research cannot be con-

sidered an activity for which an environmental assessment or environmental impact statement must be prepared, and rejected the plaintiffs' contention that the USDA research is a single monolithic program requiring consideration in a programmatic environmental impact statement.

In the area of eminent domain, in 1986 the Division handled claims of over \$450.8 million for property which government appraisals valued at \$62.5 million. The difference of \$388.3 million was the critical issue in the Division's lawsuits. The courts have awarded judgments in these cases totalling \$102.7 million, representing a savings of \$348.1 million achieved by the Division.

The Division continued to pursue civil and criminal litigation to halt the growth of illegal wildlife and plant trade. In 1986, a progression of prosecutions ended, following the Fish and Wildlife Service's undercover "Operation Falcon," which probed illegal international traffic in protected birds of prey. Approximately 70 defendants were convicted or pleaded guilty and an agreement was reached with the government of Saudi Arabia and a high-ranking Saudi prince to cease illegal trade in falcons. (The Saudis also paid a \$150,000 fine.) In related activities, the Division had two high points in the U.S. Supreme Court, one which affirmed the government's arrangements to induce Japan to stop commercial whaling, and another which rejected Indian defendants' arguments that they had treaty rights to engage in black market sales of endangered, injured and threatened eagles.

In the area of Indian resources, a settlement was reached to equitably allocate water through the construction of the Animus La Plata project. The Colorado Water settlement involved two tribes in southwest Colorado, the Utes and the Ute Mountain Utes, the state and private users.

Tax Division

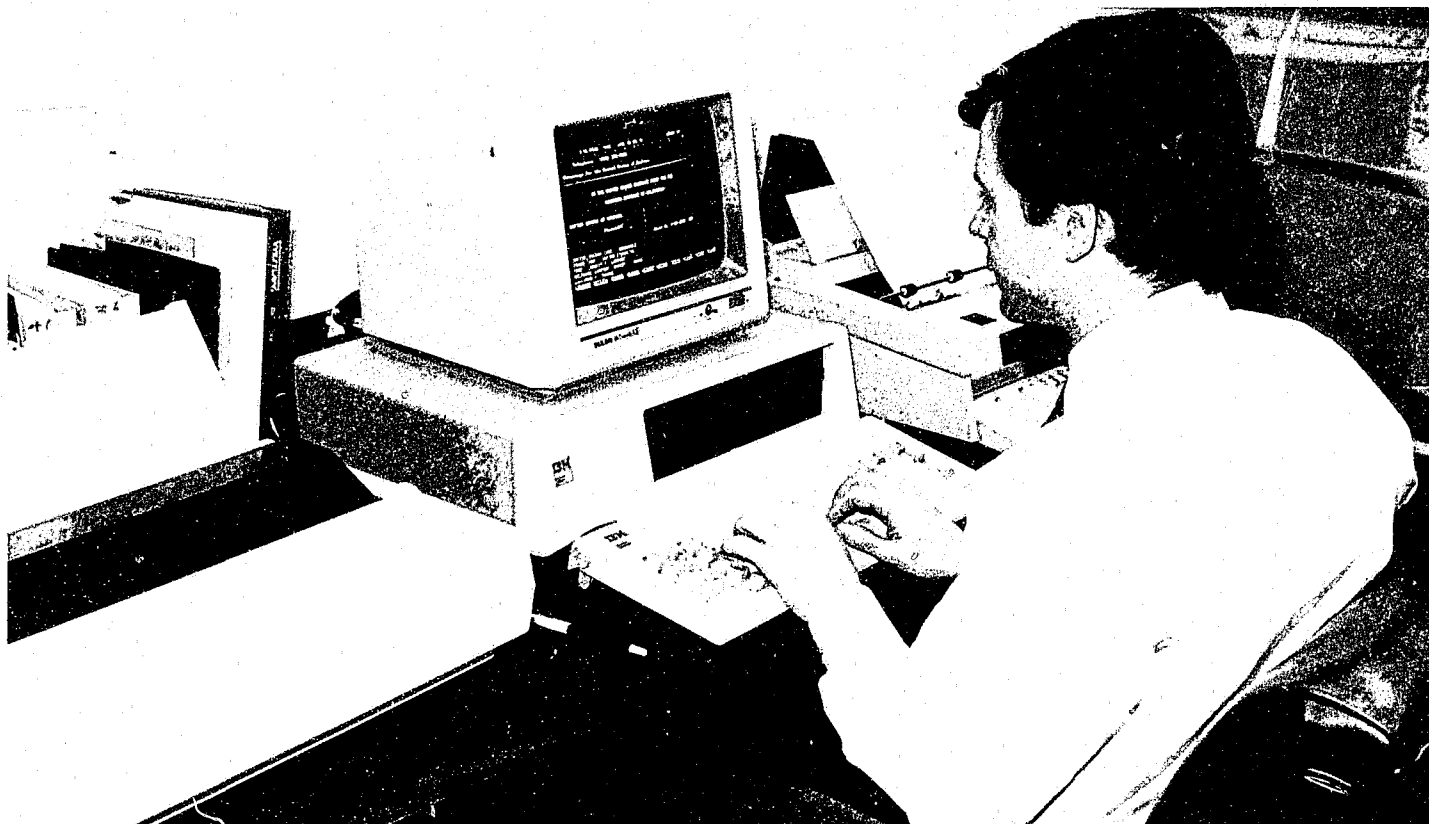
The Tax Division is responsible for representing the United States and its officers in all civil and criminal litigation involving federal, state and local taxes in all courts, except the U.S. Tax Court. The Internal Revenue Service (IRS) is the Division's principal client, and the Division's primary 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.

