

Timothy M. Stubson (Bar No. 6-3144)  
CROWLEY FLECK, PLLP  
111 W. 2nd Street, Suite 220  
Casper, WY 82601  
(307) 265-2279  
tstubson@crowleyfleck.com

William E. Trachman (*pro hac vice*)  
Corey C. Bartkus (*pro hac vice*)  
MOUNTAIN STATES LEGAL FOUNDATION  
2596 S. Lewis Way  
Lakewood, Colorado 80227  
Telephone: (303) 292-2021  
Facsimile: (303) 292-1980  
wtrachman@mslegal.org  
corey@mslegal.org

Kimberly S. Hermann (*pro hac vice*)  
Braden Boucek (*pro hac vice*)  
SOUTHEASTERN LEGAL FOUNDATION  
560 W. Crossville Road, Suite 104  
Roswell, GA 30075  
Telephone: (770) 977-2131  
khermann@southeasternlegal.org  
bboucek@southeasternlegal.org

*Attorneys for Plaintiff Leisl M. Carpenter*

**UNITED STATES DISTRICT COURT  
DISTRICT OF WYOMING**

LEISL M. CARPENTER,  
Plaintiff,

v.

THOMAS J. VILSACK, in his official  
capacity as Secretary of the United States  
Department of Agriculture, and

ZACH DUCHENEAUX, in his official  
capacity as Administrator of the Farm Service  
Agency,

Defendants.

Case No. 0:21-cv-00103-NDF

**PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION TO STAY  
PROCEEDINGS PENDING  
RESOLUTION OF RELATED CLASS  
ACTION [ECF NO. 27]**

Section 1005 of the American Rescue Plan Act offers COVID-19 relief exclusively based on racial classifications of farmers and ranchers.<sup>1</sup> Plaintiff has filed a valid complaint that challenges this law, as well as a challenge to the Department of Agriculture's position that recipients of race-based COVID-19 debt relief are still eligible for future loans, as distinct from all other borrowers. Nevertheless, the largest law firm in the world<sup>2</sup> seeks to stay this case while it litigates in a different court in which jurisdiction did not first attach. That case, *Miller v. Vilsack*, No. 4:21-cv-0595-O (N.D. Tex.), involves different counsel, and Plaintiff has no control over its pace or legal theories. The Court should thus reject the government's effort to stay this case. The Western District of Tennessee recently reached the same conclusion, applying a similar standard of review as that in the Tenth Circuit. *See* Order Den. Defs.' Mot. to Stay Proceedings Pending Resolution of Related Class Action, *Holman v. Vilsack*, No. 1:21-cv-01085-STA-jay (W.D. Tenn. Aug. 2, 2021), ECF No. 49 (Exhibit 3).

### STANDARD OF REVIEW

"A district court's power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). However, this power is not to be exercised lightly, since it is also clear that a party's "right to proceed in court should not be denied except under the most extreme circumstances." *Commodity Futures Trading Comm'n v. Chilcott Portfolio Mgmt., Inc.*, 713 F.2d 1477, 1484 (10th Cir. 1983); *see Landis*, 299 U.S. at 255 ("Only in rare circumstances will a litigant in one cause be compelled to

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<sup>1</sup> Z. Ducheneaux, USDA Blog, *American Rescue Plan Socially Disadvantaged Farmer Debt Payments*, <https://www.farmers.gov/blog/loans-and-grants/american-rescue-plan-socially-disadvantaged-farmer-debt-payments> ("Q. Who qualifies for this debt relief? A. The American Rescue Plan Act uses the 2501 definition of socially disadvantaged, which includes Black/African American, American Indian or Alaskan native, Hispanic or Latino, and Asian American or Pacific Islander.").

<sup>2</sup> *A Career Counselor's Guide to Lateral Hiring at DOJ*, United States Department of Justice, <https://www.justice.gov/oarm/images/lateralhiringguideforweb.pdf>. (Exhibit 1).

stand aside while a litigant in another settles the rule of law that will define the rights of both.”); *Kennedy Oil v. Luca Tech., Inc.*, No. 12-cv-194, 2013 WL 12284416, \*2 (D. Wyo. Apr. 19, 2013) (“[T]he right to proceed in court should not be denied except under the most extreme circumstances.”) (internal quotation marks omitted).

In reviewing a motion to stay, courts should consider four specific factors: (1) the movant’s likelihood of prevailing in the related proceeding; (2) whether, absent a stay, the movant will suffer irreparable harm; (3) whether the issuance of the stay will cause substantial harm to the non-movant; and (4) the public interests at stake. *See United Steelworkers of Am. v. Or. Steel Mills, Inc.*, 322 F.3d 1222, 1227 (10th Cir. 2003); *Dietgoal Innovations LLC v. Taco John’s Int’l*, No. 14-CV-00144-F, 2014 WL 11460456, at \*3 (D. Wyo. Oct. 2, 2014) (“[I]f the three harm factors weigh in favor of the movant, the ‘likelihood of success’ factor should be relaxed somewhat.”). When analyzing the factors, the Court “should weigh the three harm factors first and then proceed to the likelihood of success factor.” *Dietgoal Innovations*, 2014 WL 11460456, at \*3. With respect to the factors, the movant bears the burden of establishing why a stay should be granted. *Id.* (“[T]he movant bears a heavy burden to show why a stay should be granted absent statutory authorization.”).

### ARGUMENT

The government fails to organize its motion in accord with the four *United Steelworkers* factors referred to above. In sum, however, the government has failed to establish that it will be irreparably harmed without a stay, that a stay would not substantially harm Plaintiff, or that the public would benefit from a stay. Finally, with respect to the “likelihood” of success factor, several other courts have already issued preliminary injunctions regarding Section 1005 of the American Rescue Plan Act, concluding that plaintiffs are likely to succeed in their constitutional challenges.

Indeed, Section 1005 is a brazen racial classification, and the government has conceded that strict scrutiny applies. Separately, to the extent judicial economy is an additional consideration for the court, that factor does not outweigh the *United Steelworkers* analysis.

**1. Factor 1: Defendants Have Failed to Meet Their Burden of Establishing Irreparable Harm.**

The word “irreparable” is not mentioned once in the government’s motion, and no declaration or other factual evidence attempting to prove irreparable harm is presented to the Court. The Court should deny the government’s motion on this basis alone.

Nor, additionally, could the government make such a showing if it tried. “The party requesting a stay must make out a clear case of hardship or inequity, if there is even a fair possibility that the stay will damage another party.” *Kennedy Oil*, 2013 WL 12284416, at \*2. The government merely asserts that requiring it “to continue defending against duplicative claims in separate courts” would qualify as a hardship. Defs.’ Mot. to Stay, ECF No. 28 at 1. These are exactly the types of concerns that litigants make in every stay motion, and which courts generally reject. *See, e.g., Collins v. Ace Mortg. Funding, LLC*, No. 8-cv-1709, 2008 WL 4457850, \*1 (D. Colo. Oct. 1, 2008) (“The ordinary burdens associated with litigating a case do not constitute undue burden.”); *Lockyer v. Mirant Corp.*, 389 F.3d 1098, 1112 (9th Cir. 2005) (“[B]eing required to defend a suit, without more, does not constitute a ‘clear case of hardship or inequity’ within the meaning of *Landis*.”).

In terms of litigation resources, it beggars belief that the Department of Justice could ever be “drained,” given that it employs approximately 10,000 attorneys nationwide. *See Choose Justice: Guide to the U.S. Department of Justice for Law Students and Experienced Attorneys*, United States Department of Justice, <https://www.justice.gov/sites/default/files/careers/docs/legal-careers-brochure.pdf>. (Exhibit 2).

Even in a matter involving a receivership for real property—and not the Department of Justice and an extraordinary public moment—courts have rejected the types of arguments made by the government here. *See Klein v. Brennan*, No. 2:19-cv-687, 2020 WL 816140, \*1 (D. Utah Feb. 19, 2020) (“The time and costs that Defendant will expend litigating this case are also an insufficient hardship to warrant a stay.”).

**2. Factor 2: Defendants Have Failed to Meet Their Burden of Establishing that a Stay Would Not Cause Substantial Harm to the Plaintiff.**

There can be no doubt that a stay would substantially harm Plaintiff. The Supreme Court has made it clear that “[o]nly in rare circumstances will a litigant in one cause be compelled to stand aside while a litigant in another settles the rule of law that will define the rights of both,” *Landis*, 299 U.S. at 255. The government asks the Court to allow other parties with other legal counsel in a court in a different judicial circuit to decide Plaintiff’s fate.

The government, moreover, cannot establish that any stay would merely be for a discrete and limited time period. For instance, the government may opt to appeal the grant of class certification issued in *Miller*, or appeal the grant of preliminary injunction, before proceeding to any further proceedings on the merits. *See* Joint Report, *Miller*, No. 4:21-cv-595 (N.D. Tex. July 16, 2021), ECF No. 70 at 3 n.1 (“Defendants have not appealed or sought a stay of this Court’s preliminary injunction, but reserve their right to do so.”). Plaintiff has no say whatsoever in the pace at which *Miller* would proceed, including whether extensions of deadlines may be requested or granted by either party, whether the government may seek *en banc* review by the Fifth Circuit, or whether ultimate review by the U.S. Supreme Court may occur.

Indeed, Plaintiff expects that the government will propose an “expedited” scheduling plan like it has proposed in *Faust* and *Wynn*—should its motion for a stay in this case be denied—that would nevertheless still result in summary judgment briefing being completed around April 1

(*Wynn*) or May 6, 2022 (*Faust*), which is over a year after the passage of the American Rescue Plan Act. *See* Parties’ Proposed Schedules, *Faust v. Vilsack*, No. 1:21-cv-548 (E.D. Wis. July 14, 2021), ECF No. 56 at 3; Joint Notice, *Wynn v. Vilsack*, No. 3:21-cv-514 (M.D. Fla. June 29, 2021), ECF No. 42 at 4. In other words, the government is suggesting that requiring it to complete briefing on summary judgment by next April or May—9 or 10 months from now—would “drain” the resources of the federal government. Even on its own terms, this is no grounds for stay. *See Commodity Futures Trading Comm’n*, 713 F.2d at 1484 (“[W]here a movant seeks relief that would delay court proceedings by other litigants he must make a *strong showing of necessity* because the relief would severely affect the rights of others.” Thus, “the suppliant for a stay must make out a *clear case of hardship or inequity* in being required to go forward.”) (emphasis added).

If a complete stay of all proceedings is granted, Plaintiff will simply have to sit and wait indefinitely, always wondering whether her claims will be heard in this judicial district some day. *See* Exhibit 3, at 2 (“Plaintiff could well have to wait years before he is able to resume his case in this Court.”). Such an indefinite length of time cannot fairly be said to be “susceptible of prevision and description.” *Landis*, 299 U.S. at 257. In the meantime, Plaintiff will watch counsel other than her own making strategic decisions and legal arguments that she has no say in.

The government incorrectly suggests that the cases “are not just similar—they are identical.” Defs.’ Mot. to Stay, ECF No. 28 at 6. But this case features a wholly distinct claim that is never mentioned in *Miller*—related to the government’s position that it can allow future loan eligibility for those who receive loan forgiveness under Section 1005, which Plaintiff contends is a distinct equal protection violation in itself. *See* Compl., ECF No. 1 at 12-13 (“Because the Department has no authority to treat anyone who received loan forgiveness as eligible for future loans, but has said that it will do so anyway, it will be acting unlawfully.”). These claims deserve

timely adjudication, regardless of how *Miller* proceeds. *Cf. Chavez v. Young Am. Ins. Co.*, No. 6-cv-02419, 2007 WL 683973, \*2 (D. Colo. Mar. 2, 2007) (Staying the case for approximately 7.5 months while motion to dismiss was pending “could substantially delay the ultimate resolution of the matter, with injurious consequences.”).

**3. Factor 3: The Government Has Failed to Establish that the Public Interests at Stake Justify a Stay.**

The government *barely* argues that a stay will benefit the public. The closest it gets is citing a First Circuit case, wherein that court stayed a matter, noting that the stay was in the public interest. Defs.’ Mot. to Stay, ECF No. 28 at 10. Such an offhanded reference does not suffice to show that a stay in this case is in the interests of the public. Moreover, it is just as persuasive to argue that the public in this judicial district benefits from the robust and timely enforcement of constitutional rights, like those alleged in the instant matter. *See Collins*, 2008 WL 4457850, at \*1 (“[T]he Court identifies a strong interest held by the public in general regarding the prompt and efficient handling of all litigation.”); *see also Commodity Futures Trading Comm’n*, 713 F.2d at 1486 (reversing stay where court concluded that investor confidence was not likely to be promoted due to the “adverse effects of the denial of access to the courts”). Because the moving party bears the burden on this factor, even if the Court views this issue as a tie, such a conclusion should lead the Court to reject the motion to stay.

**4. Factor 4: The Government Has Failed to Establish that It Has a Likelihood of Succeeding on the Merits in *Miller*.**

The government ignores this factor as well. In any event, like the other factors, it cuts against the government, given that Section 1005 imposes a brazen racial classification, and is presumptively unconstitutional. *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 218 (1995) (“[T]he guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color.”) (quoting *Regents of U. of Calif. v.*

*Bakke*, 438 U.S. 265, 289-90 (1978) (Powell, J.); *see id.* at 290 (“If both are not accorded the same protection, then it is not equal.”). The government’s showing on strict scrutiny—which it has acknowledged applies—has been so weak that three preliminary injunctions have already been entered against the law. *See* Order, *Wynn*, No. 3:21-cv-514 (M.D. Fla. June 23, 2021), ECF No. 41; Order, *Miller*, No. 4:21-cv-595 (N.D. Tex. July 1, 2021), ECF No. 60; Order Granting Mot. for Prelim. Inj., *Holman*, No. 1:21-cv-01085-STA-jay (W.D. Tenn. July. 8, 2021), ECF No. 41.

Moreover, as the Tenth Circuit has recognized, this factor is “relaxed” only “where the moving party has established that the three ‘harm’ factors tip decidedly in its favor.” *Fed. Trade Comm’n v. Mainstream Mktg. Serv., Inc.*, 345 F.3d 850, 852 (10th Cir. 2003) (describing “the four stay factors” and weighing the likelihood of success factor). In this case, no such showing has been made, and the factor weighs heavily against the government.

**5. To the Extent Judicial Economy is a Factor, It Does Not Outweigh the Factors Described Above.**

The government spends most of its motion on this subject, which is not technically part of the *United Steelworkers* analysis. In any event, the government cannot seek to indefinitely stay this matter merely because a suit in another jurisdiction involves Section 1005. “[J]udicial economy ... considerations should rarely if ever lead to such broad curtailment of the access to the courts.” *Commodity Futures Trading Comm’n*, 713 F.2d at 1485; *Nelson v. Granite State Ins. Co.*, No. CIV–08–1165–M, 2010 WL 680878, \*1 (W.D. Okla. Feb. 25, 2010) (“The stay of a case is a discretion that will be used sparingly and only upon a clear showing by the moving party of hardship or inequity so great as to overbalance all possible inconvenience of the delay to his opponent.”).

To be sure, the Court is within its discretion to stay a duplicative suit. *Smith v. Sec. and Exch. Comm’n*, 129 F.3d 356, 361 (6th Cir. 1997) (“When a federal court is presented with such a



duplicative suit, it may exercise its discretion to stay the suit before it, to allow both suits to proceed, or, in some circumstances, to enjoin the parties from proceeding in the other suit.”). However, “the mere potential for conflict in the results of adjudications does not, without more, warrant staying exercise of federal jurisdiction.” *Colorado River Water Conservation Dist. v. United States*, 424 U.S. 800, 816 (1976). Generally, courts consider whether another action involves “the same issues and litigants” and “substantially identical causes of action.” *Ed Tobergte Assoc., Inc. v. Zide Sport Shop of Ohio, Inc.*, 83 F. Supp. 2d 1197, 1198 (D. Kan. 1999).

*Miller* does not involve the same parties, and will not adequately consider all of Plaintiff’s interests. See Exhibit 3, at 3 (“Additionally, the interests of the *Miller* plaintiffs are not completely aligned with Plaintiff’s interests, thus negating Defendants’ claim of duplicative lawsuits.”).<sup>3</sup> Thus, deferral under the first-filed approach would be inappropriate, because *Miller* will not “necessarily resolve the identical issues pending in the other court.” *Victor Co. v. Ortho Organizers, Inc.*, 923 F.Supp. 261, 263 (D. Kan. 1996). A court abuses its discretion where it enjoins a party from proceeding due to another suit that is not truly duplicative of the suit before it. See *Span-Eng Assoc. v. Wiedner*, 771 F.2d 464, 470 (10th Cir. 1985).

The instant litigation is not truly duplicative. *Miller* will not “resolve the identical issues pending in” this case, because even if the *Miller* court rules that the government violated white farmers’ and ranchers’ equal protection rights by basing COVID-19 relief on race, such determination does not resolve Plaintiff’s “entire action”—it leaves substantive questions still to

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<sup>3</sup> Additionally, Plaintiff may yet pursue a request to opt out of the *Miller* classes. See *Penson v. Terminal Transp. Co., Inc.*, 634 F.2d 989 (5th Cir. 1981) (describing class actions that have provided for opt-outs under F.R.C.P. 23(b)(2) to “ameliorate any ‘antagonistic interests’ between the class representatives and the absent members” and to “permit the class members to seek monetary relief in individual actions if they so choose”). The argument that Plaintiff would necessarily be bound by a judgment impacting another class raises a “serious possibility” of a due process violation. *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 363 (2011). Regardless of Plaintiff’s ability to opt out of the *Miller* classes, however, this Court should deny Defendants’ motion for stay. The Western District of Tennessee based its similar denial partly on this factor. See Exhibit 3, at 3 (“Finally, Plaintiff may choose to opt out of the *Miller* classes, thus leaving his interest unrepresented.”).

be determined. Because the *Miller* case cannot resolve “*the same issues*” between the litigants, application of the first-to-file rule is not warranted. *Cf. Ed Tobergte Assoc.*, 83 F. Supp. 2d at 1199 (only because the earlier filed case could resolve all the issues between the parties, the chronology of the two actions favors applying the first-to-file rule). Additionally, courts commonly reject one party’s assertion that proceeding is merely a waste of time because another matter will resolve all issues. *See Wyoming v. United States Dep’t of Interior*, Nos. 2:15–CV–043–SWS, 2:15–CV–041–SWS, 2015 WL 9463708, \*2 (D. Wyo. Dec. 17, 2015) (“Although Intervenor–Respondents’ assume the final administrative record may be immaterial to the outcome, this Court is not prepared to be so presumptuous.”).

The government relies on out-of-circuit cases that are inapposite. For example, the government cites *Taunton Gardens Co. v. Hills*, 557 F.2d 877 (1st Cir. 1977) as “illustrat[ing] the propriety of a stay in circumstances strikingly similar to this case.” Defs’ Mot. to Stay, ECF No. 28 at 10. Unlike here, the district court in *Taunton Gardens* was considering a motion for preliminary injunction by the time *a final judgment* in a concurrent case had been issued. *See Taunton Gardens Co. v. Hills*, 421 F. Supp. 524, 525-26 (D. Mass. 1976). And contrary to the indefinite stay proposed by the government in this case, the First Circuit noted that “the duration of the stay [was] adequately circumscribed by reference to the determination of the appeal presently pending.” *Taunton Gardens*, 557 F.2d at 879.