The Tax Division is committed to providing training programs to its new attorneys, in addition to the Advocacy Institute's programs in civil, criminal and appellate litigation. The Tax Division has a training staff and regular sessions are presented which focus on discovery techniques, evidentiary problems, court-room decorum, the art of advocacy, effective interrogation, and other areas germane to tax litigation. Appellate attorneys are subjected to an in-depth moot



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.

court prior to their first appellate argument. Throughout the year, lunch hour seminars and litigation demonstrations are held to emphasize specific situations which actually occurred in litigated cases. Guest lecturers periodically speak on trial advocacy. Additionally, substantive seminars dealing with specific areas of the tax law, such as insurance company taxation, are presented by highly qualified speakers from outside the Division. Occasionally, the Division will send a limited number of attorneys to pertinent seminars offered by law schools, bar associations or private sponsors.

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 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 is also 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 Section

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

Among the hundreds of cases decided annually by the courts in the tax area are those involving legal questions, factual questions, and sometimes little-known provisions of the tax code. For example, in *Colt Industries, Inc. v. United States* the Claims Court sustained the IRS's position barring

a deduction for \$1.6 million paid to Pennsylvania's Clean Air and Clean Water Funds pursuant to a consent decree settling taxpayer's liability for violating the Federal Clean Water and Clean Air Acts. The Treasury regulations authorize a deduction for compensatory damages, but the court ruled that the payments in question failed to qualify as such because they were assessed under civil penalty provisions having a predominantly punitive nature.

At issue in *Edison International, Inc. v. United States* was a deduction of some \$20 million for loss of goodwill claimed to have occurred in the year that Studebaker ceased manufacturing automobiles. Plaintiff contended that goodwill in that amount originated with plaintiff's ancestor, Studebaker Corporation of New Jersey, upon its formation in 1911 and remained unimpaired until 1966, when it was lost. The government contended that no goodwill had been acquired or, if acquired, was previously lost and in any event, any acquired goodwill had a lesser value (and basis) in 1911. The Claims Court concluded that the plaintiff failed to demonstrate that the 1911 goodwill value was \$20 million "or indeed any amount even remotely approaching that figure."

In a case involving a rarely imposed federal excise tax, a jury in Georgia held in favor of the United States, that certain firearms manufactured and sold by the plaintiff were machine guns within the meaning of the Internal Revenue Code and subject to the very hefty manufacturing and transfer excise taxes. A verdict in *S. W. Daniel, Inc. v. United States* in plaintiff's favor would not only have reduced its tax burden but would also have avoided the other federal restrictions on sale and transfer of machine guns.

Occasionally, it is necessary for our attorneys to unravel complicated transactions in order to obtain access to assets or funds which can be used to satisfy tax liabilities. A typical example was presented in *Federal Deposit Insurance Corp. v. United States*. Immediately prior to his escape from federal custody, pornography kingpin Mike Thevis arranged to receive a secured note from the sale of his business to a trusted associate, then created an *inter vivos* trust pursuant to a property settlement with his wife, and assigned the note and collateral to the trust. The collateral was eventually sold, precipitating a large fund of money to which the government asserted tax liens against Thevis' business. In a lengthy decision, the district court sustained the claims, and held that both the sale of the business and the transfer to the trust were sham transactions, that the ex-wife was not a bona fide third-party purchaser/assignee, and hence the trust claims were void. As a result of this decision, the government expects to recover over \$700,000.

In *Carol Camp, Administratrix of the Estate of Adler B. Seal v. United States*, a \$29.7 million assessment was made against Adler B. Seal for 1981 through 1983 income taxes. Seal allegedly was one of the nation's top drug smugglers during those years. In March 1984, he became a Drug Enforcement Administration informant and later testified in federal courts in Miami and Las Vegas and before the President's Commission on Organized Crime in 1985 concern-

ing his smuggling. The IRS received information that he was dissipating assets, and the determination of jeopardy followed. Two weeks later, Seal was murdered. At the trial of this matter, the plaintiff argued that the taxpayer's death indicated that jeopardy no longer existed. The court ruled that the assessment was reasonable and that the amount was appropriate, finding the death of the taxpayer irrelevant. The taxpayer's burning of records, ownership of airplanes and boats, extensive use of Cayman Islands corporations, and cashing of \$151,000 in checks payable to cash within 30 days of the assessment were among the indicia of jeopardy.

The Tax Division has been successful in compelling a Colombian convicted of money laundering to satisfy tax assessments totalling nearly \$4 million as a result of *United States v. Carlos Ernesto Armenta LaFaurie*. This is the first time the Tax Division has successfully concluded a repatriation suit where the government seeks to compel a taxpayer to return assets secreted in a Swiss bank account to this country to satisfy his tax liabilities. The Division intends to employ this novel approach, which has been used sparingly in the past, with greater frequency to combat the growing use by taxpayers of offshore facilities to remove or conceal assets from U.S. tax authorities.

Tax shelters continue to be a major focal point of our litigation, both on the civil and criminal front. In *United States v. Jeff Schnepfer*, the court entered a final judgment of permanent injunction against the defendant preventing

him from engaging in conduct subject to penalty under Internal Revenue Code Sections regulating the sale of tax sheltered investments. In the complaint the defendant, individually and corporately, was alleged to have prepared over 200 tax returns claiming personal expenses as business expenses; to have backdated certain documents essential to the claiming of other tax benefits; and to have created nonexistent businesses to deduct taxation, including a book entitled "How to Pay Zero Taxes." He has also appeared on national television programs expounding his tax theories.

An example of a large tax shelter case is *Boyd, et al. v. United States*, a refund suit brought by 118 taxpayers who invested in a master recording tax shelter. The Internal Revenue Service had not only disallowed their claimed credits, deductions and losses but also assessed certain penalties against the taxpayers. After a 12-day jury trial, the jury concluded that the Service was correct to deny taxpayers the tax benefit they claimed but ruled against the government as to the penalties.

Tax shelters attract Division attention from the criminal side also. In *United States v. Paul and Zack Williams*, following a five-day jury trial, a jury convicted the two promoters of a major tax shelter. They were found guilty of income tax evasion as well as aiding in the filing of false investor income tax returns. The fraudulent book tax shelter promoted by the two defendants, resulted in understated taxes due the government in excess of \$2 million.

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. With the passage of the Immigration Reform and Control Act of 1986, and other significant legislation affecting the area of immigration, the attorney program for the Immigration and Naturalization Service will experience significant growth nationwide. The introduction of new provisions for legalization, employer sanctions, and temporary workers, in what is the most comprehensive revision of the immigration laws of the United States in 30 years, has created the need for new attorneys to augment the existing staff, to advise the client agency and represent the government before administrative and federal district courts. This new legislation and corresponding action by the congressional, executive, and judicial branches of government will ensure that the immigration issue continues to enjoy high visibility. In the coming years, numerous cases of first impression regarding statutory interpretations under the new law will be litigated.

Attorney positions will be available in INS district and regional offices located throughout the United States. There is a city and state listing of these office locations in a separate section of the brochure. Attorneys will be given the opportunity to select their office location based upon the positions which are available.

Career Development Opportunities

Newly hired attorneys typically practice before immigration judges in administrative court, representing the government in exclusion and deportation cases. Additionally, they will be given significant opportunities to interact with the U.S. Border Patrol, and INS Investigations, Examinations, Detention and Deportation, and Management Divisions, and to provide legal advice and client counseling. Although all new attorneys will be exposed to a broad range of issues, for experienced attorneys some specialization opportunities will be available with respect to the substantive areas of legalization, employer sanctions, equal employment oppor-

tunity actions, merit system protection board cases, fine and fee collection, and fourth amendment issues.

Once a newly hired attorney has gained experience, advancement is available through two specific avenues. One avenue is the Special Assistant U.S. Attorney program. In this program, an INS attorney is assigned to a particular U.S. Attorney's Office to represent INS in federal district court. As the "point person" for INS, this attorney will individually handle *habeas corpus* and other actions as well



In 1986, the Immigration and Naturalization Service celebrated the 100th anniversary of the Statue of Liberty and witnessed the passage of the Immigration Reform and Control Act of 1986, the most comprehensive change in immigration law in over 30 years.

as serve as a member of a task force litigation team comprised of attorneys from INS' Office of the General Counsel and the Civil Division's Office of Immigration Litigation. These task force teams typically defend the government in class action and constitutional law cases. As an alternative, the attorney may select to advance within INS' management structure. This typically results in obtaining the position of district counsel, or assistant district counsel with supervisory authority over the legal staff in that particular office. Senior staff positions are also available in the regional counsel offices, and in the Office of General Counsel in Washington, D.C. Positions may also be available to serve as counsel in border patrol sector offices.

Training

INS provides attorneys hired under the Attorney General's Honor Program with an orientation of its nationwide program by conducting week-long training seminars. The seminar is typically divided into two segments. The first segment includes the presentation and distribution of materials on the substantive areas of law which new attorneys will practice, i.e., exclusion, asylum, deportation, vehicle seizure, and fourth amendment issues. The second segment is designed to familiarize new attorneys with the operating divisions of INS, i.e., U.S. Border Patrol, Investigations and Examinations. The passage of immigration reform will make the new legislation a top priority for future seminars.

Attorneys will also receive extensive on-the-job training in the assigned district office. One of the senior attorneys in the office will be assigned to instruct and supervise the new attorneys' appearances before the immigration court for a period of approximately two months. Additionally, the new attorney will be assigned to spend prescribed periods of time with each of the operating divisions within a district office in order to observe first-hand the actual administration and enforcement of the immigration laws and to develop the necessary attorney/client relationship.

Advanced training is also available in specific areas of law and litigation, as an attorney progresses within the INS program.

Examples of Recent Litigation

The Service is involved in a wide variety of litigation matters at all levels of the judicial system, including a number of interesting cases currently before the U.S. Supreme Court.

In *Abourzek v. Reagan*, the court of appeals held that one of the justifications for excluding an alien under 8 U.S.C. 1182(a)(27) was the protection of national interests, which includes foreign policy concerns. The court reasoned that the broad language of subsection (27) showed no intent to limit the terms "public interest...safety or security." A second issue raised by the plaintiffs was whether or not subsection (27) explicitly authorized exclusion of

aliens based on "activities in which the alien may be expected to engage," and not on mere entry or presence. The plaintiffs argued that exclusion was not to be based on mere entry or presence. Both the district court and the court of appeals held that the language of the statute supported the plaintiffs' claim. Despite this finding, the district court ruled in favor of the government. The court of appeals, however, remanded the case on this point because it found the district court's decision was based on an inadequate record.

In *Guevara-Flores v. INS*, the Fifth Circuit, following a similar Seventh Circuit finding, held that the evidentiary burden for establishing entitlement to withholding of deportation should be greater than the evidentiary burden imposed on those aliens who seek asylum.

The U.S. Supreme Court has also recently heard arguments in *United States v. Mendoza-Lopez*. In this case, two aliens had been continuously present in the United States for a period of seven years and as such were eligible for a suspension of deportation. However, since the immigration judge did not inform them of this alternative, the court of appeals held that the aliens could collaterally attack the deportation orders, and this ruling is currently before the U.S. Supreme Court.