The other cases the government cites are equally inapplicable. The court in *Aleman ex rel. Ryder Sys., Inc. v. Sancez*, for instance, was not addressing a stay motion whatsoever; the quoted language referred to an entirely separate case. No. 21-cv-20539, 2021 WL 917969, \*2 (S.D. Fla. Mar. 10, 2021); *see* Defs’ Mot. to Stay, ECF No. 28 at 9-10. Additionally, the court in *Richard K. v. United Behavioral Health* deferred to a class action lawsuit filed over four years before the

complaint was filed. No. 18-cv-6318, 2019 WL 3083019, \*5 (S.D.N.Y. June 28, 2019), report and recommendation adopted, No. 18-cv-6318, 2019 WL 3080849 (S.D.N.Y. July 15, 2019); *see* Defs.’ Mot. to Stay, ECF No. 28 at 10. These cases are inapposite and do not justify staying this case.

Finally, the government’s argument that *Miller* was the “first filed” case rests on a false premise. Initially, the sole plaintiff and proposed class representative in *Miller* was Sid Miller, the Agriculture Commissioner for the State of Texas. *Miller*, No. 4:21-cv-595 (N.D. Tex. Apr. 26, 2021), ECF No. 1 at 3. *Miller* possessed neither farm nor ranch loans to press his claims, and thus lacked standing sufficient for the court in that case to exercise jurisdiction under Article III. He nonetheless sought to “represent a class of all farmers and ranchers in the United States who are currently excluded from the Department’s interpretation of ‘socially disadvantaged farmer.’” *Id.* at 9. Only *Miller*’s amended complaint remedied this defect by adding plaintiffs with standing who held farm loans. The amended complaint in *Miller* was filed a week after Plaintiff filed her complaint, however, for which this Court’s jurisdiction attached immediately. *Compare* Compl., ECF No. 1 (filed May 24, 2021), *with* Am. Compl., *Miller*, No. 4:21-cv-595 (N.D. Tex. June 2, 2021), ECF No. 11 (filed June 2, 2021). The government’s argument that *Miller* was the first filed case is therefore inaccurate, and does not support the granting of a stay.

### CONCLUSION

For these reasons, the Court should deny the government’s Motion to Stay.

Dated: August 2, 2021.

Respectfully submitted,

/s/ William E. Trachman

William E. Trachman, CO. Bar No. 45684\*  
Corey C. Bartkus, CO. Bar No. 54789\*  
MOUNTAIN STATES LEGAL FOUNDATION  
2596 S. Lewis Way  
Lakewood, Colorado 80227  
Tel: (303) 292-2021 | Fax: (303) 292-1980  
wtrachman@mslegal.org | corey@mslegal.org

/s/ B.H. Boucek

Braden H. Boucek, TN BPR No. 021399\*  
Kimberly Hermann\*  
SOUTHEASTERN LEGAL FOUNDATION  
560 W. Crossville Road, Suite 104  
Roswell, GA 30075  
Tel: (770) 977-2131  
bboucek@southeasternlegal.org | coleary@southeasternlegal.org  
\*Appearing *Pro Hac Vice*

Timothy M. Stubson (Bar No. 6-3144)  
CROWLEY FLECK, PLLP  
111 W. 2nd Street, Suite 220  
Casper, WY 82601  
(307) 265-2279 | tstubson@crowleyfleck.com

Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on August 2, 2021, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF system which sent notification of such filing to all counsel of record of this matter.

/s/ William E. Trachman

William E. Trachman

# **EXHIBIT 1**

## **A Career Counselor's Guide to Lateral Hiring at DOJ**



### ***A CAREER COUNSELOR’S GUIDE TO LATERAL HIRING AT DOJ***

The question isn’t whether we have jobs; we do -- lots of them. The Department (DOJ) hires more than 750 experienced attorneys nationwide each year.

The question isn’t whether lawyers are interested in these jobs; they are. Despite the robust market for legal talent, the competition for available positions at the Department remains strong.

The more relevant questions to ask are:

- Where are the jobs, and how can you find them?
- How does the hiring process work?
- What do the Department components look for in a candidate?

### **AN OVERVIEW OF LATERAL HIRING AT DOJ**

The lateral hiring process at the Department is similar to that of any large legal employer, but it has some unique features.

***DOJ is mission driven, not profit driven.*** The Department stands at the forefront of America’s commitment to justice for all its citizens. Each component within the Department has its own unique mission in meeting that commitment.

***There is a very broad range of legal practice and opportunity.*** With more than 9,500 attorneys, the Department of Justice is the largest legal employer in the world. Attorneys at the Department, in Washington, D.C. and in field offices nationwide, work in virtually every area of legal practice.

***There is “no one-stop shopping” for experienced attorneys.*** The Department believes that each component within the Department is in the best position to know the kind of skills and talent it needs to achieve its mission and has given each component the authority to select its own candidates. This means that lateral candidates must apply separately to each Department component in which they have an interest. This decentralized philosophy can present a challenge for candidates. There are more than 40 separate components at the DOJ, and within each of those components there are multiple sections, each with its own distinct focus. Finding a “match” does require some research and thought.

***Candidate selection is individualized.*** Each DOJ component is free to develop a recruitment system that is geared to the specific needs and philosophy of that particular office. One section may decide to conduct group interviews while another may have a committee that conducts one-on-one interviews for the section. There is a natural tendency to think of the Department as one entity, but, at least from a hiring perspective, it is better to view each Department component as an individual employer.

***Available positions are unpredictable.*** Budget, attrition, and expanding caseloads drive the hiring process. Department managers are constantly juggling budget realities against staffing needs. And, priorities constantly change. Department managers have to make a case for additional hiring and, even when approval is granted to hire additional lawyers, there is always the unexpected. These changing priorities can delay the hiring process. Budget can prompt a “hiring freeze” which can halt the components’ hiring for months at a time.

***Approval to hire attorneys generally is made at the division level, but recruiting, interviewing and hiring is generally done at the section level.*** As an example, in the Environment and Natural Resources Division, the hiring needs for each section within the division are determined quarterly by the division’s leadership. If, for example, the Appellate Section was given authority to hire one new attorney, the hiring process would be conducted solely by the attorneys in the Appellate Section. For smaller sections (fewer than 25 attorneys) within the Department, the Section Chief may screen candidates and handle interviews. For the larger sections, there is often a Hiring Committee that orchestrates the process and presents the “finalists” to the Section Chief and/or Assistant Attorney General for that division who makes the final selection. The interviewing process is generally two-tiered with an initial interview at the section level and a final interview with the Section Chief or the Assistant Attorney General of that division. Typically components will interview 10-15 people for each attorney position. The process – from submission of the resume, to interview, to checking references, to offer – can take several months.

***The suitability process.*** Department attorneys hold positions of high public trust which frequently can have a significant bearing on the public interest. Once an offer is extended and accepted, the FBI conducts a full-field background investigation to ensure that each attorney hired is suitable for appointment to an attorney position. This process can take several months. In most cases, experienced attorneys join the Department on a temporary, conditional appointment pending completion of that process.

## **RULES OF THUMB WHEN COUNSELING ALUMNI**

***Questions to ask.*** Do you want to be a litigator, or do you want a policy or counselor/advisory position? Do you want to be on the front-line as a trial attorney, or do you want an appellate practice? Do you want to work as part of a litigation team, or do you want to work more independently? Do you want to travel? Once a candidate has a picture of his or her ideal profile, he or she can research the Department division/section that matches that profile.



***Talk to as many people as possible.*** Professors, colleagues, former classmates, and DOJ attorneys are good sources of information about potential opportunities and the work of the various divisions and offices.

***Utilize the Department's Web site.*** There is a wealth of information on OARM's web site, including hiring contacts, the number of recent hires, and the work of the divisions and their sections at [www.usdoj.gov/oarm/arm/componentsdesc.htm](http://www.usdoj.gov/oarm/arm/componentsdesc.htm). The DOJ Practice Area Chart at [www.usdoj.gov/oarm/images/practice.pdf](http://www.usdoj.gov/oarm/images/practice.pdf) is a very effective counseling tool for assisting attorneys in finding the component(s) which best match their interest and expertise. The Field Office Location Chart at [www.usdoj.gov/oarm/images/fieldoffice.pdf](http://www.usdoj.gov/oarm/images/fieldoffice.pdf) provides a handy reference for candidates looking for opportunities nationwide.

The Department's "What We Do" and "Press Room" sections of the Web site [www.usdoj.gov](http://www.usdoj.gov) are another good place to keep up with news and new initiatives that may have an impact on hiring.

***Bookmark the DOJ vacancy announcement page and respond to individual vacancy announcements*** – [www.usdoj.gov/oarm/attvacancies.htm](http://www.usdoj.gov/oarm/attvacancies.htm). All attorney vacancies are advertised on our web site. Checking this site frequently is the best way to keep up to date with advertised attorney vacancies.

***Apply to individual components directly.*** In addition to responding to specific vacancy announcements, attorneys should also be encouraged to apply to the hiring contact listed for each DOJ component in which they have an interest ([www.usdoj.gov/oarm/arm/lar/larcontact.htm](http://www.usdoj.gov/oarm/arm/lar/larcontact.htm)). Department components are continuously receiving a large number of unsolicited resumes and many hire from that pool. Candidates should be specific in their cover letter. For example, "*While I am interested in the Civil Division generally, I am particularly interested in a position with the Torts Branch.*"

***Review of resumes.*** Whether resumes are received in response to an advertised vacancy or through direct mailing by candidates, they are typically evaluated by the personnel office for the division. Upon review, the personnel office forwards the resume either broadly around the division or to certain sections depending on the candidate's qualifications and specific interests. Attorneys who are focused on a particular section can also send a resume directly to the Section Chief of that section. The Federal Yellow Book, available in most law libraries, is a good resource for locating names and contact information for Department components. As a rule of thumb, most components keep resumes active for six months.

**WHAT DO DEPARTMENT COMPONENTS LOOK FOR?**

The candidate profiles vary from division to division and from section to section; however, there are some constants among the litigating divisions:

***Litigation experience.*** All components like to see a nexus between what they do and what the candidate has done. As an example, the Fraud Section of the Criminal Division values court time – trying relevant cases, taking depositions, interviewing witnesses, etc.

***Demonstrated interest in the work of the division or section.*** One way candidates can show this is through the resume and/or the cover letter. Candidates should include any relevant *pro bono*, clinical or work experience in their application materials.

***Diversity of experience, background, geography.*** Components aren't looking for cookie-cutter applicants, they want a variety of experiences and backgrounds. Attorneys at DOJ are from all over the country and bring their experiences as former teachers, pilots, law enforcement personnel, engineers, law firm partners and associates, military officers, policy analysts, and more.

***Commitment to contribute to the mission of the particular component.*** Components are leery of candidates who are motivated by the perception that life will be easier in government practice. They want those candidates who are driven to accomplish the goals of the component.

**WHY DO ATTORNEYS COME TO THE DEPARTMENT?**

Lawyers come to the Department, many taking significant pay cuts, for a range of personal and professional reasons.

***The work itself.*** Hands down, this is the biggest draw. Laterals come because they want to work on important cases, they want more front-line experience, and/or they want to work on issues that are unique to the Department. One attorney told us, “*when I talked to people both on the inside [DOJ] and outside, they all told me that working at DOJ would round out my legal experience and would make me a better lawyer whether I stay with DOJ or choose to return to private practice. They said it's the best legal job you'll ever have.*”

***The opportunity to manage your own cases.*** In most instances, Department attorneys get their own cases and handle everything from investigation to trial. They aren't just doing the ground work for someone else. It's their case from beginning to end. Another plus is that they have great latitude in how they get their work done without some of the pressures found in the private sector. The lack of billable hours and client development responsibilities allow Department attorneys to focus on practicing law.

***The opportunity to make a difference and have an impact.*** One Assistant United States Attorney (AUSA) said “*I never thought I would find a job that is so meaningful and fulfilling. I have an opportunity to make a difference in my community by holding offenders accountable and working with victims of violent crimes.*”

***A collegial work environment.*** Attorneys at the Department stress the benefit of working in a cooperative, as opposed to competitive, work environment. They highlight the benefits of working in an environment where attorneys share ideas and where there are great opportunities for training and for mentoring. Our attorneys say consistently that they have “*great teachers and managers.*”

### **SOME FREQUENTLY ASKED QUESTIONS**

#### ***Where are the opportunities?***

More than 50% of the attorneys in the Department work in one of the 94 U.S. Attorneys’ Offices. The remainder of the attorneys are in the Department components. See below for a quick picture of attorney hiring in the larger Department organizations in Fiscal Year 2007:

Component	# of attorneys hired 2007
U.S. Attorneys’ Offices	314
Civil Division	120
United States Trustees’ Offices	61
Criminal Division	83
Antitrust Division	36
Civil Rights Division	36
Tax Division	70
Environment and Natural Resources Division	27
Executive Office for Immigration Review	29
Federal Bureau of Investigation	17
Federal Bureau of Prisons	9

Many of the smaller offices also hire experienced attorneys, but generally on a less frequent basis and/or in far fewer numbers than the larger components mentioned above.

***Who is eligible?***

Any attorney who is an active member of the bar (any jurisdiction) and has at least one year post-J.D. experience is encouraged to apply for a position as an experienced attorney.

***Are all of the opportunities in the Washington, D.C. area?***

No. The majority of attorney positions with U.S. Attorneys' Offices, the Executive Office for Immigration Review and U.S. Trustees' Offices are located outside the Washington, D.C., area. In addition, some Department components have offices located outside the Washington, D.C., area: for example, the Antitrust Division has seven field offices located in major cities around the country. That said, most of the other litigating division positions are in D.C. A table of "Field Office Locations Employing Attorneys" can be found at [www.usdoj.gov/oarm/images/fieldoffice.pdf](http://www.usdoj.gov/oarm/images/fieldoffice.pdf).

***Can you transfer within the Department?***

It is not unusual for DOJ attorneys to move within the Department, either to another section within their current Division or to move to another Division entirely. Some attorneys may hold several different positions within the Department over the course of their career. Because every attorney within the Department undergoes a background investigation, the transition from one component to another can be accomplished quickly.

***What is the salary structure?***

Attorneys at the Department are paid under one of two salary structures - the General Schedule (GS) or the Administratively Determined (AD) pay scale - depending on the component for which they work. AUSAs are paid under the AD pay scale. The vast majority of other attorneys at the Department are paid under the General Schedule.

Experienced attorneys under the General Schedule are hired in the GS-11 to GS-15 range, depending on the nature of the position to be filled, an attorney's years of experience, and the hiring component's policies. AUSA salaries are based on the amount of professional attorney experience at the time hired, level of performance on the job, and the United States Attorneys' Offices pay practices. Both GS and AD attorney positions receive geographic pay differentials based on the location of the position. We encourage you to visit the Office of Personnel Management's web site at [http://www.opm.gov/Federal\\_Salaries\\_Wages](http://www.opm.gov/Federal_Salaries_Wages) for GS salaries and geographic pay information. For AUSA pay ranges, please contact the Executive Office for United States Attorneys, Personnel Staff.

***What is the Department's promotion policy?***

Attorneys may be considered for promotion from their current GS level (e.g., GS-13) to the next highest GS level (e.g., GS-14) once they have served the requisite minimum time-in-grade and satisfactory performance level. The following chart summarizes the promotion eligibility schedule for experienced attorneys under the General Schedule:

**Grade Level Minimum Waiting Time for Consideration**

GS-11 to GS-12 6 months

GS-12 to GS-13 6 months (if hired at the GS-12 level; otherwise 1 year)

GS-13 to GS-14 1 year

GS-14 to GS-15 1 year (with outstanding performance appraisal); otherwise, 18 months

It is possible for attorneys starting at the GS-12 grade level, for example, to reach the GS-15 level in only two and a half years. Please note, however, that some components may require longer waiting periods or restrict the grade level to which non-supervisory attorneys may be promoted. Assistant United States Attorneys receive an annual pay review that may lead to an increase in basic pay, based on the attorney's performance rating, current pay and pay range, and years of experience as an attorney.

***What kind of background check will be done?***

It is the policy of the Department to achieve a drug-free workplace, and persons selected for employment will be required to pass a drug test to screen for current illegal drug use prior to final appointment. Moreover, employment is contingent upon the completion and satisfactory adjudication of a full-field background investigation conducted by the FBI. As part of its investigation, the FBI interviews or checks references and close personal associates; former spouse(s); employers and co-workers; neighbors and landlords; institutions of higher learning; court and financial records; and military and police records. In addition, the Office of Attorney Recruitment and Management (OARM), which determines the suitability of all attorney applicants, will check your federal income tax filing/payment history, credit report, and certification of active bar membership. (Please note that applicants for employment with the FBI are required to submit to a polygraph examination prior to entry on duty.)

The most common suitability issues that arise are: past unlawful use of drugs; failure to fulfill tax obligations; and failure to comply with financial obligations. After an applicant has received a tentative offer of employment from the Department, OARM can advise him/her as to any issues regarding potential suitability problems.

***Can I work at the Department if I'm not a U.S. citizen? What if I am a dual citizen?***

Only U.S. citizens are eligible for employment with the Executive Office for Immigration Review (EOIR), U.S. Attorneys' Offices, U.S. Trustees' Offices, and the FBI. Non-U.S. Citizens may apply for employment with other Department components (unless otherwise indicated in a vacancy announcement), but should be advised that appointments of non-U.S. Citizens are

extremely rare. Such appointments are considered if necessary to accomplish the Department's mission and are subject to strict security requirements. Dual citizens of the U.S. and another country will be considered on a case-by-case basis.

***How much travel is required?***

The amount of travel required, if any, depends on the particular component and the nature of its practice. A moderate to heavy travel schedule can be expected in the litigating divisions, whose attorneys often conduct depositions, lead grand jury investigations, and/or appear before Federal courts across the country.

***What is the role of the U.S. Attorneys' Offices versus the divisions in litigating cases on behalf of the Department?***

There is a great deal of collaboration between the U.S. Attorneys' Offices and the other litigating divisions (Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources, National Security and Tax). Much of the day-to-day criminal and civil litigation is carried out in the field by the 94 U.S. Attorneys' Offices, with the litigating divisions having oversight duties and serving as sources of legal expertise and assistance. In addition, the litigating divisions have primary responsibility for the investigation and prosecution of certain cases or categories of cases. They handle issues with broad policy or geographic impact. The litigating divisions also help develop Department policy in their areas of responsibility, and assist the U.S. Attorneys' offices in resolving policy disputes or questions.

We hope our "Career Counselor's Guide to Lateral Hiring at DOJ" has eliminated some of the mystery surrounding the Department's lateral attorney hiring process. We also hope you have a better sense of why experienced attorneys come to the Department, and why so many of them stay. The Department is living proof that if you offer interesting work, personal rewards, and a comfortable salary, attorneys will beat a path to your door.