In *Platero-Reymundo v. INS*, the alien challenged a Board of Immigration Appeals (BIA) decision denying his motion to reopen his deportation proceedings in order to reinstate voluntary departure. The alien entered the United States without inspection in August 1980. At his deportation hearing, he conceded deportability. The immigration judge denied his request for asylum and withholding of deportation. However, the immigration judge granted him 90 days of voluntary departure. Subsequently, the BIA denied his appeal but granted him 30 days of voluntary departure. However, he failed to depart as required.

On July 3, 1985, the alien filed a motion to reopen, requesting reinstatement of voluntary departure on the grounds that he was now married to a permanent resident who had applied for a visa on his behalf. The BIA denied

his motion on the grounds that he had not "offered any explanation or shown any compelling reasons or circumstances for his failure to voluntarily depart within the period of time authorized."

The court held that the BIA correctly determined that the alien had failed to prove a prima facie case for the motion to reopen. First, the alien failed to comply with the regulations which require that a motion to reopen must present material evidence which was not available and could not have been discovered at the earlier hearing. Secondly, the alien failed to present a prima facie case for the requested relief, namely voluntary departure. In order to do so, the "alien must demonstrate the existence of compelling reasons or circumstances for his failure to depart within the time originally allotted."

In addition to these cases, the Service is currently involved in litigation concerning the implementation of the Immigration Reform and Control Act (IRCA) of 1986. In *Catholic Social Service v. Meese*, the plaintiffs made numerous allegations concerning the manner in which IRCA has been implemented.

Among the challenges brought by this action are: (1) INS' policy and practice of apprehending and expelling aliens who qualify for legalization but who returned to the United States without inspection following otherwise brief casual and innocent absences from the country, after the date of enactment of IRCA; (2) INS' failure to issue and publish under the Administrative Procedure Act immediate interim or emergency regulations to implement the provisions of IRCA, which deal with the rights of aliens who qualify for legalization, prior to the initiation of the legalization application period; (3) INS' failure to grant employment authorization to aliens who qualify for legalization, but who were apprehended before the enactment of IRCA; (4) INS' failure to grant employment authorization to aliens who qualify for legalization and who have voluntarily surrendered to the agency; and (5) INS' policy and practice of excluding apprehended aliens eligible for legalization as special agricultural workers.

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 Naturalization 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 which now contains precedent decisions of the Board.

New Board attorney advisors receive training in immigration law through a system involving both extensive reading assignments and one-on-one review by a senior attorney.

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 Assistant Chief Immigration Judges, 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

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.

In *Matter of Carballe*, the Board determined that a Cuban national convicted of a particularly serious crime, in this case armed robbery, is a danger to the community and is, therefore, barred from the relief of withholding of deportation. The Board determined that two distinct findings as to "seriousness of the crime" and "danger to the community" are not necessary, and that background evidence regarding the circumstances of the crime is not relevant to the determination of statutory eligibility for relief.

In another important 1986 case, *Matter of Patel*, the Board modified an earlier decision regarding voluntary departure by stating that if an appeal is determined to be frivolous or filed solely for the purpose of delay, after dismissal of the appeal, a further grant of voluntary departure is precluded where the original immigration judge's grant has expired.

Matter of Garcia concerns an alien conditionally admitted to the United States as a refugee. His refugee status had been summarily terminated by the Immigration and Naturalization Service and he was placed in exclusion proceedings. The Board found that the alien had not been properly placed in exclusion proceedings and that refugee status had not been correctly terminated. The Board determined that under the facts of this case it was necessary to provide proper notice and an examination before an immigration officer before termination could occur.

United States Trustees' Offices

The United States Trustees 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. Formerly

established as a pilot program with limited jurisdiction, the United States Trustee program, under the "Bankruptcy Judges, United States Trustees, and Family Farmer Bank-

ruptcy Act of 1986," is a permanent nationwide system for the administration of bankruptcy cases. The new law provides for 21 separate U.S. Trustee regions covering the 94 judicial districts. Each region will be headed by a U.S. Trustee appointed by the Attorney General for a 5-year term. During fiscal year 1987, the program has plans to open approximately 25 new offices, which will each require an attorney staff. Approximately 30 additional offices are scheduled to be opened during 1988.

Currently, there are U.S. Trustee field offices located in Boston, New York City, Newark, Alexandria, Dallas, Chicago, Minneapolis, Los Angeles, Wichita and Denver. In addition, branch offices are located in Worcester, Massachusetts; Portland, Maine; Norfolk, Virginia; 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.

The U.S. Trustees establish, supervise and maintain panels of private trustees to serve in chapter 7 liquidation cases and supervise the standing trustees who administer chapter 12 and 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 ensuring 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. The U.S. Trustees' statutorily mandated duties also include monitoring the employment and compensation of professionals in a case and policing the system for criminal activity or abusive filings.

The program is currently expanding existing automated information systems and developing an electronic case management demonstration project which will assist the U.S. Trustees in carrying out their monitoring functions.

Employment and Training

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.

The U.S. Trustee program provides regular in-house training seminars and conferences designed to acquaint inexperienced attorneys with the practices and policies of the program. The program also encourages and supports attorney participation in the various courses of bankruptcy law and practice offered by established training institutions.

Examples of Recent Litigation

A.H. Robins Company, Inc. – A.H. Robins, a 120-year old pharmaceutical company, filed for relief under chapter 11 in August 1985, due to the mounting cost of injury claims filed by women who used its Dalkon Shield contraceptive intrauterine device in the early 1970's. The 18-month case, which involves over 300,000 claims, continues to generate numerous complex issues. The U.S. Trustee's recommendation that an independent examiner be appointed in the case was granted by the bankruptcy court. Since filing, Robins has accrued \$81 million in sales and buy out offers have been proposed.

LTV Steel Corporation – The chapter 11 filing by this aerospace/defense, energy products and steel conglomerate constitutes the largest business reorganization attempted to date. LTV, which has approximately 56,000 employees, has listed assets of \$6 billion and liabilities of \$4.22 billion. The U.S. Trustee appointed a 21-member committee to represent the unsecured creditors of LTV and, as case administrator, has been mediating between the parties to resolve the numerous labor issues. Since takeover by the federal government of three of LTV's troubled pension plans, representing \$2.1 billion of its liabilities, LTV expects a successful reorganization.

Kaiser Steel Corporation – Intense creditor pressure, including a lawsuit brought by the United Steelworkers union, has forced this Colorado-based coal and steel business to file for relief under chapter 11. Kaiser's largest unsecured creditor is a group of more than 6,000 retirees and their dependents. The retirees have claims for about \$240 million in unfunded pension liabilities. In addition, Kaiser faces claims for as much as \$600 million from its health plans for active and retired employees. The United States Trustee's Office, which has begun efforts to organize creditors' committees, anticipates that this case will be one of the largest bankruptcy filings in the state of Colorado.

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 certain supervisory

responsibilities with regard to U.S. Attorneys' non-litigative functions, including the Law Enforcement Coordinating Committees, general executive assistance, certain admini-

strative and legal services, personnel, training, and oversight for the U.S. Attorneys' Offices. These support and oversight functions include the formulation and execution of annual budgets for the operation of the 94 U.S. Attorney districts; development and maintenance of legal and management information systems; direction in the conduct of debt collection activities; provision of space, security, telecommunications, equipment, libraries; 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.

The majority of the legal work done in the Executive Office is performed by a small number of attorneys in the Legal Counsel section and the Legal Education Program. The Legal Education Program is fully explained in a separate section in this brochure. The work of the Legal Counsel is outlined below.

Legal Counsel

The Legal Counsel provides legal opinions, interpretations, and advice to the U.S. Attorneys and the Executive

Office for U.S. Attorneys on concerns such as regulations, departmental guidelines, and statutory requirements. The staff also drafts, reviews, and comments on legislative and regulatory proposals. The staff maintains effective liaison and guidance in intergovernmental legal affairs and responds to inquiries from members of Congress and private citizens relating to the activities of the Executive Office and the U.S. Attorneys. In addition, the staff reviews allegations of misconduct against Assistant U.S. Attorneys, provides advice on ethical and conflict of interest questions, and considers authorization requests for outside activities and representation requests when employees are sued concerning performance of official duties. The office administers a program in which federal attorneys may be cross-designated as state or local prosecutors and in which state and local prosecutors may be appointed as Special Assistant U.S. Attorneys. The office processes Freedom of Information and Privacy Act requests and publishes the *United States Attorneys' Manual* and the *United States Attorneys' Bulletin*. Finally, the staff furnishes assistance on administrative and litigative actions involving employee rights, equal employment opportunity, and adverse actions.

United States Attorneys' Offices

The United States Attorneys and their assistants are responsible for the vast bulk of the criminal and civil litigation for the United States. 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, the Virgin Islands, 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 2,654 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 the applicant 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

In a Southwest Border Region Drug Task Force case, a massive Southern California/Florida cocaine trafficking organization was dismantled and the individuals involved were prosecuted. The major indictment returned in the Southern District of California charged a total of 98 defendants in 270 counts. More than \$2.5 million in assets have been forfeited to the United States. In all, over 80 defendants pled guilty to a variety of narcotics charges in the case. Fifteen Peruvian and Colombian nationals remain fugitives. The indictment was the product of a 14-month wiretap investigation in which 11 separate court orders authorized electronic surveillance of 40 telephone lines and 4 room bugs.

Over the past several years, the FBI has conducted an undercover operation in the Eastern District of Tennessee resulting in numerous indictments. In one, the Sheriff of Scott County, Tennessee, was arrested and pled guilty to narcotics conspiracy charges, along with a part-time Deputy Sheriff. The sheriff and his deputy allowed planes alleged to be carrying cocaine to land at different locations in Scott County and were paid by FBI undercover agents for protection and assistance.

Litton Systems, Inc., engaged in a scheme to defraud the Department of Defense of approximately \$6.32 million by submitting false costs and pricing data relating to various procurement activities of the Department of Defense. This was done by substantially inflating the cost for materials in contract pricing proposals and falsely certifying that the cost and pricing data were accurate, current, and complete. Litton pled guilty in the Eastern District of Pennsylvania to 300 counts of making false claims and one count of concealment of material facts from the Department of Defense. Over \$15 million in criminal and civil penalties were recovered.

In the Northern District of Illinois, a total of 37 defendants, mostly doctors and pharmacists, were convicted of defrauding the Illinois Medicaid Program of over \$20 million while at the same time distributing massive amounts of narcotics to drug addicts. Eleven defendants were convicted by a jury, the remainder pled guilty. The doctor and pharmacist defendants operated a series of public aid clinics and pharmacies which catered to drug addicts. These clinics attracted the drug addicts by giving them prescriptions for narcotic cough syrups and powerful sedatives, and then selling them

the narcotics for cash. Before the addicts could receive the narcotics, however, they were subjected to numerous unnecessary tests and were given up to 40 unnecessary prescriptions each—all of which were billed to Medicaid by the defendants. The sentences included substantial incarceration and a \$10 million forfeiture.

In a money laundering prosecution, the United States convicted New England's second largest bank, the Bank of New England, of 31 separate felony counts of violating the Bank Secrecy Act by willfully failing to file currency transaction reports on 31 cash withdrawals made by a bookie. After the jury returned its verdict, the sentencing judge imposed a fine of \$1.24 million. The case was handled by the District of Massachusetts.