***Prepared for the National Association for Law Placement's Annual Education Conference, 2008, by the Office of Attorney Recruitment and Management, U.S. Department of Justice, 202-514-8900, [www.usdoj.gov/oarm](http://www.usdoj.gov/oarm).***

# **EXHIBIT 2**

**Choose Justice - Guide to  
U.S. DOJ for Law  
Students and Exp.  
Attorneys**



# *Choose Justice*



*Guide to the  
U.S. Department of Justice  
for Law Students and  
Experienced Attorneys*



# *Choose Justice*



*Guide to the  
U.S. Department of Justice  
for Law Students and  
Experienced Attorneys*



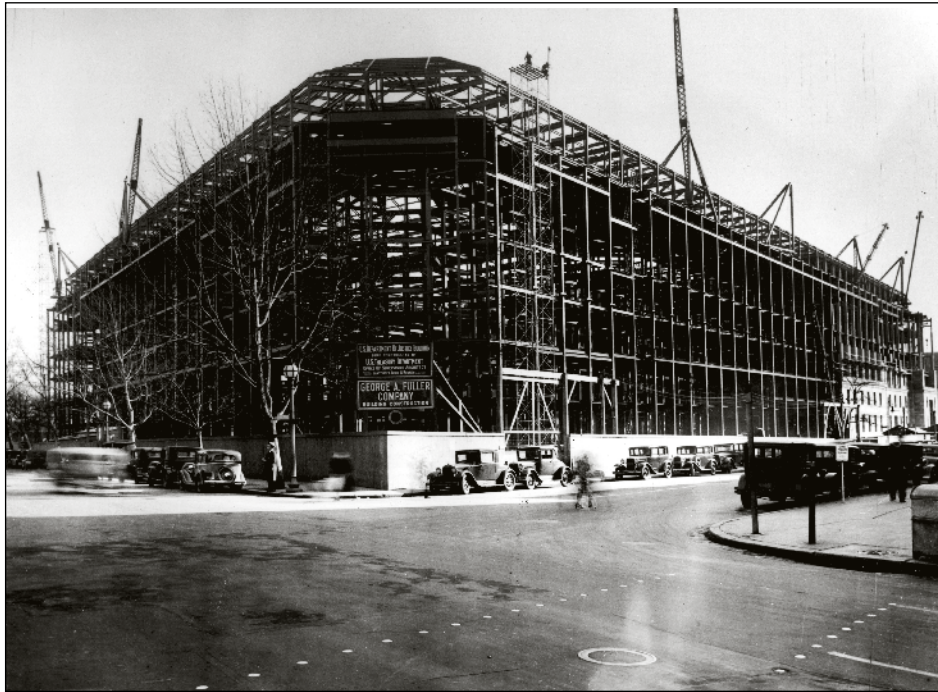


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**Robert F. Kennedy Department of Justice Building ("Main Justice")**  
**950 Pennsylvania Ave., NW, Washington, DC**



View from the corner of Pennsylvania Avenue and 10th Street, showing the northeast corner of the Justice Building under construction. Photograph taken February 2, 1933. *Collection: National Archives, Audiovisual; photo no. 121-BCP-138A-16.*



Construction photograph taken August 1934, showing the 10th Street and Constitution Avenue fronts of the building. Note the platform along the parapet on the 10th Street side and the pediments on the Constitution Avenue side for the carvers working on the sculptural decoration of those areas. *Collection: National Archives, Audiovisual; photo no. 121-BCP-138B-15.*



## INTRODUCTION

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### INTRODUCTION

Thank you for your interest in the United States Department of Justice (DOJ or Justice). This guide is designed to introduce you to the many challenging and rewarding opportunities available at Justice for law students and attorneys. Justice is proud of its talented and dynamic workforce, and recognizes that its employees are its most important asset. Justice employees are the vital link that ensures the fair administration of justice for all Americans. The Department of Justice is stronger, more credible, and more effective when its workforce includes highly-qualified individuals whose backgrounds reflect our nation's rich diversity. To this end, Justice strives to recruit and retain a workforce drawn from the broadest segments of society so that it is poised to meet the present and future needs of our nation. We invite you to explore the work of the DOJ organizations that employ law students and attorneys to find those that best match your interests and experience.

### Overview of Justice

- Justice serves to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.
- Justice is headquartered in Washington, DC, and also has field offices in all states and territories and maintains offices in over 100 countries worldwide.
- Justice is the world's largest legal employer with more than 10,000 attorneys nationwide.
- 88% of Justice attorneys work in either 1 of 8 litigation divisions (Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources, National Security, Tax, and U.S. Trustee Program) or with one of the 94 U.S. Attorneys' Offices.
- The remaining 12% of Justice attorneys focus on legal and policy issues (7%) or law enforcement issues (5%). The largest policy office is the Executive Office for Immigration Review. The two largest law enforcement components are the Federal Bureau of Prisons (BOP) and the Federal Bureau of Investigation (FBI). The FBI conducts its own recruitment.
- Justice attorneys work in virtually every legal practice area.
- Approximately 40 DOJ organizations that hire law students and attorneys are based primarily in Washington, DC, including the litigation divisions and the majority of policy offices.
- Justice has four attorney recruitment and hiring programs: Volunteer Legal Internships (see pages 1-2); the Summer Law Intern Program (see pages 2-3); the Attorney General's Honors Program (see pages 3-4); and Experienced (Lateral) Attorney Hiring (see page 5).
- The Department's legal careers website provides a comprehensive introduction to Justice's law student and attorney hiring programs. See [www.justice.gov/legalcareers](http://www.justice.gov/legalcareers).



## USER'S GUIDE

### USER'S GUIDE

This guide highlights Justice's four law student and attorney recruitment and hiring programs, and is divided into three major sections:

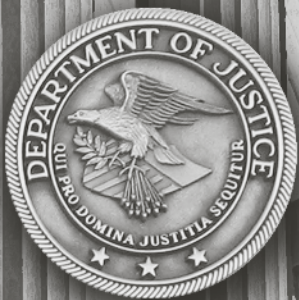
- Part One (pages 1-8) gives an overview of Justice's four hiring programs, and provides information about eligibility, application processes, and frequently asked questions.
- Part Two (pages 9-45) highlights the DOJ organizations that employ law students and attorneys. This section first describes the DOJ organizations that employ the largest number of attorneys (*i.e.*, more than 100 attorneys) and, therefore, typically have the most hiring needs. Next are descriptions of the smaller DOJ organizations that hire attorneys.
- Part Three (pages 46-51) is composed of two directories. The first is a directory of field office locations employing law students and attorneys, which is included to help individuals interested in employment with Justice outside of the Washington, DC metropolitan area. The second is a chart of DOJ organizational practice areas, which is included to help you explore the work of the various DOJ organizations and find those that best match your interests and expertise.

There are over 130 separate organizations (including the 94 U.S. Attorneys' Offices) at Justice that hire law students and attorneys. Within each of those organizations there are multiple sections, each with its own distinct focus. This guide is one tool to help you find your career match.

Another useful tool is our legal careers website: [www.justice.gov/legalcareers](http://www.justice.gov/legalcareers), which highlights all four hiring programs, discusses Justice's commitment to its workforce and diversity, and includes such features as a calendar of upcoming recruitment events.

To get the most out of this guide, you may find it helpful to first ask yourself some questions:

- Do you want to be a litigator or do you want a policy or counselor position?
- Do you want to be a trial attorney or do you want more of a motion or appellate practice?
- Do you want to work as part of a litigation team or do you want to work more independently?
- Do you want to travel? If so, how frequently?





## USER'S GUIDE

Once you have a picture of your ideal job profile, you can research the DOJ organizations that match that profile:

- If you want information about eligibility, citizenship requirements, background investigations, and other employment-related issues ...  
Go to the Eligibility / Application Procedures on pages 1-5, and to the Frequently Asked Questions on pages 6-8.
- If you are interested in applying to one or more of the 94 U.S. Attorneys' Offices ...  
Go to pages 35-36 for a general description of the work of those offices.
- If you are interested in working in a particular geographic area (outside of the Washington, DC area) ...  
Go to the directory of DOJ field offices on pages 46-47.
- If you have an interest in a specific practice area, *e.g.*, environment, national security, white collar crime, and want to find out which DOJ organizations do work in that area ...  
Go to the DOJ Organizational Practice Area Chart on pages 48-51.



## OVERVIEW

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### VOLUNTEER LEGAL INTERNSHIPS

Every year more than 1,800 volunteer legal interns serve in DOJ organizations, including U.S. Attorneys' Offices (USAOs), throughout the country. Approximately 800 legal interns volunteer during the academic year, and roughly 1,000 volunteer during the summer. These internships are highly sought after because they introduce students to public service, offer the opportunity to develop legal skills, and provide the chance to work on important and challenging assignments.

Most of the DOJ organizations highlighted in this guide typically recruit legal interns. Various DOJ organizations, including many of the 94 USAOs in particular, recruit significant numbers of volunteer interns. The specific number of volunteer internships available in each DOJ organization varies from year to year, and each organization has its own application requirements and deadlines. Legal internship opportunities are available nationwide.

#### Eligibility

First-year (second semester), second-year, and third-year law students are eligible to apply. First-year, first-semester law students may apply for a legal intern position after December 1 (Justice follows the NALP Association for Legal Career Professionals guidelines, which prohibit consideration of employment of such students prior to that date). Law students may work in volunteer positions with Justice only while they are enrolled in law school. Part-time law students and joint-degree candidates may also apply for volunteer internship positions. In general, law school graduation terminates eligibility for volunteer positions. Graduate law students (*e.g.*, LL.M. students) who are enrolled at least half time and not practicing law are eligible for volunteer positions.

U.S. citizenship is required by most DOJ organizations. Dual citizens of the United States and another country are considered on a case-by-case basis. See page 6 for more information.

Many DOJ organizations accommodate students who wish to split the summer, but these requests are handled on a case-by-case basis. Please keep in mind that some DOJ organizations require a minimum of 10-12 weeks during the summer. In addition, it may be possible for interns to receive work/study or academic credit depending on the relevant requirements of their respective law school.

#### Application Process

Each DOJ organization conducts its own recruitment for volunteer legal interns independently, and has its own internal application requirements. Students must apply separately and directly to each organization in which they have an interest. Application requirements vary, but typically include a resume, cover letter, and law school transcript. A listing of available internships for the fall, spring, and summer, including application procedures and contacts, is available on the DOJ legal careers website at: [www.justice.gov/careers/legal/volunteer-intern.html](http://www.justice.gov/careers/legal/volunteer-intern.html). Additional opportunities may be available with other DOJ organizations. Many volunteer legal intern positions have early application deadlines, so interested law students should plan to apply at least four to five months in advance.



## OVERVIEW

### Security and Suitability (Background Investigation)

Prior to entry on duty, all interns undergo a suitability determination based on information provided in their security forms, a credit report, and fingerprint check. This process can take two to three months to complete. The most common suitability issues that arise during the suitability review process are: past unlawful use of drugs, failure to comply with financial obligations, failure to register for the Selective Service, and misrepresentations or omissions on the security form.

More information about Volunteer Legal Internships is available at: [www.justice.gov/careers/legal/volunteer-intern.html](http://www.justice.gov/careers/legal/volunteer-intern.html).

### SUMMER LAW INTERN PROGRAM

The Summer Law Intern Program (SLIP) is Justice's highly-competitive, centralized recruitment program for compensated summer internships. Typically, Justice annually hires anywhere from 60 to 120 SLIP interns. The majority of SLIP hires are second-year law students who work at Justice the summer between their second and third years of law school. But the SLIP is also open to recent law school graduates between graduation and the start of a judicial clerkship, a full-time graduate law program (e.g., LL.M.), or a full-time qualifying legal fellowship. Every year, various DOJ organizations, including some U.S. Attorneys' Offices, hire students through the SLIP. The specific number of SLIP internships available in each participating DOJ organization varies from year to year.

Justice takes pride in the fact that it considers the "whole candidate" when making selections for the SLIP. Selections are made based on many elements of a candidate's background including a demonstrated commitment to government service, academic achievement, leadership, law review, moot court or mock trial experience, legal aid and clinical experience, past employment, and relevant extracurricular activities.

### Eligibility

Law students who have **completed at least one full semester** of law school by the application deadline are eligible to apply. Most successful applicants intern the summer between their second and third years of law school. Part-time law students are also eligible to apply. Graduating law students who will enter a judicial clerkship or a full-time graduate law program (e.g., LL.M.) may intern following graduation subject to eligibility rules. These rules are set forth at: [www.justice.gov/careers/legal/summer-intern-eligibility.html](http://www.justice.gov/careers/legal/summer-intern-eligibility.html).

U.S. citizenship is required by most DOJ organizations. Dual citizens of the United States and another country are considered on a case-by-case basis. See page 6 for more information.

Many DOJ organizations accommodate students who wish to split the summer, but these requests are handled on a case-by-case basis. Some DOJ organizations require a minimum of 10-12 weeks during the summer.

### Application Process

The SLIP requires that candidates submit an electronic, online application. SLIP candidates apply in the fall for internships for the following summer.



**Frances Chang,**  
Trial Attorney,  
Criminal Division,  
Office of International Affairs

*"From my first day in the office, I was given my own cases to handle, and expected to carry my own weight, though with plenty of offers of help from colleagues whose doors were—and still are—always open. No day in the office is routine or predictable, but every day is rewarding."*

## OVERVIEW

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The SLIP is centrally managed by the DOJ Office of Attorney Recruitment and Management (OARM), but each participating DOJ organization reviews the applications submitted and makes independent hiring decisions.

More information about the SLIP, including a listing of participating DOJ organizations and the SLIP application checklist, is available at: [www.justice.gov/careers/legal/summer-intern.html](http://www.justice.gov/careers/legal/summer-intern.html).

The SLIP operates within a finite time frame of deadlines and key dates:

- **Late July** – application opens
- **Early/Mid-September** – application closes
- **Late September/Early October** – candidates selected for interviews
- **Mid-October/Early November** – interviews conducted
- **Late November-January** – offers extended

### Security and Suitability (Background Investigation)

SLIP candidates are subject to suitability review and adjudication that includes a fingerprint check, credit check, drug test, and a thorough review of the summer candidate's pre-employment forms (which cover a period of seven to ten years). Some DOJ organizations require a National Agency Check with Inquiries through the Office of Personnel Management. The process normally takes at least two to three months. The most common suitability issues that arise during the suitability review process are: past unlawful use of drugs, failure to comply with financial obligations, failure to register for the Selective Service, and misrepresentations or omissions on the security form.

### THE ATTORNEY GENERAL'S HONORS PROGRAM

The Attorney General's Honors Program (Honors Program) is the largest and most prestigious federal entry-level attorney hiring program of its kind. Specifically, the Honors Program is Justice's highly-competitive, entry-level recruitment program, and is the only way the Department hires graduating law students. Typically, Justice annually hires anywhere from 75 to 200 entry-level attorneys through the Honors Program. Most students apply their third year of law school for an entry-level position following graduation. The program is also open to recent law school graduates who enter judicial clerkships, graduate law programs, or qualifying legal fellowships within nine months of law school graduation. Every year, various DOJ organizations, including a few U.S. Attorneys' Offices, hire entry-level attorneys through the Honors Program. The number of entry-level attorney positions varies from year to year.

Justice takes pride in the fact that it considers the "whole candidate" when making selections for employment through the Honors Program. Selections are made based on many elements of a candidate's background including a demonstrated commitment to government service, academic achievement, leadership, law review, moot court or mock trial experience, legal aid and clinical experience, past employment, and extracurricular activities that relate to the work of the Department of Justice.

## OVERVIEW

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### Eligibility

Eligibility is generally limited to graduating law students and recent law school graduates who have entered or will enter a judicial clerkship, a graduate law program (e.g., LL.M.), or a qualifying legal fellowship within nine months of law school graduation, and who meet additional eligibility requirements that are set forth at: [www.justice.gov/careers/legal/entry-eligibility.html](http://www.justice.gov/careers/legal/entry-eligibility.html).

U.S. citizenship is required by most DOJ organizations. Dual citizens of the United States and another country are considered on a case-by-case basis. See page 6 for more information.

### Application Process

The Honors Program requires that candidates submit an electronic, online application. Candidates apply for positions that begin approximately one year following the application deadline.

The Honors Program is centrally managed by OARM, but each participating DOJ organization reviews the applications submitted and makes independent hiring decisions.

More information about the Honors Program, including a listing of participating DOJ organizations and an application checklist, is available at: [www.justice.gov/careers/legal/entry.html](http://www.justice.gov/careers/legal/entry.html).

The Honors Program operates within a finite time frame of deadlines and key dates:

- **Late July** – application opens
- **Early/Mid-September** – application closes
- **Late September/Early October** – candidates selected for interviews
- **Mid-October/Early November** – interviews conducted
- **Late November-January** – offers extended

### Security and Suitability (Background Investigation)

Candidates who accept an offer of employment must undergo a “full field” background investigation conducted by the Federal Bureau of Investigation (FBI). The investigation may take seven months or more to complete and includes a name and fingerprint check; interviews with references, close personal associates, former spouse(s), former employers, co-workers, neighbors, landlords, and educational institutions; and a thorough check of credit, military, tax, and police records. Depending on the level of clearance required by the employing organization, the background investigation covers a period of seven to ten years of the candidate’s history. Most Honors Program attorneys start work on a temporary appointment. Conversion to a permanent position requires satisfactory performance and conduct, favorable adjudication of a background investigation and active bar membership within 14 months of entry on duty. The most common suitability issues that arise during the background investigation are: past unlawful use of drugs, failure to fulfill tax obligations (including filing all tax returns even if you expect to receive a refund), failure to comply with financial obligations, failure to register for the Selective Service, and misrepresentations or omissions on the security form.





## OVERVIEW

### EXPERIENCED (LATERAL) ATTORNEY HIRING

The Department offers a broad range of opportunities for experienced attorneys to work on many significant and complex issues that face our nation. Justice typically hires several hundred experienced attorneys each year. Opportunities are available nationwide, and our attorneys work in virtually every area of legal practice. Each DOJ organization (including each U.S. Attorney's Office) recruits experienced attorneys independently. The number and frequency of attorney vacancies vary by each DOJ organization from year to year.

#### Eligibility

Any attorney who is an active member of the bar (any U.S. jurisdiction) and has at least one year post-J.D. legal or other relevant experience is eligible to apply for an experienced attorney position. Some positions may, however, require additional legal experience. U.S. Attorneys' Offices may have state specific admission requirements.

U.S. citizenship is required by most DOJ organizations. Dual citizens of the United States and another country are considered on a case-by-case basis. See page 6 for more information.

#### Application Process

The Department of Justice stands at the forefront of America's commitment to justice for all its citizens, and each DOJ organization has its own unique mission in meeting that commitment. Because of the unique nature of each organization's work and differences in attorney position openings, Justice maintains a decentralized system of selecting experienced attorneys. This means that experienced attorney candidates must apply separately to each DOJ organization in which they have an interest.

All attorney vacancies within Justice are advertised on the DOJ legal careers website at: [www.justice.gov/careers/legal/attvacancies.html](http://www.justice.gov/careers/legal/attvacancies.html). The website includes a search function that allows individuals to search current experienced attorney vacancies by hiring organization, geographic location, and practice area. Experienced attorneys can apply by responding to a specific vacancy. You must submit a separate application in response to the specific DOJ organization in which you are interested, and your application must satisfy the specific requirements set forth in the relevant vacancy announcement.

#### Security and Suitability (Background Investigation)

Candidates who accept an offer of employment must undergo a "full field" background investigation conducted by the FBI. As part of its investigation, the FBI interviews or checks references and close personal associates, former spouse(s), employers and co-workers, neighbors and landlords, institutions of higher learning; court and financial records; and military and police records. The most common suitability issues that arise during the background investigation are: past unlawful use of drugs, failure to fulfill tax obligations (including filing all tax returns even if you expect to receive a refund), failure to comply with financial obligations, failure to register for the Selective Service, and misrepresentations or omissions on the security form. This process can take seven months or more to complete. Many attorneys join the Department on a temporary appointment pending completion and adjudication of their background investigation.