A former U.S. Navy radioman and allegedly the central figure in the most damaging spy ring in U.S. military history, was convicted in the Northern District of California of spying in an espionage ring that sold the Navy's most sensitive communications secrets to the Soviet Union. The defendant also was convicted of tax evasion on the \$332,000 that he received over nearly 10 years for gathering, photographing, and selling to the spy ring the secrets of Navy decoding equipment, code keys, and communications systems. He was sentenced to 365 years in prison and fined \$410,000.

In the Northern District of Alabama, a debtor in bankruptcy and other members of her family pled guilty to certain criminal tax violations. As a result of these convictions, the IRS filed a jeopardy tax assessment against the debtor, which showed a total liability of approximately \$500,000. The debtor filed chapter 11 bankruptcy one day later, and the IRS filed a claim showing a tax liability of approximately \$1.1 million. Through aggressive litigation within the limitations of the bankruptcy laws, the debtor has paid to the United States the sum of \$1,003,667.26 in delinquent taxes, plus interest, and a criminal fine of \$60,000.

The Western District of Texas in a forfeiture action obtained a Colombian religious artifact, the Host of Santa Clara, estimated to be worth \$3 million. This artifact is a two-foot tall, solid gold and jeweled monstrosity made in the mid-1700's by a Spanish king's jeweler. It was smuggled out of Colombia and imported into the United States with false documentation. Colombia will receive the monstrosity, part of their historical heritage, pursuant to an agreement reached during litigation.

In a \$3 million tort suit, the U.S. District Court for the District of Alaska granted summary judgment for the United States under the discretionary function exception to the Tort Claims Act. Plaintiffs, tour companies and insurers, sued the United States for claims that the plaintiffs had paid for the passengers injured or killed when the plaintiffs' tour bus left the road and rolled over in Mt. McKinley National Park. The Court held the primitive condition of the park road, on which the plaintiffs' case depended, resulted from an exercise of discretion by the Park Service to preserve the park's wilderness character.

United States Marshals Service

The U.S. Marshals Service is the nation's oldest federal law enforcement agency. Since 1789, the United States Marshals have served a central role for the executive and judicial branches of government, as law enforcement officers in the administration of criminal justice. The U.S. Marshals' principal areas of current jurisdiction, which affect virtually every federal law enforcement initiative, include court security, federal fugitive apprehension, witness protection, prisoner transportation, maintenance of drug related seized assets, and service and execution of federal court orders, both criminal and civil. U.S. Marshals and their staffs are located in each of the 94 federal judicial districts in the 50 states, District of Columbia, Guam, Puerto Rico, the Virgin Islands, and the Northern Mariana Islands.

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 advice and 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 before the Merit Systems Protection Board, the Equal Employment Opportunity Commission, the Federal Labor Relations Board, and arbitrators adjudicating certain types of labor disputes. It adjudicates all administrative claims filed against the Marshals Service under the Federal Tort Claims Act and processes all requests for information pursuant to the Freedom of Information and Privacy Acts. It provides direct assistance to the U.S. Attorneys and the legal divisions of the Department in a variety of federal district court and court of appeals 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 matters affecting the Service.

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 consistency 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 Applicant Coordinator of the nearest FBI field office, the telephone number of which is found in most directories.

Bureau of Prisons – Federal Prison Industries

The Bureau of Prisons oversees the operation of the Federal Prison System, consisting of 47 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, 6 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, provides legal assistance on the contracting process, 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 22 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 pre-

sent 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.

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.

Office of Justice Programs

The Office of Justice Programs (OJP), 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 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.

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 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. The Office advises on legal questions arising under grants, contracts, and the statutes and regulations governing the expenditure of federal grant or contract funds.

Bureau of Justice Statistics

The Bureau of Justice Statistics (BJS) performs criminal justice statistical functions for the federal government. The

BJS collects, analyzes, publishes, and disseminates statistical information on crime, victims of crime, criminal offenders, and the operation of justice at all levels of government.

In addition, the Bureau provides financial and technical support to state statistical and operating agencies and analyzes national information policy on such issues as the privacy, confidentiality and security of criminal justice data and the interstate exchange of criminal records.

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.

The results of this research 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 NIJ 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.

Bureau of Justice Assistance

The Bureau of Justice Assistance (BJA) administers block grant and discretionary grant programs to assist state and local criminal justice agencies. BJS 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 general criminal justice system improvements and drug law enforcement programs for police, court or correctional systems of the state or local government.

BJA discretionary funds provide a means of testing state-of-the-art knowledge about criminal justice practices in a variety of sites and provide for training, technical assistance and demonstration efforts for state and local drug law enforcement.

Office of Juvenile Justice and Delinquency Prevention

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was established by the Juvenile Justice and

Delinquency Prevention Act of 1974. This program administers a state formula grant program and a special emphasis discretionary grant program for state and local governments designed to remove juveniles from adult jails, remove status offenders from institutions, separate adults from juveniles in correctional facilities and provide for delinquency prevention activities. The Office also provides information, research, demonstration, evaluation, and training programs and services through the National Institute for Juvenile Justice and Delinquency Prevention and administers a Missing Children's Assistance Program to coordinate and assist in the federal response to the interstate problem of missing children. A 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 142 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 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 Chevy Chase, Maryland, 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 Chevy Chase, Maryland, with a staff of six attorneys and a regional counsel in Philadelphia, to give legal assistance and advice to the Commission.

Foreign Claims Settlement Commission

The Foreign Claims Settlement Commission is a quasi-judicial agency which determines claims of United States nationals for loss of property in 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

were held in a captured status during World War II and the Korean and Vietnam conflicts.

The Commission maintains a legal staff of two attorneys to assist in the development and presentation of claims and to give advice to the Chairman and the Commission.

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

Employee Services

Department's Location and Transportation

The location of the Department's Main Building, at Pennsylvania Avenue at 10th Street, N.W., is convenient to many of Washington's most popular tourist attractions. The Main Building is across the street from the National Archives, and one block from the Mall, which encompasses the Capitol, the Washington Monument, the Lincoln Memorial, the National Art Galleries, and the Smithsonian Institutions, including the country's most visited museum, the National Air and Space Museum.

The Department's excellent location in the Northwest section of the city has recently undergone extensive renovation, which has resulted in many fine shopping and dining facilities. The Department's Main Building is readily accessible by public transportation within the District of Columbia and from the nearby Virginia and Maryland suburbs. The Metro subway and bus system services most of the metropolitan area, and is considered one of the finest public transportation systems in the country. The National Archives Metro station is across the street from the Department's Main Building, and there are several other stations nearby, and convenient to the Department's satellite buildings.

There are a variety of employee services offered at the Department, which are described below.

The Department of Justice Credit Union

The Department of Justice Credit Union, located at the Main Justice Building, offers a full range of banking services, which include:

- Checking account services, featuring a reduced overdraft loan rate, and interest on balances of \$300.
- Savings account services, with rates tiered to offer members the best possible rates. Also offered are an easy 24-hour ATM access to savings and checking accounts locally through the MOST System (Maryland,

Virginia, D.C.) and through the PLUS System Network (nationwide), and convenient payroll allotment (automatic deposit of a specified amount of money from the member's paycheck to an account). Each member's account is insured up to \$100,000.

- Low-interest loans, both personal, and for new and used cars, recreational vehicles, and boats. Also offered are low interest loans for checking account overdrafts and low fees for the American Express Gold Card. The Credit Union also has a home equity loan program, with variable rates adjusting quarterly.

GELCO Travel Services

The Department contracts with GELCO Travel Services to offer employees a full range of personal and business travel services, including transportation and hotel reservations, and convenient airline and ground transportation ticket pickup at GELCO's Main Building office location.

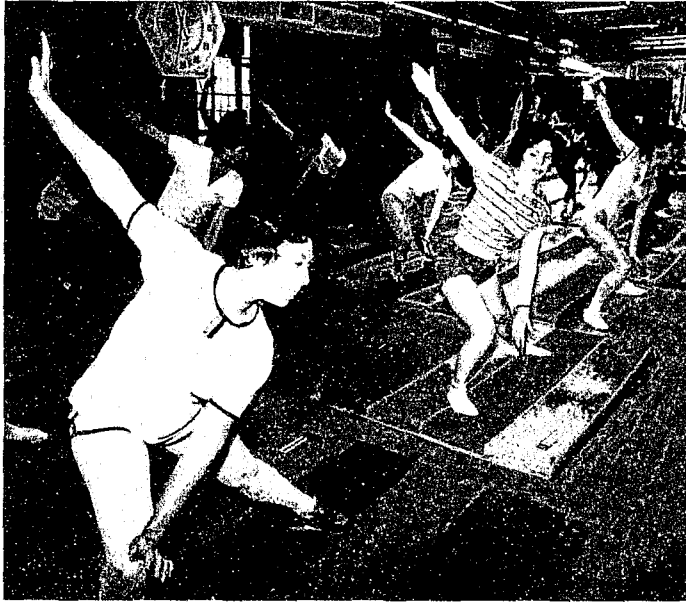
Department of Justice Health Units

The Department of Health and Human Services operates Health Units in the Main Building and five satellite buildings. The Health Units offer a variety of services, including:

- Emergency care and first aid treatment for illness and injury.
- Preventive screening programs for diabetes, high blood pressure, cancer, visual defects, glaucoma, hearing defects, and diseases of the lung.
- Implementation of a personal physician's orders at the work site when possible, such as providing limited bed rest, administering medications and allergy shots.
- Referral and follow-up services to appropriate community health resources.
- Occupational health hazard surveys of the work environment.
- Health education, health promotion, and counseling services for employees.

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 \$156 a year. The facility includes a fully equipped aerobic center, a Universal and free



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.

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 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).

Directory of Field Office Locations Employing Attorneys*

ARIZONA

Phoenix:

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

ARKANSAS

Little Rock:

U.S. Trustee Sub-Office**

CALIFORNIA

Belmont:

Bureau of Prisons Regional Office

El Centro:

Office of the Immigration Judge

Eureka:

U.S. Trustee Sub-Office**

Fresno:

U.S. Trustee Sub-Office**

Los Angeles:

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

Oakland:

U.S. Trustee Sub-Office**

Sacramento:

Immigration and Naturalization Service,
Western District Office
U.S. Trustee Sub-Office**

San Diego:

Immigration and Naturalization Service,
Western District Office
Office of the Immigration Judge
U.S. Trustee Sub-Office**

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
U.S. Trustee Field Office**

San Pedro:

Immigration and Naturalization Service,
Regional Counsel Office - Western Region

Santa Ana:

U.S. Trustee Sub-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
U.S. Trustee Sub-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
U.S. Trustee Sub-Office

Tampa:

Criminal Division Field Office
U.S. Trustee Sub-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
U.S. Trustee Sub-Office

Savannah:

U.S. Trustee Sub-Office

HAWAII

Honolulu:

Criminal Division Field Office
Immigration and Naturalization Service,
Western District Office
U.S. Trustee Sub-Office**

IDAHO

Boise:

U.S. Trustee Sub-Office**

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

** These are tentative U.S. Trustee Field and Sub-Office locations, to be opened in 1988.

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

Peoria:

U.S. Trustee Sub-Office**

INDIANA**Indianapolis:**

U.S. Trustee Field Office**

South Bend:

U.S. Trustee Sub-Office**

IOWA**Cedar Rapids:**

U.S. Trustee Sub-Office

Des Moines:

U.S. Trustee Sub-Office

KANSAS**Wichita:**

U.S. Trustee Field Office

KENTUCKY**Louisville:**

U.S. Trustee Sub-Office**

LOUISIANA**New Orleans:**

Criminal Division Strike Force
Immigration and Naturalization Service,
Southern District Office
U.S. Trustee Field Office**

Oakdale:

Office of the Immigration Judge

Shreveport:

U.S. Trustee Sub-Office**

MARYLAND**Baltimore:**

Immigration and Naturalization Service,
Eastern District Office
Office of the Immigration Judge
U.S. Trustee Sub-Office

Chevy Chase:

U.S. Parole Commission
Office of General Counsel

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 Sub-Office

MICHIGAN**Detroit:**

Criminal Division Strike Force
Immigration and Naturalization Service,
Northern District Office
U.S. Trustee Sub-Office**

Grand Rapids:

U.S. Trustee Sub-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

MISSISSIPPI**Jackson:**

U.S. Trustee Sub-Office**

MISSOURI**Kansas City:**

Bureau of Prisons Regional Office
Criminal Division Strike Force
Immigration and Naturalization Service,
Northern District Office
U.S. Trustee Field Office**

St. Louis:

U.S. Trustee Sub-Office**

MONTANA**Great Falls:**

U.S. Trustee Sub-Office**

NEBRASKA**Omaha:**

U.S. Trustee Sub-Office**

NEVADA**Las Vegas:**

Criminal Division Strike Force
U.S. Trustee Sub-Office**

Reno:

U.S. Trustee Sub-Office**

NEW JERSEY**Camden:**

Criminal Division Field Office

Newark:

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

NEW MEXICO**Albuquerque:**

U.S. Trustee Sub-Office

NEW YORK

Albany:

U.S. Trustee Sub-Office

Brooklyn:

Criminal Division Strike Force

Buffalo:

Criminal Division Strike Force

Immigration and Naturalization Service,
Eastern District Office

U.S. Trustee Sub-Office

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

U.S. Trustee Sub-Office

Syracuse:

Criminal Division Field Office

Westbury:

U.S. Trustee Sub-Office

OHIO

Cleveland:

Antitrust Division Field Office

Criminal Division Strike Force

Immigration and Naturalization Service,
Northern District Office

U.S. Trustee Field Office**

Columbus:

U.S. Trustee Sub-Office**

OKLAHOMA

Oklahoma City:

U.S. Trustee Sub-Office

Tulsa:

U.S. Trustee Sub-Office

OREGON

Portland:

Civil Division Field Office

Immigration and Naturalization Service,
Northern District Office

U.S. Trustee Sub-Office**

PENNSYLVANIA

Harrisburg:

U.S. Trustee Sub-Office

Philadelphia:

Antitrust Division Field Office

Bureau of Prisons Regional Office

Criminal Division Strike Force

Immigration and Naturalization Service,
Eastern District Office

U.S. Trustee Sub-Office

Pittsburgh:

U.S. Trustee Sub-Office

PUERTO RICO

Hato Rey:

U.S. Trustee Sub-Office

San Juan:

Criminal Division Field Office

Immigration and Naturalization Service,
Eastern District Office

RHODE ISLAND

Providence:

Criminal Division Field Office

SOUTH CAROLINA

Columbia:

U.S. Trustee Sub-Office

SOUTH DAKOTA

Sioux Falls:

U.S. Trustee Sub-Office

TENNESSEE

Chattanooga:

U.S. Trustee Sub-Office**

Memphis:

U.S. Trustee Field Office**

Nashville:

U.S. Trustee Sub-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

U.S. Trustee Field Office**

San Antonio:

Immigration and Naturalization Service,

Southern District Office

Office of the Immigration Judge

U.S. Trustee Sub-Office**

Tyler:

U.S. Trustee Sub-Office

UTAH

Salt Lake City:

U.S. Trustee Sub-Office

VERMONT**Burlington:**

Immigration and Naturalization Service,
Regional Counsel Office - Eastern Region

VIRGINIA**Alexandria:**

U.S. Trustee Field Office

Arlington:

Office of the Immigration Judge

Falls Church:

Executive Office for Immigration Review

McLean:

U.S. Marshals Service

Norfolk:

U.S. Trustee Sub-Office

Roanoke:

U.S. Trustee Sub-Office

WASHINGTON**Seattle:**

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

Spokane:

U.S. Trustee Sub-Office**

WEST VIRGINIA**Charleston:**

U.S. Trustee Sub-Office

WISCONSIN**Madison:**

U.S. Trustee Sub-Office

Milwaukee:

U.S. Trustee Sub-Office

WYOMING**Cheyenne:**

U.S. Trustee Sub-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

5110 Boggs Federal Bldg.
844 King St.
Wilmington 19801

DISTRICT OF COLUMBIA

Judiciary Center Bldg.
555 - 4th Street, 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

C-242 PJKK Federal Bldg.
Box 50183
300 Ala Moana Blvd.
Honolulu 96850

IDAHO

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

ILLINOIS

Northern District

1500 South Everett McKinley Dirksen Bldg.
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
4th Floor, Federal Bldg.
507 State St.
Hammond 46320
Southern District
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

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Concord 03301

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NEW MEXICO

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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

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238 O'Hara St.
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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.

Carlos E. Chardon Ave.
Hato Rey 00918

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SOUTH CAROLINA

P.O. Box 2266
Columbia 29202

SOUTH DAKOTA

P.O. Box 1073
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

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700 North Street
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Beaumont 77701

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

UTAH

476 U.S. Courthouse
350 South Main St.
Salt Lake City 84101

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