## OVERVIEW

### FREQUENTLY ASKED QUESTIONS

#### *What do DOJ organizations look for when hiring a legal intern or attorney?*

Justice is interested in attracting a diverse pool of highly-qualified candidates. DOJ organizations look for a commitment to public service, a strong academic and professional record, energy and enthusiasm, and a demonstrated interest in the work of their particular office. Each DOJ organization, including the U.S. Attorneys' Offices (USAOs), has a unique mission and looks for different experiences and skills. All DOJ organizations consider multiple factors in making hiring selections. Merit System Principles are adhered to throughout the selection process. The following factors are not considered: color, race, religion, national origin, political affiliation, marital status, disability (physical or mental), age, sex, gender identity, sexual orientation, genetic information, status as a parent, membership or non-membership in an employee organization, on the basis of personal favoritism, or any non-merit factor.

#### *Can I work at DOJ if I am not a U.S. citizen? What if I am a dual citizen?*

Only U.S. citizens are eligible for employment with the Executive Office for Immigration Review (EOIR), the Federal Bureau of Investigation (FBI), and the National Security Division (NSD). Appointments in the Executive Office for U.S. Attorneys (EOUSA) and the U.S. Attorneys' Offices are restricted to U.S. citizens or those who owe permanent allegiance to the United States (currently, natives of American Samoa, Swains Island, and certain inhabitants of the Commonwealth of the Northern Mariana Islands are the only group that owe permanent allegiance to the United States). Non-U.S. citizens may apply for employment with other Justice organizations (unless otherwise indicated in a vacancy announcement), but should be advised that appointments of non-U.S. citizens are extremely rare. Such appointments are considered if necessary to accomplish the Department's mission, and are subject to strict security requirements. Dual citizens of the United States and another country will be considered on a case-by-case basis.

#### *Are there any non-litigating, e.g., policy, job opportunities at DOJ for attorneys?*

Yes. Approximately 7% of the Department's attorneys work for DOJ organizations that focus on policy and legal issues. The largest policy office is the Executive Office for Immigration Review (EOIR). Other smaller policy offices exist within Justice, but these may hire more infrequently. In addition, some DOJ organizations have a dedicated policy office. Justice also has several investigatory and law enforcement offices that hire attorneys (5% of attorney workforce). These various offices are listed on page 11.

#### *Are all attorney positions located in the Washington, DC area?*

No. There are 94 U.S. Attorneys' Offices and 95 U.S. Trustees' Offices throughout the United States, Puerto Rico, Virgin Islands, Guam, and Northern Mariana Islands; and 59 Immigration Courts in 27 states and U.S. territories. Some DOJ organizations only offer employment opportunities in Washington, DC. Other DOJ organizations, such as the Antitrust Division, the Federal Bureau of Prisons, the Environment and Natural Resources Division, and the Bureau of Alcohol, Tobacco, Firearms & Explosives, have field offices located in various cities across



**Richard L. Parker,**  
Trial Attorney,  
Tax Division,  
Appellate Section

*Working at Justice is an amazing experience as well as a privilege. As an appellate litigator in the Tax Division, I have, since day one, had the opportunity to take the lead in challenging cases representing the United States in courtrooms across the country. I also get to work with a great group of talented individuals committed to public service."*



## OVERVIEW

the country. Contact information for each U.S. Attorney's Office is available at [www.justice.gov/usao/offices/index.html](http://www.justice.gov/usao/offices/index.html). More information about field office locations is available on the directory of DOJ field offices on page 46-47. In addition, each organization's heading, throughout the second section of this guide, indicates (under "Location(s)") where its offices are located. Finally, geographic areas of assignment are discussed at: [www.justice.gov/careers/legal/geo-areas.html](http://www.justice.gov/careers/legal/geo-areas.html), and the directory of DOJ field offices appears at [www.justice.gov/careers/legal/field-offices.html](http://www.justice.gov/careers/legal/field-offices.html).

### *How much travel is required of attorneys at DOJ?*

The amount of travel required varies by DOJ organization. In general, the trial components of the litigation divisions (Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources, National Security, Tax, and the U.S. Trustee Program) often require moderate to heavy travel. Other DOJ organizations may require little or no travel depending on the nature and scope of individual cases.

### *Once you are hired into the Department are there opportunities to work in other Divisions? Can you transfer within Justice?*

It is not unusual for Justice attorneys to move either to another section within their Division or to another Division or to a U.S. Attorney's Office. In addition, attorneys also can take advantage of "detail" opportunities to work on a short-term basis with another DOJ organization. The ability to move depends on one's practice area, timing, supervisory approval, and performance evaluations.

### *How do I apply for a position with a U.S. Attorney's Office?*

Assistant United States Attorney (AUSA) opportunities are posted through the same public announcement process as other experienced attorney opportunities in the Department of Justice. Current vacancies can be found at: [www.justice.gov/careers/legal/attvacancies.html](http://www.justice.gov/careers/legal/attvacancies.html). Interested applicants can also use this website to sign up for e-mail alerts as new vacancies arise. Some United States Attorneys' Offices (USAOs) participate in the Attorney General's Honors Program. USAOs may also advertise for Special Assistant United States Attorneys (SAUSAs) or Special Attorneys (SAs), typically for short durations. Vacancy announcements provide details regarding the specific practice area and desired background and experience, so read them carefully when applying. Vacancy announcements for some USAOs may also provide the opportunity for applicants to apply on-line. Regardless of the position, it is a highly competitive process and requires the completion of a background investigation prior to appointment. Contact information for the USAOs is available at: [www.justice.gov/usao/about/offices.html](http://www.justice.gov/usao/about/offices.html).

### *What is the salary structure and promotion policy of the Department?*

Attorneys at the Department of Justice are paid under one of two salary structures - the General Schedule (GS) or the Administratively Determined (AD) pay scale - depending on the organization for which they work. Assistant U.S. Attorneys (AUSAs) are paid under the AD pay scale. The vast majority of other attorneys at the Department are paid under the General Schedule. More information about salaries, promotions, and benefits is available on the DOJ legal careers website at: [www.justice.gov/legalcareers](http://www.justice.gov/legalcareers).



**Patricia L. Petty,**  
Senior Trial Attorney,  
Criminal Division,  
Office of International Affairs

*"Today, I do occasional international travel, meet with officials from foreign Ministries of Justice, provide litigation support to state, federal, and foreign prosecutors, and interact with the State Department and U.S. law enforcement agencies. Our office facilitates extradition and requests for legal assistance between the United States and foreign countries. At times, I feel like a diplomat and at other times a prosecutor: a true mixture of my interests."*

## OVERVIEW

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### *Does DOJ have an attorney student loan repayment program?*

Yes. Justice's Attorney Student Loan Repayment Program (ASLRP) provides student loan repayments for qualifying student loans in exchange for a three-year service commitment. Justice requires a minimum aggregate loan balance of \$10,000 to initially qualify, and it matches individual attorney payments up to a maximum of \$6,000 per year. ASLRP is highly competitive, and open to both entry-level and experienced attorneys. For additional information, you may view the ASLRP Policy at [www.justice.gov/oarm/aslrp/policy.htm](http://www.justice.gov/oarm/aslrp/policy.htm).

### *What is the quality of life like for an attorney at DOJ?*

Many DOJ organizations have active work-life policies, *e.g.*, telecommuting and flexible work schedules, the availability of such programs is determined by each individual organization and is subject to supervisory approval. Many Justice attorneys cite the benefits of working in a supportive and cooperative work environment as an employment highlight. New attorneys with fewer than five years of experience are assigned a mentor to help shorten the learning curve and guide them through their first year. Justice also offers attorneys a robust training program through individual DOJ organizations and the National Advocacy Center. In addition, there are a number of active employee organizations at the Department, including DOJ Association of Black Attorneys, DOJ Association of Hispanic Employees for Advancement and Development, DOJ Indian Trial Lawyers Association, DOJ Pan Asia Employees Association, and DOJ Pride (LGBT).



## LEADERSHIP OFFICES

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### OFFICE OF THE ATTORNEY GENERAL

Total # of Attorneys: 10

Website: [www.justice.gov/ag](http://www.justice.gov/ag)

The Attorney General is responsible for the overall supervision and direction of the administration and operation of the Department. As Head of the Department of Justice and chief law enforcement officer of the Federal Government, the Attorney General represents the United States in legal matters generally and furnishes advice and opinions on legal matters to the President, the Cabinet, heads of the executive departments, and other agencies of the Federal Government.

### OFFICE OF THE DEPUTY ATTORNEY GENERAL

Total # of Attorneys: 21

[This total includes 11 attorneys on detail from other DOJ organizations.]

Website: [www.justice.gov/dag](http://www.justice.gov/dag)

Advises and assists the Attorney General in formulating and implementing Department policies and programs and in providing overall supervision and direction to all organizational units of the Department.

### OFFICE OF THE ASSOCIATE ATTORNEY GENERAL

Total # of Attorneys: 10

Website: [www.justice.gov/asg](http://www.justice.gov/asg)

Advises and assists the Attorney General and the Deputy Attorney General in formulating and implementing Departmental policies and programs pertaining to a broad range of civil justice, federal and local law enforcement, and public safety matters.

### OFFICE OF THE SOLICITOR GENERAL

Total # of Attorneys: 28

Website: [www.justice.gov/osg](http://www.justice.gov/osg)

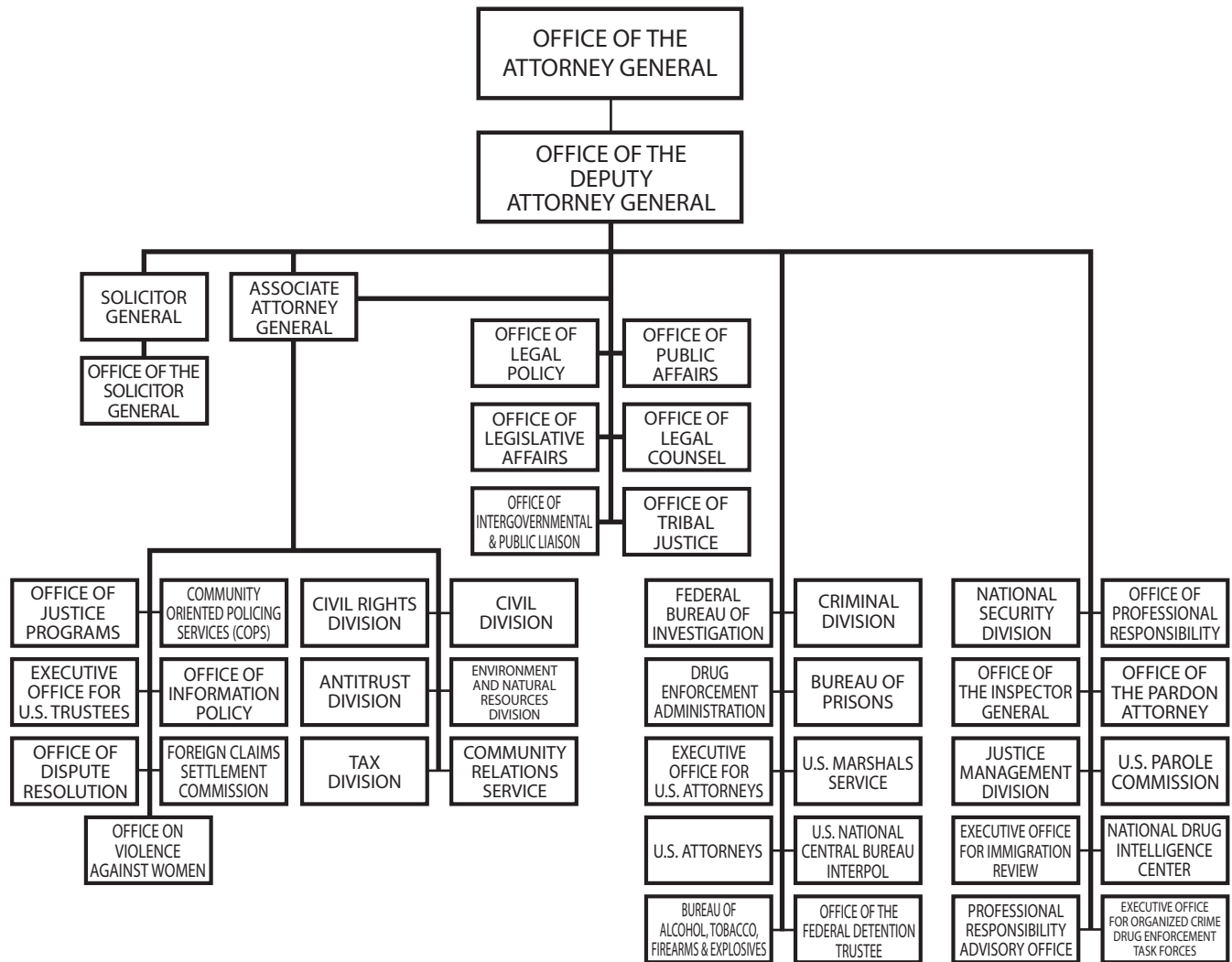
Main Building  
950 Pennsylvania Ave., NW  
Ste 5143  
Washington, DC 20530  
Attn: Valerie H. Hall  
Phone: (202) 514-2201

Avg. # of Laterals Hired per Year: 2  
Location(s): Washington, DC

Supervises and conducts Government litigation on behalf of the United States in the Supreme Court. The Solicitor General determines the cases in which the United States will seek Supreme Court review and the position the United States will take before the Court. Deputy Solicitors General and Assistants to the Solicitor General participate in preparing the petitions, briefs, and other papers filed by the United States in its Supreme Court litigation. Oral argument in the vast majority of these cases is presented by the Solicitor General or one of the Deputies or Assistants. The Solicitor General also reviews all cases decided adversely to the United States in the lower courts to determine whether, and to what extent, they should be appealed and determines whether the Government will intervene or participate amicus curiae in cases in any appellate court, or in any trial court in which the constitutionality of an Act of Congress is challenged.



## FUNCTIONS AND ORGANIZATIONS OF THE DOJ



APPROVED BY:

ERIC H. HOLDER, JR.  
ATTORNEY GENERAL

DATE: **April 30, 2010**

## **FUNCTIONS AND ORGANIZATIONS OF THE DOJ**

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### **ORGANIZATIONS OF THE U.S. DEPARTMENT OF JUSTICE**

(The approximate number of attorneys, as of December, 2011, are in parentheses throughout this guide):

#### **Leadership Offices:**

- Office of the Attorney General (10)
- Office of the Deputy Attorney General (21)
- Office of the Associate Attorney General (10)
- Office of the Solicitor General (28)

#### **Management Offices:**

- Justice Management Division (21)
- Office of Dispute Resolution (2)
- Office of Legislative Affairs (15)
- Office of Professional Responsibility (23)
- Office of the Inspector General (17)

#### **Litigation Divisions and Offices:**

- Antitrust Division (345)
- Civil Division (1,022)
- Civil Rights Division (426)
- Criminal Division (560)
- Environment and Natural Resources Division (433)
- National Security Division (202)
- Tax Division (400)
- U.S. Attorneys' Offices (including Executive Office for U.S. Attorneys) (5,921)
- U.S. Trustee Program (316)

#### **Legal and Policy Offices:**

- Community Relations Service (2)
- Executive Office for Immigration Review (470)
- Foreign Claims Settlement Commission (4)
- Office of Community Oriented Policing Services (8)
- Office of Information Policy (19)
- Office of Intergovernmental & Public Liaison (2)
- Office of Justice Programs (33)
- Office of Legal Counsel (25)
- Office of Legal Policy (20)
- Office of the Federal Detention Trustee (2)
- Office of Tribal Justice (4)
- Office on Violence Against Women (3)
- Professional Responsibility Advisory Office (5)

#### **Investigatory and Law Enforcement Offices:**

- Bureau of Alcohol, Tobacco, Firearms and Explosives (74)
- Drug Enforcement Administration (90)
- Federal Bureau of Investigation (236) (this figure includes non-agent attorneys only)
- Federal Bureau of Prisons (186)
- INTERPOL Washington, U.S. National Central Bureau (1)
- National Drug Intelligence Center (2)
- Office of the Pardon Attorney (7)
- U.S. Marshals Service (20)
- U.S. Parole Commission (6)

**Approximate total attorney employment nationwide: 10,991**









## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### ANTITRUST DIVISION (ATR)

#### Personnel Unit

Liberty Square Building  
450 Fifth St., NW  
Washington, DC 20530  
Email: atr.personnel@usdoj.gov

Total # of Attorneys: 345  
Avg. # of Laterals Hired per Year: 10  
Website: [www.justice.gov/atr](http://www.justice.gov/atr)  
Location(s): Washington, DC; Atlanta, GA;  
Chicago, IL; Cleveland, OH; Dallas, TX;  
New York, NY; Philadelphia, PA;  
San Francisco, CA

The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles. The goal of the antitrust laws is to protect economic freedom and opportunity by promoting free and fair competition in the marketplace. The majority of the Division's attorneys are employed in the following ten sections and in seven field offices (approximate number of attorneys in each section/office is indicated in parentheses):

#### 1. Appellate Section (10)

- Represents the Division in all appeals to U.S. Courts of Appeals and, in conjunction with the Solicitor General's Office, handles appeals before the U.S. Supreme Court
- Files amicus briefs in selected private antitrust cases

#### 2. Foreign Commerce Section (10)

- Advises on the development and implementation of Division policy on international antitrust enforcement and competition issues
- Helps the Division's litigating sections in matters with international aspects and facilitates enforcement and other cooperation between the Division and its counterparts around the world
- Liaison with international organizations, such as the Organization for Economic Cooperation and Development (OECD), the International Competition Network (ICN), the Asia-Pacific Economic Cooperation forum (APEC), and the United Nations Conference on Trade and Development (UNCTAD)

#### 3. Legal Policy Section (10)

- Responsible for providing analyses of complex antitrust matters and supporting the Division's legislative program
- Serves as liaison with state attorneys general and coordinates long-range planning projects and programs of special interest to the Assistant Attorney General

#### 4. Litigation I Section (25)

- Assesses the economic impact of proposed mergers in unregulated industries and acts to clear the proposed mergers, negotiate a restructuring of the proposals, or file suit to block the mergers



**Ann O'Brien,**  
Counsel to the  
Assistant Attorney General,  
Antitrust Division

*"I gained substantive knowledge about criminal antitrust enforcement from my supervisor, and even more important lessons about integrity and decision making. My supervisor always gave me as much responsibility as I asked for and was able to handle with just the right amount of oversight and encouragement."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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- Reviews and prosecutes civil violations of the antitrust laws in a broad range of unregulated industries, including health care, milk and dairy, pulp and paper, insurance, and cosmetics

### 5. Litigation II Section (20)

- Assesses the economic impact of proposed mergers in unregulated industries and acts to clear the proposed mergers, negotiate a restructuring of the proposals, or file suit to block the mergers
- Reviews and prosecutes civil violations of the antitrust laws in a broad range of unregulated industries, including defense, avionics and aeronautics, banking, industrial equipment, metals and mining, and waste industries

### 6. Litigation III Section (20)

- Assesses the economic impact of proposed mergers in unregulated industries and acts to clear the proposed mergers, negotiate a restructuring of the proposals, or file suit to block the mergers
- Reviews and prosecutes civil violations of the antitrust laws in a broad range of unregulated industries, including motion pictures, music publishing, radio, television, newspapers, advertising, credit cards, and real estate

### 7. National Criminal Enforcement Section (20)

- Responsible for conducting criminal investigations and litigation, and works in conjunction with its field office counterparts
- Handles criminal price-fixing and bid-rigging investigations in a wide range of industries

### 8. Networks and Technology Enforcement Section (25)

- Responsible for antitrust enforcement and competition policy in the areas of information technology, Internet-related businesses, financial services, and the securities industry
- Works closely with a variety of federal agencies and departments, including the Securities and Exchange Commission, Department of Commerce, Federal Reserve Board, and Commodities Futures Trading Commission

### 9. Telecommunications and Media Enforcement Section (20)

- Responsible for enforcing antitrust laws in the communications and media industries, investigating and litigating violations of the antitrust laws, and providing competition advocacy in the industry
- Participates in proceedings before the Federal Communications Commission

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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### 10. Transportation, Energy, and Agriculture Section (25)

- Enforces antitrust laws and investigates and litigates violations of antitrust laws within the transportation, energy, and agriculture industries
- Participates in proceedings before such agencies as the Federal Energy Regulatory Commission, Environmental Protection Agency, and Department of Agriculture

### 11. Field Offices (100)

- Each of the Division's seven field offices (Atlanta, Chicago, Cleveland, Dallas, New York, Philadelphia, and San Francisco) handles criminal matters arising in its respective area and serves as the Division's liaison with U.S. Attorneys, state attorneys general, and other regional law enforcement agencies
- Participates significantly in the Division's investigations and prosecutions

## CIVIL DIVISION (CIV)

Victoria Jones  
1100 L St., NW  
Washington, DC 20530  
Phone: (202) 514-9048  
Email: victoria.jones@usdoj.gov

Total # of Attorneys: 1,022  
Avg. # of Laterals Hired per Year: 85  
Website: [www.justice.gov/civil](http://www.justice.gov/civil)  
Location(s): Washington, DC

The Civil Division represents the United States, its departments and agencies, Members of Congress, Cabinet Officers, and other federal employees in any civil or criminal matter within its scope of responsibility. The Civil Division's responsibilities include ensuring the federal government speaks with one voice in its view of the law; preserving the intent of Congress; advancing the credibility of the government before the courts; protecting consumers; and protecting the public fisc (the U.S. treasury). The majority of the Division's attorneys are employed in the following six branches (approximate number of attorneys in each branch is indicated in parentheses):

#### 1. Commercial Litigation Branch (317)

- This branch is divided into five sections, each of which is responsible for a major practice area of the branch:
- Frauds Section: Recovers billions of taxpayer dollars that would otherwise be lost to fraud, waste or abuse by prosecuting individuals and companies that defraud the government
- National Courts Section: Represents the interests of the United States in major contract disputes, often those involving complex projects by government agencies; defends the Nation's international trade policies from legal challenges



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

- Intellectual Property Section: Pursues those who infringe federal government patents and defends the government against claims of patent infringement
- Corporate and Financial Litigation Section: Protects the federal government's financial and commercial interests
- Office of Foreign Litigation: Represents the interests of the United States in all litigation brought in foreign courts, whether civil or criminal, affirmative or defensive

### 2. Federal Programs Branch (136)

- Represents the executive branch, including the President, Cabinet officers and other federal government officials, as well as federal agencies
- Defends federal statutes from constitutional challenges brought by states or private parties
- Protects federal government policies and programs by defending suits that attempt to: undermine national security interests; release sensitive or classified government information; dismantle large-scale government housing, agriculture, health care, or education programs; or invalidate federal personnel practices
- Asserts the rights of the federal government by bringing affirmative suits to enjoin state and local actions that conflict with the Supremacy Clause or agency statutory and regulatory powers

### 3. Torts Branch (150)

- This branch's four sections represent the United States against lawsuits brought under the Federal Tort Claims Act for money damages:
- Aviation and Admiralty Section (also known as "Crash and Splash"): Prosecutes and defends admiralty actions, such as oil spills, and also defends the federal government in aviation accidents
- Constitutional Torts Section: Represents individual federal government employees in suits stemming from their official acts, and also handles claims for injuries caused by childhood vaccines and exposure to radiation
- Environmental Torts Section: Defends the federal government against allegations of personal injury and property damage due to exposure to toxic materials
- Federal Torts Claims Act Section: Litigates on behalf of the United States in cases involving regulatory activities, law enforcement, maintenance of federal lands, and the provision of the medical care at federal facilities



**Kirsten L. Wilkerson,**  
Senior Trial Counsel,  
Civil Division, Torts Branch,  
Environmental Torts

*"I was thrilled when I received an offer to join Justice, and have a successful career litigating interesting cases and protecting tax-payer dollars."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### 4. Consumer Protection Branch (42)

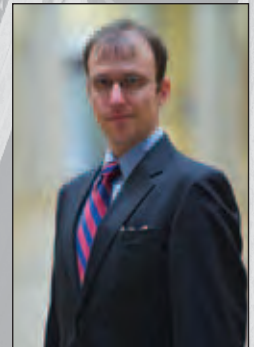
- Employs its civil and criminal authority to affirmatively target consumer fraud and abuse wherever it exists and to enforce the consumer protection statutes overseen by other federal agencies, such as the Federal Trade Commission, Federal Drug Administration, Consumer Product Safety Commission, and National Highway Transportation Administration
- Works closely with U.S. Attorneys, as well as other federal agencies, to secure civil judgments and criminal convictions in courts across the country
- This branch combines its broad authority with its unique expertise to enforce and defend laws aimed at protecting consumers, making an enormous impression in the consumer protection landscape

### 5. Office of Immigration Litigation (OIL) (324)

- OIL's two sections counsel federal agencies involved in the administration of immigration and nationality statutes, as well as the related areas of border enforcement and national security:
- Appellate Section: Oversees civil immigration litigation nationwide and represents the United States at all federal court levels, including cooperating with U.S. Attorneys' Offices prosecuting criminal immigration issues, handling removal cases in the U.S. Courts of Appeals, and supporting the Office of the Solicitor General's immigration litigation efforts in the U.S. Supreme Court
- District Court Section: Conducts civil immigration litigation in the federal district courts and handles appeals from decisions in those cases by bringing civil denaturalization cases, defending against challenges to government immigration policy, and providing advice and counsel to U.S. Attorneys' Offices

### 6. Appellate Staff (60)

- Handles complex appeals cases from various administrative agencies as well as all of the Civil Division's branches
  - Drafts briefs and presents oral arguments in the U.S. Courts of Appeals
  - Prepares documents for the U.S. Supreme Court, including petitions for certiorari and briefs on the merits
  - Coordinates with the Division's branches in the handling of litigation involving legal questions likely to be ultimately decided by the U.S. Courts of Appeals



**Benjamin Mark Moss,**  
Trial Attorney,  
Civil Division,

Office of Immigration Litigation

*"In law school, I had the chance to volunteer at two different offices in the Department of Justice: the Civil Division, Office of Immigration Litigation, and the National Courts Section of Commercial Litigation, Civil Division. My volunteer experiences exposed me to the varied and important work of the 'Nation's largest law firm' and the wonderful opportunities being a Justice attorney offers."*



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### CIVIL RIGHTS DIVISION (CRT)

#### Human Resources Office

600 E St., NW, 3rd Floor

Washington, DC 20004

Attn: Diane Petrie

Phone: (202) 514-3934

Email: Diane.E.Petrie@usdoj.gov

Total # of Attorneys: 426

Avg. # of Laterals Hired per Year: 30

Website: [www.justice.gov/crt](http://www.justice.gov/crt)

Location(s): Washington, DC

The Civil Rights Division is primarily responsible for enforcing federal statutes and executive orders that prohibit, among other things, unlawful discrimination in voting, education, employment, housing, police services, public accommodations and facilities, and federally funded and conducted programs. The majority of the Division's attorneys are employed in the following eleven components (approximate number of attorneys in each section is indicated in parentheses):

#### 1. Appellate Section (24)

- Handles civil rights cases in the U.S. Courts of Appeals and, in cooperation with the Solicitor General, in the Supreme Court (*e.g.*, defends the constitutionality of challenged civil rights statutes)

#### 2. Criminal Section (64)

- Prosecutes violations of federal criminal civil rights statutes, which prohibit the violent interference with liberties and rights defined in the Constitution or federal law (*e.g.*, hate crimes, law enforcement misconduct, human trafficking, church arson, interference with access to reproductive health care)

#### 3. Disability Rights Section (54)

- Enforces the Americans with Disabilities Act (ADA) to ensure access to, and nondiscrimination by, private entities (*e.g.*, hotels, theaters, stores) and state and local governments (*e.g.*, courts, prisons), and to combat employment discrimination by state and local governments
- Coordinates federal implementation of statutes prohibiting disability discrimination, and issues regulations and architectural standards

#### 4. Educational Opportunities Section (23)

- Enforces federal laws prohibiting discrimination against students on the basis of race, gender, national origin, language proficiency, or disability (*e.g.*, enforces court orders requiring desegregation and initiates litigation such as the Virginia Military Institute case)

#### 5. Employment Litigation Section (47)

- Enforces against state and local government employers the federal laws prohibiting employment practices that discriminate on the grounds of race, sex, religion, and national origin (*e.g.*, initiates litigation challenging hiring/testing practices of police and fire departments as discriminatory against minorities and women)

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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- Represents federal agencies in litigation challenging the lawfulness of affirmative action contracting programs, actions taken pursuant to Executive Order 11246 (prohibiting employment discrimination by federal contractors), and similar programs
- Enforces against private, state, and local government employers the federal law protecting uniformed servicemembers from discrimination in civilian employment based on past, current, or future uniformed service or status, and requiring employers, under certain circumstances, to reemploy servicemembers in appropriate positions after their return from absence for uniformed service

### 6. Federal Coordination and Compliance Section (15)

- Coordinates the enforcement by federal agencies of various civil rights statutes prohibiting discrimination in programs that receive federal financial assistance
- Investigates complaints of discrimination by recipients of funds from the Department of Justice

### 7. Housing and Civil Enforcement Section (53)

- Enforces the Fair Housing Act, which prohibits discrimination in housing; the Equal Credit Opportunity Act, which prohibits discrimination in credit; Title II of the Civil Rights Act of 1964, which prohibits discrimination in certain places of public accommodation, such as hotels, restaurants, nightclubs and theaters; the Religious Land Use and Institutionalized Persons Act, which prohibits local governments from adopting or enforcing land use regulations that discriminate against religious assemblies and institutions or which unjustifiably burden religious exercise; and the Servicemembers Civil Relief Act, which provides for the temporary suspension of judicial and administrative proceedings and civil protections in areas such as housing, credit and taxes for military personnel while they are on active duty

### 8. Office of Special Counsel for Immigration Related Unfair Employment Practices (17)

- Investigates and prosecutes allegations of national origin and citizenship status discrimination in employment (*e.g.*, protects the rights of work authorized individuals who face discrimination because they look or sound “foreign” or are not citizens)

### 9. Policy and Strategy Section (6)

- Supports and coordinates the policy work of the Division, providing a focal point for proactive policy development
- Analyzes policy matters relating to the Division’s enforcement authority; convenes roundtables and conferences and provides timely after action reports; and coordinates with the State Department and other federal agencies on international human rights matters



**Luis Saucedo,**  
Acting Deputy Chief,  
Civil Rights Division,  
Special Litigation Section

*"As the son of immigrant parents and the first in my family to go to college, I was convinced that I could make valuable contributions to the Department's purpose."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

- Develops proactive legislative and regulatory proposals and provides comments and technical assistance on legislation, testimony, and regulations requested by Congress and the Office of Management and Budget

### 10. Special Litigation Section (57)

- Enforces federal statutes governing: conditions of institutional confinement (*e.g.*, investigates abuse and neglect in nursing homes); access to reproductive health facilities and places of religious worship; and law enforcement misconduct (*e.g.*, investigates allegations of systemic problems – use of excessive force, false arrest, etc. – in law enforcement agencies)

### 11. Voting Section (45)

- Enforces statutes designed to safeguard the right to vote by ensuring non-discrimination in voting procedures and ensuring access to registration and voting in federal elections

## CRIMINAL DIVISION (CRM)

**Office of Administration**  
1400 New York Ave., NW  
Ste 5000  
Washington, DC 20530  
Attn: Julie Zebrak  
Attorney Recruitment Coordinator  
Phone: (202) 514-2811

Total # of Attorneys: 560  
Avg. # of Laterals Hired per Year: 40  
Website: [www.justice.gov/criminal](http://www.justice.gov/criminal)  
Location(s): Washington, DC and  
Worldwide

The Criminal Division serves the public interest through the enforcement of criminal statutes in a vigorous, fair, and effective manner. The Criminal Division exercises general supervision over the enforcement of all federal criminal laws, with the exception of those statutes specifically assigned to the Antitrust, Civil Rights, Environment and Natural Resources, or Tax Divisions. Criminal Division attorneys prosecute many nationally significant cases. In addition to its direct litigation responsibilities, the Division formulates and implements criminal enforcement policy and provides advice and assistance. (Approximate number of attorneys in each section/office is indicated in parentheses.)

### 1. Appellate Section (28)

- Prepares draft briefs and certiorari petitions for the Solicitor General for filing in the U.S. Supreme Court; makes recommendations to the Solicitor General as to whether further review is warranted on adverse decisions in the district courts and courts of appeals; prepares briefs and argues cases in the courts of appeals; and prepares and argues motions in district courts in cases of national importance

### 2. Asset Forfeiture and Money Laundering Section (61)

- Leads the Department's efforts to take the profit out of crime through anti-money laundering enforcement, forfeiture, law development, training, and technical assistance, as well as providing



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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oversight, management, and policy development for the DOJ Assets Forfeiture Fund, including returning money to victims, providing funding to federal, state, and local law enforcement, and sharing with international partners

### 3. Capital Case Unit (11)

- Prosecutes federal capital cases across the United States in partnership with U.S. Attorneys' Offices; assists the Attorney General's Review Committee on Capital Cases in its evaluation of potential death penalty matters; conducts an analysis of all cases in which a U.S. Attorney charges a crime punishable by death; provides legal, procedural, and policy guidance to U.S. Attorneys' Offices handling capital investigations and prosecutions

### 4. Child Exploitation and Obscenity Section (20)

- Prosecutes violations of federal law related to (1) the production, distribution, receipt, and possession of images depicting the sexual assault of children (child pornography); (2) the online inducement of children for sexually predatory purposes; (3) the sex trafficking of children, including the prostitution of children on our city streets; (4) child sex tourism involving offenders who travel to foreign, often impoverished countries to prey sexually on vulnerable children; and (5) the travel of offenders, or transportation of children by offenders, across state lines for sexually predatory purposes

### 5. Computer Crime and Intellectual Property Section (40)

- Implements the Department's national strategies in combating computer and intellectual property crimes worldwide; investigates and prosecutes offenses involving hacking, data thefts, cyberattacks on critical infrastructure, copyright and trademark infringement, and economic espionage; advises on and assists in the collection of electronic evidence and related computer forensics issues; combats computer and intellectual property crime by working with other government agencies, the private sector, academic institutions, and foreign counterparts

### 6. Fraud Section (98)

- Investigates and prosecutes complex, multi-district, and international white-collar criminal cases throughout the country; implements the Department's fraud enforcement policy; and coordinates information-sharing about white-collar crime with federal and state law enforcement agencies, focusing on corporate, securities and investment fraud, foreign bribery (Foreign Corrupt Practices Act), health care fraud, financial institution fraud, mortgage fraud, procurement and government program fraud (including fraud related to economic stimulus and recovery programs), mass-marketing fraud, and other complex criminal schemes

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### 7. Human Rights and Special Prosecutions Section (28)

- Investigates and prosecutes cases against human rights violators and other international criminals; handles prosecutions involving genocide, torture, war crimes, use of child soldiers and related immigration fraud to conceal such conduct; prosecutes perpetrators of other international violent crimes, particularly those working as employees or contractors for the United States, and persons involved in running international human smuggling organizations; and actively engages in policy work, both domestically and internationally

### 8. Narcotic and Dangerous Drug Section (45)

- Investigates and prosecutes priority national and international drug trafficking groups; provides advice and support on a broad range of counternarcotics matters to the Attorney General and other Department policy makers; represents the Department and provides expert guidance on counternarcotics matters in the inter-agency, intelligence, and international communities

### 9. Office of Enforcement Operations (53)

- Reviews all federal electronic surveillance requests to apply for court orders permitting the use of video surveillance; provides legal advice to federal prosecutors and federal law enforcement agencies and formulates and implements policies and guidelines regarding the use of sensitive law enforcement tools in all phases of federal investigations and prosecutions, including electronic surveillance (wiretaps), witness immunities, courtroom closures, the dual prosecution (Petite) policy, attorney and media subpoenas, attorney search warrants, international prisoner transfers, the use of consensual monitoring in sensitive public corruption matters, and the use of heightened contact and other confinement restrictions over high-risk federal inmates in terrorism, espionage, and violent crime cases

### 10. Office of International Affairs (62)

- Provides advice and assistance on international criminal matters to the Attorney General and other senior Department of Justice officials, the Department's legal divisions, the U.S. Attorneys' Offices, and state and local prosecutors; secures the return of fugitives from abroad; and is the U.S. Central Authority for obtaining foreign evidence and witnesses and for executing foreign requests for assistance in criminal cases; with the Department of State, negotiates bilateral and multilateral law enforcement treaties

### 11. Office of Policy and Legislation (6)

- Develops, reviews, and evaluates national crime, sentencing and corrections policy and legislation; develops legislative proposals, enforcement strategies, legal and policy analyses, and Congressional testimony; analyzes and prepares comments on pending legislation and other legislative matters affecting the



**Magdalena Boynton,**  
Associate Director,  
Criminal Division,  
Office of International Affairs

*"I am proud to represent the United States in international criminal matters through my work at the Office of International Affairs. From handling extraditions and mutual legal assistance requests, to mapping out strategies for engaging law enforcement partners overseas, to negotiating treaties, OIA is a central figure in the international fight against transnational crime."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

federal criminal justice system; and helps represent the Department before the U.S. Sentencing Commission on sentencing-related issues, and before the Judicial Conference's Advisory Committees on Criminal Rules regarding the Federal Rules of Criminal Procedure

### 12. Organized Crime and Gang Section (39)

- Pursues a multi-faceted approach to combating all forms of organized crime targets; supervises and assists in the investigation and prosecution of organized crime cases in U.S. Attorneys' Offices across the country that involve a broad spectrum of criminal statutes, including extortion, murder, bribery, fraud, money laundering, narcotics, and labor racketeering; reviews all proposed federal prosecutions under the Racketeer Influenced and Corrupt Organizations statute and provides extensive advice to prosecutors about the use of this powerful statute; leads the coordination, compilation and analysis of active International organized crime cases

### 13. Overseas Prosecutorial Development, Assistance and Training (79)

- Develops and administers technical assistance designed to enhance the capabilities of foreign justice sector institutions and their law enforcement personnel, so they can effectively partner with the Department of Justice in combating terrorism, trafficking in persons, organized crime, corruption, and financial crimes

### 14. Public Integrity Section (34)

- Oversees the federal effort to combat corruption through the prosecution of elected and appointed public officials at all levels of government, and supervises the nationwide investigation and prosecution of election crimes

## ENVIRONMENT AND NATURAL RESOURCES DIVISION (ENRD)

### Office of Human Resources

Ben Franklin Station  
PO Box 367  
Washington, DC 20044-0367  
Attn: Marcia Jordan-Burke  
Email: [marcia.burke@usdoj.gov](mailto:marcia.burke@usdoj.gov)

Total # of Attorneys: 433  
Avg. # of Laterals Hired per Year: Varies  
Website: [www.justice.gov/enrd](http://www.justice.gov/enrd)  
Location(s): Washington, DC;  
Boston, MA; Denver, CO;  
Sacramento, CA; San Francisco, CA;  
Seattle, WA

The mission of the Environment and Natural Resources Division (ENRD) is to enforce the Nation's environmental laws to ensure clean air, water and land for all Americans; prosecute criminal cases under federal pollution and wildlife laws; defend environmental and natural resources laws and federal agency programs and actions; litigate cases under statutes providing for the management of public lands and natural and cultural resources; litigate cases to protect the rights of Indians under treaties, acts of Congress, and Executive Orders, and defend the United States in claims brought by Indians; prosecute eminent domain proceedings to acquire land on behalf of the United States for authorized public purposes;



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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conduct the Division's appellate litigation in federal circuit courts of appeals and state appellate tribunals, and assist the Office of the Solicitor General with appeals to the U.S. Supreme Court; and advise the Attorney General, Congress, the Office of Management and Budget, and the White House on matters of environmental and natural resources law. (Approximate number of attorneys in each section is indicated in parentheses.)

### 1. Appellate Section (34)

- Briefs and argues appeals in Division cases in the federal courts of appeals, as well as in state appellate and supreme courts when those cases are litigated in the state courts; prepares for the Solicitor General's Office initial drafts of petitions, responses, and merits briefs for Division cases in the Supreme Court; files amicus briefs in courts of appeals on issues of significance to the Division

### 2. Environmental Crimes Section (39)

- Prosecutes individuals and organizations for violations of laws designed to protect our Nation's water, air, land, and endangered and protected species (*e.g.*, prosecution of illegal dumping of pollutants and smuggling of protected wildlife)

### 3. Environmental Enforcement Section (156)

- Brings civil judicial actions under most federal laws enacted to protect public health and the environment from adverse effects of pollution, such as the Clean Air and Water Acts, Safe Drinking Water Act, Oil Pollution Act, CERCLA, and RCRA

### 4. Wildlife and Marine Resources Section (22)

- Litigates civil cases under federal wildlife and marine resource protection laws (*e.g.*, Endangered Species Act, protecting ocean fisheries)

### 5. Environmental Defense Section (60)

- Represents the United States in complex civil litigation arising under a broad range of pollution control statutes; routinely handles both litigation in federal district court and cases within the original jurisdiction of the U.S. Courts of Appeals

### 6. Natural Resources Section (78)

- Litigates under 80+ statutes related to the management of public lands and associated natural and cultural resources; all varieties of public lands are affected by this docket ranging from entire ecosystems, such as the Florida Everglades, to individual rangelands or wildlife refuges

### 7. Indian Resources Section (15)

- Litigates to protect nearly 60 million acres of lands held in trust for the tribes and individual Indian lands as well as the rights and

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

resources associated with those lands; also defends challenges to decisions made by the Secretary of the Interior on behalf of tribes

### 8. Land Acquisition Section (14)

- Acquires land through condemnation proceedings for use by the Federal Government for various purposes ranging from establishing national parks and memorials to protecting national security interests
- Recent cases handled by LAS include the acquisition of land for the Flight 93 National Memorial, the Strategic Border Initiative, and expansion of the Florida Everglades National Park

### 9. Law and Policy Section (15)

- Advises and assists the Office of the Assistant Attorney General on cross-cutting legal questions
- Coordinates and directs the Division's legislative program, including review and drafting of proposed legislation
- Litigates amicus cases and undertakes other special litigation projects

## EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR)

### Human Resources Staff

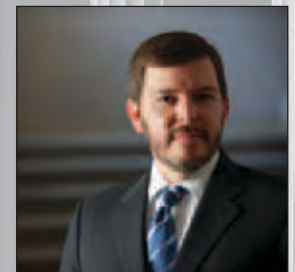
5107 Leesburg Pike, Ste 2300  
Falls Church, VA 22041  
Attn: LaShon Adams  
Phone: (703) 305-1134

Total # of Attorneys: 470  
Avg. # of Laterals Hired per Year: 4  
Website: [www.justice.gov/eoir](http://www.justice.gov/eoir)  
Location(s): Falls Church, VA;  
59 immigration courts in 27 states  
and Puerto Rico

The Executive Office for Immigration Review is responsible for developing policies and directing activities related to the conduct of administrative hearings and appellate reviews on various matters of immigration law, including the determination of individuals' immigration status in the United States. The majority of EOIR's attorneys are employed in the following four components (approximate number of attorneys in each component is indicated in parentheses):

### 1. Office of the Director (including Office of General Counsel) (23)

- Attorneys assist the management staff and component heads by interpreting laws and regulations, reviewing legislative initiatives, preparing regulations and statements of policy, and maintaining liaison with the private bar and other immigration interest groups
- Attorneys administer programs under the Freedom of Information Act and Privacy Act, respond to complaints about improper conduct of immigration practitioners, and provide guidance on matters of ethics and legal procedure



**Jeffrey S. Pease,**  
Supervisory Attorney Advisor,  
Executive Office for  
Immigration Review,  
Board of Immigration Appeals

*"Justice provides its attorneys an incredible amount of responsibility and the unparalleled opportunity to ensure proper application of the nation's laws, including in the varied roles of litigator and adjudicator."*



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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### 2. Board of Immigration Appeals (166)

- Quasi-judicial body of 15 permanent members with nationwide jurisdiction to hear appeals from certain decisions rendered by Immigration Judges and by officers of the Department of Homeland Security
- Staff attorneys assist the Board in researching cases, identifying salient issues of law, and preparing decisions: they specialize in dealing with certain categories of cases and assist Board panels in determining the merits of certain cases for oral argument, en banc review, or published decision; attorneys promote pro bono activities among Government and private attorneys

### 3. Office of the Chief Immigration Judge (277)

- Deputy and Assistant Chief Immigration Judges assist in overall policy direction and supervision of Immigration Courts in the field, recommending policy determinations, setting priorities, and streamlining court procedures
- Immigration Judges conduct formal administrative hearings and adjudicate individual cases of aliens subject to removal from the United States, determining their eligibility for relief or other consideration under immigration law

### 4. Office of the Chief Administrative Hearing Officer (2)

- Administrative Law Judges (ALJs) conduct hearings and adjudicate cases arising under the provisions of immigration law relating to unlawful employment of aliens, document fraud, and unfair immigration-related employment practices; the Chief Administrative Hearing Officer conducts administrative reviews of ALJ decisions in the first two categories of cases
- Attorney-Advisors assist the ALJs in researching cases, identifying salient issues of law, and preparing decisions

## FEDERAL BUREAU OF INVESTIGATION (FBI)

### Office of the General Counsel

935 Pennsylvania Ave., NW, Rm 7427  
 Washington, DC 20535  
 Attn: Andrew Weissmann  
 General Counsel  
 Phone: (202) 324-6829

Total # of Attorneys: 208

Avg. # of Laterals Hired per Year: Varies

Website: [www.fbi.gov](http://www.fbi.gov)

Location(s): Washington, DC

The Federal Bureau of Investigation is unique in having dual roles: It is an intelligence/national security-driven agency that is a member of the U.S. Intelligence Community, that collects, analyzes, produces, and disseminates foreign intelligence and counterintelligence to support national and departmental missions, and it is a law enforcement agency that enforces and investigates violations of federal laws concerning organized crime, public corruption, civil rights, terrorism, interstate criminal activity, espionage, and fugitive and drug trafficking

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

matters as part of the Department of Justice. The Office of the General Counsel (OGC) provides comprehensive legal advice to the Director, other FBI officials and divisions, and field offices on a wide array of national security, criminal, and administrative matters. In addition, this office defends civil actions against the FBI and its employees. Finally, the OGC provides essential legal training for FBI and DEA personnel, the National Academy, and other law enforcement groups. (Approximate number of attorneys in each branch is indicated in parentheses.)

### 1. General Law Branch (38)

- Assists the General Counsel in supporting the operational and administrative components of the FBI by providing timely, accurate, and cogent legal advice and counsel on a wide range of issues and matters in the administrative law field. These issues include considerations of constitutional law, agency authority and organization, fiscal law, ethics and standards of conduct, information law and information sharing, privacy and civil liberties protection, federal personnel law, facilities and property, federal watchlisting matters, and government contracting and procurement

### 2. Investigative Law and Legal Training Branch (49)

- Provides legal advice and guidance to FBI headquarter divisions and field offices concerning matters involving criminal investigative jurisdiction, operations, and techniques, to include counterterrorism, intelligence collection, weapons of mass destruction, computer intrusion/infrastructure protection, and international operations
- Advises on matters regarding: the application and implementation of the Communications Assistance and Law Enforcement Act (CALEA); the technical implementation of lawful authorizations for electronic search and surveillance; digital forensics; and the use of advanced technologies to maximize the FBI's ability to analyze and sort through increasing volumes of data
- Provides legal oversight for all aspects of the FBI's asset forfeiture program
- Provides legal instruction to FBI new agent trainees, analysts, and other employees attending the FBI Academy and Center for Intelligence Training, including legal training for federal, state, local, and international officers

### 3. Litigation Branch (46)

- Serves as legal counsel to the FBI and its employees in regard to civil liability advice, civil lawsuits, administrative claims, requests for testimony and/or documents, individual capacity representation matters, and related areas
- Provides legal advice and education to FBI management regarding personnel actions and defends the FBI in personnel-related administrative hearings, and coordinates civil suits arising from personnel-related matters

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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- Provides legal and policy guidance to the FBI concerning Freedom of Information Act and Privacy Act (FOIA\PA) matters and actively manages FOIA\PA civil actions filed against the FBI
- Serves at the forefront of steering the FBI's electronically-stored information policies, technical requirements, and discovery obligations related to administrative investigations, civil lawsuits, or other legal matters
- Provides timely and high-quality civil discovery review and litigation support to FBI and Department of Justice offices to protect sensitive and privileged information (*e.g.*, classified information, confidential human sources, grand jury material) in civil lawsuits, personnel-related proceedings, internal investigations, and limited criminal proceedings

### 4. National Security Law Branch (75)

- Serves as legal counsel to the FBI and its employees in regard to the national security mission of the FBI. The national security mission includes counterterrorism, foreign counterintelligence, espionage, intelligence collection, weapons of mass destruction, counter-proliferation, and computer intrusion/infrastructure protection
- Provides legal advice and guidance to FBI headquarters and field office personnel related to national security investigations
- Supports all aspects of classified litigation, including classification and declassification determinations and Classified Information Procedures Act and Foreign Intelligence Surveillance Act litigation
- Creates and implements legal policies and procedures in support of the national security mission of the FBI. Drafts and comments on legislation related to national security matters
- Creates and presents training to FBI employees on national security legal authorities
- Conducts risk assessments, oversight and compliance related to the FBI's national security program, including use of investigative tools
- Develops and maintains liaison relationships with the U.S. Intelligence Community, Department of Defense, and other U.S. and foreign government agencies on legal issues and operational requirements relating to national security

### FBI Office of Equal Employment Opportunity Affairs (OEEOA)

Tonya Odom  
Acting Assistant Director  
Phone: (202) 324-4128

Total # of Attorneys: 2  
Avg. # of Laterals Hired per Year: Varies  
Website: [www.fbi.gov](http://www.fbi.gov)

- Provides an informal and formal complaint processing system pursuant to federal guidelines for individuals to address claims of discrimination. This office also provides a reasonable accommoda-



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

tion process for persons with disabilities, an alternative dispute resolution program for workplace disputes, EEO training, and leads the agency's diversity initiative

- Attorneys within the OEEOA ensure that claims of discrimination are addressed in accordance with federal regulations and anti-discrimination statutes
- Attorneys work closely with FBI Special Agents tasked to investigate EEO complaints by providing legal and policy guidance, investigative planning, and a comprehensive review of investigative reports for legal sufficiency
- Attorneys also work closely with internal FBI stakeholders, the Department of Justice, and the U.S. Equal Opportunity Commission on issues affecting the function of its programs, compliance requirements, and policy development

### FBI Office of Integrity and Compliance (OIC)

Patrick Kelley  
Assistant Director  
Phone: (202) 324-6110  
Email: patrick.kelley@ic.fbi.gov

Total # of Attorneys: 11  
Avg. # of Laterals Hired per Year: 2

The FBI Office of Integrity and Compliance has two primary practice areas: Standards of Conduct and Ethics, and Legal Risk Management or Compliance. In addition to running and overseeing a traditional Federal Executive Branch agency ethics and standards of conduct program (training, advice and counseling, financial disclosure systems and review, etc.), OIC attorneys work closely with FBI management to identify, analyze, and develop mitigation plans to reduce legal risks associated with FBI operations, activities, and programs.

- Modeled on a private-sector compliance program, OIC works proactively to help ensure FBI personnel know and conform their conduct to the requirements of the law, address systemic compliance concerns, and foster an ethical environment that advances the FBI's adherence to its core values
- OIC attorneys review corporate policies, work on and lead "Red Teams," engage management at all levels and partner with their OGC counterparts to improve the overall compliance posture of the FBI

### FBI Office of Professional Responsibility (OPR)

Candice Will, Assistant Director  
Phone: (202) 220-7800

Total # of Attorneys: 15  
Avg. # of Laterals Hired per Year: 2

- Ensures that the FBI's 35,000 employees conduct themselves with the highest level of integrity and professionalism. OPR conducts investigations into alleged employee misconduct, and impartially adjudicates each case



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

- OPR works closely with other FBI divisions and the Department of Justice to address allegations of employee misconduct
- Oversees the smooth and efficient operation of the FBI's internal disciplinary process, including adopting policies and procedures governing that process
- OPR attorneys review investigative files, prepare legal memoranda, and respond to inquiries about the disciplinary process as well as provide instruction to employees about the disciplinary process, including the conduct of oral hearings

## FEDERAL BUREAU OF PRISONS (BOP)

### Office of General Counsel

320 First St., NW, Rm 948  
Washington, DC 20534  
Attn: B. Kevin Cardwell  
Phone: (202) 514-6105

Total # of Attorneys: 186

Avg. # of Laterals Hired per Year: 4

Website: [www.bop.gov](http://www.bop.gov)

Location(s): Washington, DC;  
Annapolis Junction, MD; Atlanta, GA;  
Dallas, TX; Kansas City, KS;  
Philadelphia, PA; Stockton, CA

The Federal Bureau of Prisons oversees the operation of the federal prison system, which (as of October, 2011) consists of 117 institutions. BOP attorneys are employed within the Central Office in Washington, DC, in Regional Offices or Consolidated Legal Centers located nation-wide, which includes several institution locations. (Approximate number of attorneys in each office is indicated in parentheses.)

### 1. Central Office (Office of General Counsel) (69)

This office is divided into six branches:

#### Commercial Law Branch

- Provides legal guidance and review of agency procurements
- Represents the BOP in protests and claims in government contract matters
- Advises staff on various commercial matters including copyright, tax, and fiscal law

#### Employment Law and Ethics Branch

- Provides advice and counsel to staff regarding employment and ethics matters
- Represents the agency in various forums including the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, the Merit Systems Protection Board, the Federal Service Impasses Panel, and in labor arbitrations

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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- Assists with employment cases in U.S. District Courts nationwide and the U.S. Court of Appeals for the Federal Circuit

### Legal Administrative Branch

- Processes Freedom of Information Act and Privacy Act (FOIA\PA) requests and assists in litigation of FOIA\PA cases
- Oversees all attorney personnel issues and computer services for legal staff
- Designs and provides speciality training for paralegal and attorneys nation-wide

### Legislative and Correctional Issues Branch

- Provides legal assistance on correctional issues, such as inmate rights and conditions of confinement
- Drafts and reviews legislation that may affect the BOP and coordinates the BOP's rulemaking process

### Litigation Branch

- Provides support on litigation filed in the District of Columbia and on cases having national impact on BOP programs and policies
- Oversees the inmate grievance program and claims filed under the Federal Tort Claims Act

### Real Estate and Environmental Law Branch

- Provides legal assistance and litigation support on a variety of issues, including land transactions and environmental laws

## 2. **Regional Offices and Consolidated Legal Centers (which includes institution locations - 117)**

- Provide litigation support to U.S. Attorneys' Offices for inmate litigation arising out of the prisons located within the region/ consolidated legal center (generally five to seven institutions) in the following types of lawsuits: *Bivens* actions claiming a federal employee has violated an inmate's constitutional rights (*e.g.*, an allegation that the conditions of confinement within an institution are unconstitutional); Federal Tort Claims Act suits (*e.g.*, an allegation that BOP staff members were negligent in failing to prevent personal injury to an inmate); Petitions for writ of habeas corpus (*e.g.*, an inmate claim that the sentence imposed has not been properly computed)
- Provide legal advice to regional office and prison administrators on a variety of legal issues involving constitutional rights, torts, contracts, administrative, labor and employment law
- Assist with prosecution of crimes that occur at BOP facilities

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### NATIONAL SECURITY DIVISION (NSD)

#### Executive Office

950 Pennsylvania Ave., NW, Rm 7636  
Washington, DC 20530  
Attn: Kia Johnson  
Email: Kia.Johnson@usdoj.gov

Total # of Attorneys: 202

Avg. # of Laterals Hired per Year: Varies

Website: [www.justice.gov/nsd](http://www.justice.gov/nsd)

Location(s): Washington, DC

The mission of the National Security Division is to combat terrorism and other national security threats. NSD performs many functions toward this goal, including: 1) Prosecuting suspected terrorists, spies, international pirates, and others who pose a risk to national security; 2) Litigating foreign intelligence surveillance matters, through representation of the Government before the Foreign Intelligence Surveillance Court (FISC) and other federal trial and appellate courts; 3) Providing legal and policy advice on national security matters; and 4) Conducting oversight of the activities of various Intelligence Community agencies. NSD is composed of six components with variable needs for experienced attorney hires:

#### 1. Counterterrorism Section

- Investigates and prosecutes domestic and international terrorism and terrorist financing cases
- Investigates and prosecutes matters involving torture, genocide, and war crimes that are linked to terrorist groups and individuals
- Promotes and oversees a coordinated national counterterrorism enforcement program, through close collaboration with Department leadership, the National Security Branch of the Federal Bureau of Investigation (FBI), the Intelligence Community, and the 94 U.S. Attorneys' Offices
- Consults, advises, and collaborates with prosecutors nationwide on international and domestic terrorism investigations and prosecutions

#### 2. Counterespionage Section

- Supervises the investigation and prosecution of cases involving espionage and related statutes
- Supports and oversees the expansion of investigations and prosecutions into the unlawful export of military and strategic commodities and technology by assisting and providing guidance to U.S. Attorneys' Offices
- Coordinates and provides advice in connection with cases involving the unauthorized disclosure of classified information and supports resulting prosecutions
- Enforces the Foreign Agents Registration Act of 1938 and related disclosure statutes



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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### 3. Office of Intelligence

- Represents the United States before the FISC to obtain authorization under the Foreign Intelligence Surveillance Act (FISA) for the U.S. Government to conduct intelligence collection activities, such as electronic surveillance and physical searches
- Coordinates and supervises intelligence-related litigation matters, including evaluating and reviewing requests to use information collected under FISA in criminal and non-criminal proceedings
- Oversees foreign intelligence, counterintelligence, and other national security activities to ensure compliance with the Constitution, statutes, and executive branch policies to protect individual privacy and civil liberties
- Identifies instances of individual and systemic non-compliance by various Intelligence Community elements with applicable legal authorities and works with the responsible agencies to correct existing problems and prevent future occurrences

### 4. Office of Law and Policy

- Oversees the development, coordination, and implementation, in conjunction with relevant partners, of legislation and policies concerning intelligence, counterintelligence, counterterrorism, cybersecurity, international piracy, and other national security matters
- Represents and advises the Government in appeals involving counterterrorism, counterespionage, and other national security matters
- Provides legal assistance and advice to the Division, other components of the Department, the Attorney General, the White House, and other agencies on matters of national security law and policy
- Performs prepublication classification review of materials proposed to be published by present and former Department employees

### 5. Foreign Investment Review Staff

- Serves as DOJ's representative on the Committee on Foreign Investment in the United States (CFIUS), a multi-agency body which reviews foreign acquisitions of domestic entities that might affect national security
- Tracks and monitors certain CFIUS transactions that have been approved, including those subject to mitigation agreements, and identifies unreported transactions that might merit CFIUS review
- Provides opinions to the Federal Communications Commission as to whether granting particular licenses to foreign-owned or controlled entities will pose national security risks



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### 6. Office of Justice for Victims of Overseas Terrorism

- Ensures that the rights of victims and their families are honored and respected throughout the criminal justice process

### TAX DIVISION (TAX)

Human Resources Office  
PO Box 813, Ben Franklin Station  
Washington, DC 20044  
Phone: (202) 616-2774

Total # of Attorneys: 400  
Avg. # of Laterals Hired per Year: 25  
Website: [www.justice.gov/tax](http://www.justice.gov/tax)  
Location(s): Washington, DC; Dallas, TX

The mission of the Tax Division is to enforce the nation's tax laws fully, fairly, and consistently. The Division directly handles most civil litigation arising under the federal tax code in both federal and state courts and oversees the prosecution of all federal tax crimes. Most of the Division's attorneys are employed in the following sections (approximate number of attorneys in each section is indicated in parentheses):

#### 1. Appellate Section (50)

Appellate attorneys:

- Review adverse court decisions in civil tax cases and prepare recommendations as to whether appeals should be taken
- Prepare briefs and present oral argument in civil tax cases before federal and state courts of appeals

#### 2. Civil Trial Sections (including six regional sections and the Court of Federal Claims Section) (220)

Civil trial attorneys:

- Handle all aspects of their cases, from inception through trial or settlement, in federal district and bankruptcy courts and state trial courts
- Bring cases to collect taxes and penalties, foreclose tax liens, enjoin fraudulent tax return preparers and tax scam promoters, and seek other affirmative relief
- Defend the United States and government officials in suits seeking tax refunds, civil damages, injunctions, invalidation of federal tax regulations, and other relief

#### 3. Criminal Enforcement Sections (including three regional sections and the Criminal Appeals and Tax Enforcement Policy Section) (110)

Criminal enforcement attorneys:

- Review recommendations for prosecution of federal tax offenses received from the IRS and U.S. Attorneys to determine whether prosecutions should be authorized



**Steven K. Uejio,**  
Attorney,  
Tax Division,  
Appellate Section

*"Based on my summer internship experience, I promptly accepted the offer to join the Tax Division through the Honors Program. It is a decision I am glad I made."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

- Review requests to initiate or expand grand jury investigations arising under federal tax laws
- Prosecute tax offenses in federal district courts

### UNITED STATES ATTORNEYS' OFFICES (USAOs)

Applications for employment with the U.S. Attorneys' Offices should be mailed directly to the office in which you have an interest. A chart of USAOs' contact information can be found at [www.justice.gov/usao/about/offices.html](http://www.justice.gov/usao/about/offices.html)

Total # of Attorneys: 5,866  
Avg. # of Laterals Hired per Year: 300  
Website: Each office's website can be accessed through the following website: [www.justice.gov/usao/about/offices.html](http://www.justice.gov/usao/about/offices.html)  
Location(s): 94 offices nationwide (see page 46-47)

U.S. Attorneys are responsible for handling a significant portion of the criminal prosecutions and civil litigation on behalf of the Department of Justice and most other federal agencies. There are 93 U.S. Attorneys stationed throughout the United States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands. U.S. Attorneys are appointed by, and serve at the discretion of, the President of the United States, with the advice and consent of the United States Senate. One U.S. Attorney is assigned to each of the judicial districts, with the exception of Guam and the Northern Mariana Islands where a single U.S. Attorney serves in both districts. The U.S. Attorneys are the chief federal law enforcement officers in their districts, responsible for federal criminal prosecutions and civil cases involving the United States Government.

The U.S. Attorneys have three statutory responsibilities under 28 U.S.C. § 547:

- The prosecution of criminal cases brought by the federal government;
- The prosecution and defense of civil cases in which the United States is a party; and
- The collection of debts owed the federal government that are administratively uncollectible.

Although the distribution of caseload varies between districts, each U.S. Attorney's Office deals with every category of cases and handles a mixture of simple and complex litigation. Each U.S. Attorney is both the primary representative and the administrative head of the Office of the U.S. Attorney for their respective district, and in that role supervises the Office's staff, including trial attorneys, i.e., Assistant U.S. Attorneys (AUSAs), who have day-to-day responsibility for litigating cases.

AUSAs work in the following areas:

#### 1. Criminal

- Criminal work includes the coordination of investigations and prosecution of a wide range of criminal activities, including



**Tiwana Wright,**  
Trial Attorney,  
Tax Division,  
Northern Criminal  
Enforcement Section

*"In the Tax Division, I am developing the unique trial skills required in complex white collar federal litigation. As an attorney in its Criminal Enforcement Section, I get to travel throughout the United States to assist U.S. Attorneys' offices in the prosecution of tax fraud crimes."*



**Nick Chase,**  
Assistant U.S. Attorney,  
U.S. Attorney's Office,  
District of North Dakota



**Channing D. Phillips,**  
Counselor to the  
Attorney General

*"I joined Justice over 20 years ago for the chance to work on compelling cases and interesting issues that affect individual persons as well as whole communities and I have not been disappointed. As a young prosecutor in the Criminal Division and later as an Assistant U.S. Attorney prosecuting violent crime, drug trafficking, gun, and fraud offenses, Justice has provided me the opportunity to help effect change on many different levels. As a public servant, it just doesn't get any better as far as I'm concerned."*

## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

violent crime, terrorism, organized crime, computer fraud, environmental crime, public corruption, health care fraud, firearms violations, drug trafficking, money laundering, financial institutions fraud, asset forfeiture, and child support enforcement

Typically, AUSAs doing this type of work:

- Supervise and conduct investigations (e.g., work with grand juries and criminal investigative agents, review evidence, interview witnesses, prepare search and seizure warrants, and conduct other work leading to trial)
- Prepare criminal complaints and indictments
- Negotiate and draft plea agreements
- Prepare for and conduct jury and court trials
- Brief and argue appeals

### 2. Civil

Civil work includes:

- Initiating affirmative litigation and other civil cases to assert and protect the interests of the United States (e.g., enforcement of environmental, public safety, health care, fair housing, and government program fraud laws)
- Defending the interests of the federal government in lawsuits filed against the United States (e.g., tort and employment discrimination claims against federal agencies and judicial review of various administrative rulings)
- Enforcing the financial and property interests of the federal government in civil and criminal collections, real estate foreclosures, and bankruptcy proceedings

Typically, AUSAs doing this type of work:

- Conduct legal research on affirmative and defensive civil issues
- Draft motions to dismiss and for summary judgment and other pleadings
- Conduct depositions and pursue other fact discovery; interview lay fact witnesses and expert witnesses
- Appear in court for motion hearings and settlement conferences
- Prepare for and conduct jury and court trials
- Brief and argue appeals



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

### UNITED STATES TRUSTEE PROGRAM (USTP)

Office of Administration  
Human Resources Division  
20 Massachusetts Ave., NW, Rm 8214  
Washington, DC 20530  
Attn: Valerie Singley  
Attorney Recruitment Coordinator  
Phone: (202) 616-1013

Total # of Attorneys: 316  
Avg. # of Laterals Hired per Year: 12  
Website: [www.justice.gov/ust](http://www.justice.gov/ust)  
Location(s): 95 offices nationwide and  
Executive Office in Washington, DC

The mission of the United States Trustee Program is to promote the integrity and efficiency of the bankruptcy system for the benefit of all stakeholders – debtors, creditors, and the public. The Program oversees the administration of all bankruptcy cases filed by individual and business debtors in every federal judicial district except those in Alabama and North Carolina. The U.S. Trustee's specific duties in a case depend on the chapter under which a debtor files a bankruptcy petition and the facts of the case.

The Program has an Executive Office for U.S. Trustees (EOUST) in Washington, DC, led by a Director; 21 regions managed by U.S. Trustees; and 95 field offices supervised by Assistant U.S. Trustees. Field office attorneys appear in court, almost daily, to ensure that bankruptcy cases are fairly and expeditiously administered.

Program Field Office Attorneys' responsibilities include:

- Protecting consumers by seeking sanctions and other penalties against mortgage servicers and other creditors who abuse debtors and the bankruptcy system
- Prosecuting discharge complaints and motions to dismiss to prevent fraud and abuse by bankruptcy filers
- Pursuing civil remedies against attorneys engaging in misconduct and non-attorney petition preparers who violate the law
- Ensuring the interests of creditors and other parties are adequately represented in Chapter 11 business reorganizations
- Overseeing the private trustees appointed to administer Chapter 7, 12, and 13 bankruptcy cases
- Working closely with the U.S. Attorneys, the FBI, and other law enforcement agencies to investigate and prosecute criminal bankruptcy fraud cases

The EOUST oversees the Program's substantive operations and handles its administrative functions. EOUST attorneys face an array of challenging issues relating to complex bankruptcy law, litigation and appeals, administrative and regulatory law, and pending or contemplated legislation.

Program EOUST Attorneys' responsibilities include:

- Managing the Program's civil enforcement efforts



## ORGANIZATIONS WITH MORE THAN 100 ATTORNEYS

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- Prosecuting and defending appeals at the district court and circuit court levels
- Coordinating litigation of cases of first impression
- Providing legal advice to the U.S. Trustees
- Responding to Freedom of Information Act (FOIA) requests and managing congressional correspondence
- Developing legislative proposals
- Advising on ethics issues



## ORGANIZATIONS WITH FEWER THAN 100 (BUT MORE THAN 10) ATTORNEYS

### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF)

#### Office of Chief Counsel

99 New York Ave., NE  
Washington, DC 20226  
Attn: Yvette Younger  
Phone: (202) 648-7008

Total # of Attorneys: 74  
Avg. # of Laterals Hired per Year: 2  
Website: [www.atf.gov](http://www.atf.gov)  
Location(s): Washington, DC and  
25 Field Divisions

The primary mission of the Bureau of Alcohol, Tobacco, Firearms and Explosives is to prevent violent crime by enforcing and administering the federal firearms laws and regulations, various federal explosives laws and regulations, and alcohol and tobacco trafficking laws. The Office of Chief Counsel provides legal advice and guidance to ATF officials, researches legal issues regarding the laws within ATF's jurisdiction, and provides litigation support in defense of the Bureau and its employees in civil litigation. At ATF Headquarters the attorneys are divided into four sections: Administration and Ethics; Field Operations and Information; Firearms, Explosives and Arson; and Litigation. ATF attorneys are also based in 25 field divisions around the country where they work directly with ATF special agents and industry operations investigators on criminal cases and regulatory matters.

### DRUG ENFORCEMENT ADMINISTRATION (DEA)

#### Office of Chief Counsel

8701 Morrisette Dr.  
Springfield, VA 22152  
Attn: Robert C. Gleason  
Phone: (202) 307-8020

Total # of Attorneys: 90  
Avg. # of Laterals Hired per Year: 5  
Website: [www.dea.gov](http://www.dea.gov)  
Location(s): Washington, DC

As the primary narcotics enforcement agency for the federal government, the Drug Enforcement Administration enforces the Controlled Substances Act and related federal statutes. The Office of Chief Counsel serves as legal counsel to DEA, providing advice to DEA managers and employees on all aspects of the agency's operations worldwide. The Office is divided into ten sections: Domestic Criminal Law Section; International Law Section; Civil Litigation Section; Administrative Law Section; Diversion/Regulatory Litigation Section; Diversion/Regulatory Policy Section; Asset Forfeiture Section; Technology Law Section; Congressional Liaison Section; and Legal Instruction Section.

### EXECUTIVE OFFICE FOR U.S. ATTORNEYS (EOUSA)

600 E St., NW  
Washington, DC 20530  
Attn: Patricia Mallette  
Phone: (202) 252-5500

Total # of Attorneys: 55  
Avg. # of Laterals Hired per Year: 4  
Website: [www.justice.gov/usao/eousa](http://www.justice.gov/usao/eousa)  
Location(s): Washington, DC

Provides the 94 U.S. Attorneys' Offices with executive assistance and direction, policy development, administrative and operational support, and coordination with other organizations of the Department and other federal agencies. The majority of the legal work in EOUSA is performed by attorneys in the following components: General Counsel's Office; Office of Legal and Victim Programs; Freedom of Information Act/Privacy Act Staff; Evaluation and Review Staff; and the Office of Legal Education (located at the National Advocacy Center, Columbia, South Carolina).



**Anthony N. Torres,**  
Attorney,  
Bureau of Alcohol, Tobacco,  
Firearms & Explosives,  
Office of Chief Counsel,  
Field Operations and Information

*"The action at ATF is frantic and independence in working your cases a necessity. The most rewarding aspect of my career, however, has been working with so many highly-qualified and motivated individuals who care deeply about doing what's right."*

## ORGANIZATIONS WITH FEWER THAN 100 (BUT MORE THAN 10) ATTORNEYS

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### JUSTICE MANAGEMENT DIVISION (JMD)

#### JMD/Office of General Counsel

145 N St., NE  
Washington, DC 20530  
Attn: Barbara Bush  
Phone: (202) 514-3452

Total # of Attorneys: 21  
Avg. # of Laterals Hired per Year: 1  
Website: [www.justice.gov/jmd](http://www.justice.gov/jmd)  
Location(s): Washington, DC

Provides assistance to senior management officials relating to basic DOJ policy for evaluation, budget and financial management, personnel management and training, equal opportunity programs, automatic data processing and telecommunications, security, records management, procurement, real property, and material management. The majority of the legal work carried out in the Justice Management Division is performed by 11 attorneys in the Office of General Counsel, which provides legal advice on a wide range of issues affecting the administration of the Department of Justice's programs. In addition, several attorneys with JMD HR Staff provide guidance and litigation assistance to DOJ organizations in the area of labor and employment law, and they practice before the MSPB, FLRA, and EEOC.

### OFFICE OF INFORMATION POLICY (OIP)

New York Avenue Building  
1425 New York Ave., NW, Ste 11050  
Washington, DC 20530  
Attn: Director  
Phone: (202) 514-3642

Total # of Attorneys: 19  
Avg. # of Laterals Hired per Year: 2  
Website: [www.justice.gov/oip](http://www.justice.gov/oip)  
Location(s): Washington, DC

Responsible for encouraging agency compliance with the Freedom of Information Act (FOIA) and develops and issues policy guidance to all agencies on proper implementation of the FOIA. In addition to its policy guidance and oversight responsibilities, the Office of Information Policy (OIP) manages the Department of Justice's obligations under the FOIA. This includes adjudicating administrative appeals from denials of access to records made by Department organizations under the FOIA or the Privacy Act of 1974; handling initial requests for records of the Offices of the Attorney General, Deputy Attorney General and Associate Attorney General, as well as other Senior Management Offices; providing staff support for the Department Review Committee, which reviews Department of Justice records containing classified information; and handling the defense of certain FOIA matters in litigation.

### OFFICE OF JUSTICE PROGRAMS (OJP)

810 Seventh St., NW, Rm 3321  
Washington, DC 20531  
Attn: Michelle Sicut  
Associate Director of HR Operations  
Phone: (202) 514-9605

Total # of Attorneys: 33  
Avg. # of Laterals Hired per Year: 2  
Website: [www.justice.gov/ojp](http://www.justice.gov/ojp)  
Location(s): Washington, DC

Provides innovative leadership to federal, state, local, and tribal justice systems, by disseminating state-of-the art knowledge and practices across America, and providing grants for the implementation of these crime-fighting strategies. OJP works in partnership with the justice community to identify the most pressing crime-related challenges confronting the justice system and to provide information, training, coordination, and innovative strategies and approaches



## ORGANIZATIONS WITH FEWER THAN 100 (BUT MORE THAN 10) ATTORNEYS

for addressing these challenges. The majority of the legal work carried out in the Office of Justice Programs is performed by 20 attorneys in the Office of the General Counsel and by 10 attorneys in the Office of Civil Rights.

### OFFICE OF LEGAL COUNSEL (OLC)

Main Building  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001  
Attn: Arline A. Gause  
Phone: (202) 305-9250

Total # of Attorneys: 25  
Avg. # of Laterals Hired per Year: 5  
Website: [www.justice.gov/olc](http://www.justice.gov/olc)  
Location(s): Washington, DC

Assists the Attorney General in his function as legal advisor to the President and all executive branch agencies. Drafts legal opinions of the Attorney General and also provides its own written opinions and oral advice in response to requests from the Counsel to the President, the various agencies of the executive branch, and offices within the Department. The Office of Legal Counsel is also responsible for providing legal advice to the executive branch on constitutional questions and reviewing pending legislation for constitutionality.

### OFFICE OF LEGAL POLICY (OLP)

Main Building  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001  
Attn: Matrina Matthews  
Phone: (202) 616-0040

Total # of Attorneys: 20  
Avg. # of Laterals Hired per Year: 1-2  
Website: [www.justice.gov/olp](http://www.justice.gov/olp)  
Location(s): Washington, DC

Develops and implements the Justice Department's significant policy initiatives, handles special projects that implicate the interests of multiple Department components, coordinates with other interested Department components and other executive branch agencies, and serves as the primary policy advisor to the Attorney General and the Deputy Attorney General. OLP also reviews and coordinates all regulations promulgated by Department components, assists the Attorney General with responsibilities in recommending candidates for federal judgeships, and coordinates the judicial nomination and confirmation process with the White House and the Senate.

### OFFICE OF LEGISLATIVE AFFAIRS (OLA)

Main Building  
950 Pennsylvania Ave., NW, Rm 1601  
Washington, DC 20530  
Email: [OLA.resumes@usdoj.gov](mailto:OLA.resumes@usdoj.gov)

Total # of Attorneys: 15  
Avg. # of Laterals Hired per Year: 1-2  
Website: [www.justice.gov/ola](http://www.justice.gov/ola)  
Location(s): Washington, DC

Responsible for the development and implementation of strategies to advance the Department's legislative initiatives and other interests relating to Congress. OLA also articulates the Department's position on legislation proposed by Congress, facilitates the appearance of Department witnesses at congressional hearings, and manages the interagency clearance process led by the Office of Management and Budget. Additionally, OLA coordinates the Department's responses to congressional committee oversight requests and other inquiries from individual Members and congressional staff. OLA also participates in the Senate confirmation process for federal judges and Department nominees, such as Assistant Attorneys General and U.S. Attorneys.



## ORGANIZATIONS WITH FEWER THAN 100 (BUT MORE THAN 10) ATTORNEYS

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### OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR)

Main Building  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001  
Attn: William J. Birney  
Phone: (202) 514-3365

Total # of Attorneys: 23  
Avg. # of Laterals Hired per Year: 2  
Website: [www.justice.gov/opr](http://www.justice.gov/opr)  
Location(s): Washington, DC

Investigates allegations of misconduct involving Department of Justice attorneys that relate to the exercise of their authority to investigate, litigate or provide legal advice, as well as allegations of misconduct by Department law enforcement personnel when related to allegations of attorney misconduct within the jurisdiction of the Office of Professional Responsibility (OPR). The mission of OPR is to ensure that Department attorneys and law enforcement personnel continue to perform their duties in accordance with the high professional standards expected of the nation's principal law enforcement agency.

### OFFICE OF THE INSPECTOR GENERAL (OIG)

**Management and Planning Div.**  
1425 New York Ave., NW, Ste 7000  
Washington, DC 20530  
Attn: Brandie Miller  
Phone: (202) 616-4501

Total # of Attorneys: 17  
Avg. # of Laterals Hired per Year: 4  
Website: [www.justice.gov/oig](http://www.justice.gov/oig)  
Location(s): Washington, DC

Conducts independent investigations, audits, inspections, and special reviews of Department of Justice personnel and programs to detect and deter waste, fraud, abuse, and misconduct, and to promote integrity, economy, efficiency, and effectiveness in Department of Justice operations.

### U.S. MARSHALS SERVICE (USMS)

**Office of General Counsel**  
2604 Jefferson Davis Highway,  
CS-4, 10th Floor  
Alexandria, VA 22301  
Attn: Lisa Dickinson  
Principal Deputy General Counsel  
Phone: (202) 307-9054 (main)

Total # of Attorneys: 20  
Avg. # of Laterals Hired per Year: Varies  
Website: [www.usmarshals.gov](http://www.usmarshals.gov)  
Location(s): Washington, DC

Protects the federal courts and ensures the effective operation of the judicial system (*e.g.*, prisoner transportation, service and execution of court orders, court and judicial security, witness protection). The Office of General Counsel provides legal assistance to the Director and headquarter officials, as well as to U.S. Marshals nationwide.

## ORGANIZATIONS WITH 10 OR FEWER ATTORNEYS

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### COMMUNITY RELATIONS SERVICE (CRS)

Total # of Attorneys: 2

Website: [www.justice.gov/crs](http://www.justice.gov/crs)

Provides violence prevention and conflict resolution services for community conflicts and tensions arising from differences of race, color, or national origin. CRS is the only federal service mandated to help state and local government agencies, public and private organizations, and community groups resolve and prevent community racial conflicts through the use of mediation, conciliation, and other conflict resolution approaches.

### FOREIGN CLAIMS SETTLEMENT COMMISSION (FCSC)

Total # of Attorneys: 4

Website: [www.justice.gov/fcsc](http://www.justice.gov/fcsc)

Adjudicates claims of U.S. nationals against foreign governments, either under specific jurisdiction conferred by Congress, pursuant to international claims settlement agreements or by referral from the Secretary of State.

### INTERPOL WASHINGTON, U.S. NATIONAL CENTRAL BUREAU

Total # of Attorneys: 1

Website: [www.justice.gov/usncb](http://www.justice.gov/usncb)

Facilitates international law enforcement cooperation as the United States' representative to the International Criminal Police Organization (INTERPOL) on behalf of the U.S. Attorney General.

### NATIONAL DRUG INTELLIGENCE CENTER (NDIC)

Total # of Attorneys: 2

Website: [www.justice.gov/ndic](http://www.justice.gov/ndic)

Provides strategic drug-related intelligence, document and media exploitation support, and training assistance to the drug control, public health, law enforcement, and intelligence communities of the United States in order to reduce the adverse effects of drug trafficking, drug abuse, money laundering, and other drug-related criminal activity.

### OFFICE OF ATTORNEY RECRUITMENT AND MANAGEMENT (OARM)

Total # of Attorneys: 8

Website: [www.justice.gov/oarm](http://www.justice.gov/oarm)

Oversees Justice's outreach and recruitment efforts for law students and attorneys with the goal of attracting a highly-qualified and diverse talent pool. OARM has delegated authority to take final action in matters pertaining to the employment, separation and general administration of Justice attorneys and law students in grades GS-15 (or equivalent) and below. OARM provides Justice components with guidance on a variety of attorney personnel issues and performs special attorney personnel duties as assigned by the Department's senior leadership offices. OARM oversees many key programs including the Attorney General's Honors Program, the Summer Law Intern Program, the Attorney Student Loan Repayment Program, the Attorney Mentor Program, and Attorney Certifications. OARM is also the Department's adjudicative office in FBI Whistleblower cases.

## ORGANIZATIONS WITH 10 OR FEWER ATTORNEYS

### OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS)

Total # of Attorneys: 8

Website: [www.cops.usdoj.gov](http://www.cops.usdoj.gov)

Advances public safety through community policing by providing grants to state, local, and tribal law enforcement agencies nationwide, funding the development and delivery of community policing training and technical assistance resources, and funding the research and publication of community policing materials for law enforcement officers and the communities they serve.

### OFFICE OF DISPUTE RESOLUTION (ODR)

Total # of Attorneys: 2

Website: [www.justice.gov/odr](http://www.justice.gov/odr)

Develops policy guidelines and provides legal advice and training on the use of alternative dispute resolution (ADR) in all of the Department of Justice's civil litigation.

### OFFICE OF INTERGOVERNMENTAL AND PUBLIC LIAISON (OIPL)

Total # of Attorneys: 2

Website: [www.justice.gov/oipl](http://www.justice.gov/oipl)

Represents the Department of Justice's leadership with tribal, state, and local governments. The office also works with leadership of all the major law enforcement organizations on issues affecting DOJ's leadership and other components. In addition, the office is responsible for building relationships with the public, including individuals, institutions and public constituency groups such as bar associations, advocacy groups, and membership organizations.

### OFFICE OF THE FEDERAL DETENTION TRUSTEE (OFDT)

Total # of Attorneys: 2

Website: [www.justice.gov/ofdt](http://www.justice.gov/ofdt)

Manages and regulates the federal detention programs and the Justice Prisoner and Alien Transportation System (JPATS) by establishing a secure and effective operating environment that drives efficient and fair expenditure of appropriated funds. Attorneys provide legal advice on issues including contracts, criminal procedure, constitutional and appropriations law.

### OFFICE OF THE PARDON ATTORNEY (OPA)

Total # of Attorneys: 7

Website: [www.justice.gov/pardon](http://www.justice.gov/pardon)

Investigates and reviews all requests for executive clemency and prepares the Department of Justice's recommendation to the President for final disposition of each application.

### OFFICE OF TRIBAL JUSTICE (OTJ)

Total # of Attorneys: 4

Website: [www.justice.gov/otj](http://www.justice.gov/otj)

Serves as the primary point of contact for the Department of Justice with federally-recognized Native American tribes, and advises the Department on legal and policy matters pertaining to Native Americans.



**Gaye Tenoso,**  
Deputy Director,  
Office of Tribal Justice

*"To me, there is no higher calling in the legal profession than protecting rights guaranteed by our laws and Constitution, and no more important institution in which to engage in those efforts than the U.S. Department of Justice. It has been my privilege to have worked at the Department to safeguard the rights of minority individuals and Indian tribes for more than a quarter of a century, first in the Civil Rights Division, and now in the Office of Tribal Justice."*



## ORGANIZATIONS WITH 10 OR FEWER ATTORNEYS

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### OFFICE ON VIOLENCE AGAINST WOMEN (OVW)

Total # of Attorneys: 3

Website: [www.ovw.usdoj.gov](http://www.ovw.usdoj.gov)

Responsible for providing legal and policy support for the administration of OVW grants programs and special initiatives. Responds orally and in writing to complex and novel requests for legal advice or questions involving interpretations of legislation, including the Violence Against Women Act and other applicable statutes, case law, federal regulations and other legal authorities relevant to federal grants administration and national violence against women policy.

### PROFESSIONAL RESPONSIBILITY ADVISORY OFFICE (PRAO)

Total # of Attorneys: 5

Website: [www.justice.gov/prao](http://www.justice.gov/prao)

Provides advice to Department attorneys and Assistant U.S. Attorneys (AUSAs) with respect to professional responsibility issues.

### U.S. PAROLE COMMISSION (USPC)

Total # of Attorneys: 6

Website: [www.justice.gov/uspc](http://www.justice.gov/uspc)

Grants, modifies, or revokes paroles of eligible prisoners, supervises parolees and prisoners released upon the expiration of their sentences with allowances for statutory good time, and determines supervisory conditions and terms.







APPENDIX B.— DOJ ORGANIZATIONAL PRACTICE AREA CHART

THE UNITED STATES DEPARTMENT OF JUSTICE  
PRACTICE AREA CHART

As our nation’s largest legal employer, Justice offers opportunities for law students and attorneys in virtually every legal practice area. This chart will help you explore the work of various DOJ organizations, and find those that best match your interests and expertise. More detailed information about specific DOJ organizations and Justice’s legal hiring programs is available at [www.justice.gov/legalcareers](http://www.justice.gov/legalcareers).

DOJ ORGANIZATION ABBREVIATIONS

<b>ATF</b>	Bureau of Alcohol, Tobacco, Firearms and Explosives	<b>OIG</b>	Office of the Inspector General
<b>ATR</b>	Antitrust Division	<b>OIP</b>	Office of Information Policy
<b>BOP</b>	Federal Bureau of Prisons	<b>OIPL</b>	Office of Intergovernmental and Public Liaison
<b>CIV</b>	Civil Division	<b>OJP</b>	Office of Justice Programs
<b>COPS</b>	Community Oriented Policing Services	<b>OLA</b>	Office of Legislative Affairs
<b>CRM</b>	Criminal Division	<b>OLC</b>	Office of Legal Counsel
<b>CRS</b>	Community Relations Service	<b>OLP</b>	Office of Legal Policy
<b>CRT</b>	Civil Rights Division	<b>OPA</b>	Office of the Pardon Attorney
<b>DEA</b>	Drug Enforcement Administration	<b>OPR</b>	Office of Professional Responsibility
<b>ENRD</b>	Environment and Natural Resources Division	<b>OSG</b>	Office of the Solicitor General
<b>EOIR</b>	Executive Office for Immigration Review	<b>OTJ</b>	Office of Tribal Justice
<b>EOUSA</b>	Executive Office for U.S. Attorneys	<b>OVW</b>	Office on Violence Against Women
<b>FBI</b>	Federal Bureau of Investigation	<b>PRAO</b>	Professional Responsibility Advisory Office
<b>FCSC</b>	Foreign Claims Settlement Commission	<b>TAX</b>	Tax Division
<b>JMD</b>	Justice Management Division	<b>USAO</b>	U.S. Attorneys’ Offices
<b>NDIC</b>	National Drug Intelligence Center	<b>USMS</b>	U.S. Marshals Service
<b>NSD</b>	National Security Division	<b>USPC</b>	U.S. Parole Commission
<b>OFDT</b>	Office of the Federal Detention Trustee	<b>USTP</b>	U.S. Trustee Program

*If you are interested in . . .*      *consider applying to . . .*

<b>ADMINISTRATIVE LAW</b>	ATF, BOP, CIV, COPS, CRS, CRT, DEA, ENRD, EOIR, EOUSA, FBI, FCSC, JMD, NDIC, OIG, OIP, OIPL, OJP, OLC, OLP, OPA, TAX, USAO, USMS, USPC, USTP
<b>AGRICULTURE</b>	ATR, CIV, TAX
<b>AVIATION / ADMIRALTY</b>	ATR, CIV, ENRD, USAO, USMS
<b>ADR / ARBITRATION</b>	BOP, CIV, CRT, DEA, ENRD, EOUSA, OJP, TAX, USAO
<b>ANTITRUST &amp; TRADE REGULATION</b>	ATR, USAO
<b>APPELLATE PRACTICE</b>	ATR, BOP, CIV, CRM, CRT, ENRD, EOIR, NSD, OIP, OSG, TAX, USAO, USPC, USTP
<b>BANKING</b>	ATR, CIV, CRM, CRT, TAX, USAO
<b>BANKRUPTCY</b>	BOP, CIV, CRM, ENRD, TAX, USAO, USTP
<b>BUSINESS (TORTS, LITIGATION)</b>	BOP, CIV, CRM, TAX, USAO, USTP
<b>CHILDREN / YOUTH</b>	CRM, EOIR, EOUSA, OJP, OLP, USAO

*If you are interested in . . .*      *consider applying to . . .*

<b>CIVIL ENFORCEMENT</b>	CIV, ENRD, TAX, USAO, USTP
<b>CIVIL LITIGATION</b>	ATF, ATR, BOP, CIV, CRM, CRT, DEA, ENRD, EOIR, EOUSA, FBI, NDIC, OIP, OJP, OLP, TAX, USAO, USMS, USTP
<b>CIVIL RIGHTS</b>	ATF, BOP, CIV, COPS, CRT, DEA, FBI, OIG, OJP, OLP, USAO
<b>COMPLEX LITIGATION</b>	ATR, CIV, CRM, CRT, DEA, ENRD, TAX, USAO, USTP
<b>COMPLIANCE</b>	DEA, FBI, OIG
<b>COMPUTER CRIME / CYBER CRIME</b>	CIV, CRM, EOUSA, FBI, NDIC, NSD, OLP, USAO
<b>COMPUTERS / TECHNOLOGY</b>	ATR
<b>CONSTITUTIONAL LAW</b>	ATF, BOP, CIV, CRM, CRT, DEA, ENRD, OFDT, OLC, OLP, TAX, USAO, USMS
<b>CONSTRUCTION</b>	BOP, CIV, USAO
<b>CONSUMER PROTECTION</b>	CIV, CRM, USAO, USTP
<b>COPYRIGHTS &amp; TRADEMARK/PATENT</b>	ATR, BOP, CIV, COPS, CRM, FBI, USAO
<b>CORPORATE FRAUD</b>	CIV, CRM, FBI, FCSC, TAX, USAO
<b>COUNTERTERRORISM</b>	BOP, CIV, CRM, FBI, NSD, OIG, OLP, TAX, USAO
<b>CRIMINAL LAW</b>	ATF, ATR, BOP, CIV, COPS, CRM, CRT, DEA, ENRD, EOIR, FBI, NDIC, NSD, OFDT, OIG, OJP, OLP, OPA, OPR, TAX, USAO, USMS, USPC, USTP
<b>CUSTOMS / TRADE</b>	CIV, CRM
<b>DEATH PENALTY</b>	BOP, CRM, OLP, USAO
<b>DISABILITY / MENTAL HEALTH</b>	BOP, CIV, CRT, FBI, JMD, USAO
<b>DOMESTIC VIOLENCE</b>	COPS, CRM, EOUSA, FBI, OLP, OVW, USAO
<b>DRUG ENFORCEMENT</b>	CIV, CRM, DEA, FBI, NDIC, OLP, TAX, USAO
<b>EDUCATION</b>	CIV, CRT, USAO
<b>EMPLOYMENT LAW</b>	ATF, BOP, CIV, COPS, CRM, CRT, DEA, EOIR, EOUSA, FBI, JMD, NDIC, OIG, OJP, TAX, USAO, USMS, USTP
<b>ENERGY</b>	ATR, CIV, ENRD, TAX
<b>ENVIRONMENT</b>	BOP, CIV, CRM, CRT, DEA, ENRD, USAO
<b>EMPLOYEE BENEFITS</b>	CIV, CRM, DEA, FBI, JMD, TAX
<b>FEDERAL EMPLOYEES</b>	BOP, CIV, CRM, CRT, DEA, FBI, JMD, NDIC, OIG, OJP, USAO, USMS
<b>FISCAL LAW / APPROPRIATIONS</b>	JMD, OFDT, OJP
<b>FORECLOSURE / MORTGAGE</b>	EOUSA, TAX, USAO, USTP
<b>FREEDOM OF INFORMATION ACT AND PRIVACY ACT</b>	BOP, CIV, CRM, CRS, DEA, ENRD, EOUSA, FBI, JMD, NDIC, OIG, OIP, OJP, OLC, TAX, USAO, USMS, USPC, USTP
<b>GAMING</b>	CRM, ENRD, USAO

APPENDIX B.— DOJ ORGANIZATIONAL PRACTICE AREA CHART

<i>If you are interested in . . .</i>	<i>consider applying to . . .</i>
GOVERNMENT CONTRACTS	ATF, BOP, CIV, COPS, CRM, CRT, DEA, EOUSA, FBI, JMD, NDIC, OFDT, OIG, OJP, USAO, USMS
GRANT LAW	CIV, COPS, JMD, OJP, OVW
HEALTH / MEDICAL	BOP, CIV, DEA, USAO
HEALTHCARE	ATR, BOP, CIV, CRM, CRT, DEA, TAX, USAO
HOUSING	CIV, CRT, USAO
HUMAN RIGHTS	CIV, CRM, CRT, EOIR, OLP, USAO
IMMIGRATION	CIV, CRM, CRT, EOIR, FBI, OLP, OVW, USAO
INDIAN LAW	CIV, COPS, CRM, CRT, ENRD, EOUSA, OJP, OLP, OTJ, OVW, TAX, USAO
INSURANCE	CIV, CRM, TAX
INTELLECTUAL PROPERTY	ATR, BOP, CIV, COPS, CRM, FBI, JMD, OIP, OLP, USAO
INTERNATIONAL	ATR, CIV, CRM, DEA, ENRD, FBI, FCSC, NSD, TAX, USAO
INTERNET / ELECTRONIC COMMERCE	CIV, CRM, DEA, JMD, OLP, USAO
JUVENILE	CRM, CRT, EOIR, FBI, OJP, OLP, USAO
LABOR	BOP, CIV, CRM, CRT, DEA, EOUSA, FBI, JMD, OIG, OJP, USAO, USMS
LEGISLATION	ATF, ATR, BOP, CIV, COPS, CRM, CRS, CRT, DEA, ENRD, EOUSA, FBI, NSD, OIG, OIP, OIPL, OJP, OLA, OLC, OLP, OVW, USMS
MALPRACTICE	BOP, CIV, USAO
MILITARY	CIV, CRM, NSD, USAO
NATIONAL SECURITY & INTELLIGENCE	BOP, CIV, CRM, DEA, ENRD, FBI, NSD, OIG, OLC, OLP, TAX, USAO
POLICE MISCONDUCT	CIV, CRS, CRT, DEA, FBI, OIG, USAO
PRISONERS’ RIGHTS	BOP, CRT, DEA, OIG, USAO, USMS, USPC
PRODUCT LIABILITY	CIV, OLP
PROFESSIONAL RESPONSIBILITY / ETHICS	BOP, CIV, CRM, EOUSA, FBI, JMD, OIG, OJP, OLC, OPR, PRAO, USTP
RACIAL / ETHNIC JUSTICE	CRT, FBI, JMD, OIG, OLP, USAO
REAL ESTATE	BOP, CIV, ENRD, TAX, USAO
RELIGIOUS FREEDOM	BOP, CIV, CRT, USAO
REGULATION	ATF, BOP, CIV, COPS, CRT, DEA, ENRD, OJP, OLP, USAO, USTP
SECURITIES	ATR, CIV, CRM, TAX, USAO
SOCIAL SECURITY / PUBLIC BENEFITS	CIV, USAO
STATE AND LOCAL ISSUES	CIV, COPS, CRM, CRT, OIPL, OLP, TAX, USAO

<i>If you are interested in . . .</i>	<i>consider applying to . . .</i>
TAX	BOP, TAX, USAO
TELECOMMUNICATIONS	ATR, DEA, TAX
TORT LAW / PERSONAL INJURY	ATF, BOP, CIV, COPS, DEA, FBI, USAO, USMS
TRANSPORTATION	ATR, CIV, TAX
TRIAL PRACTICE	ATR, CIV, CRM, CRT, DEA, ENRD, TAX, USAO, USTP
VETERANS	CIV, CRT, JMD, USAO
VIOLENT CRIME / ORGANIZED CRIME / GANGS	CRM, DEA, EOUSA, NDIC, USAO
VOTING RIGHTS	CRM, CRT, USAO
WHITE COLLAR CRIME	CRM, EOUSA, TAX, USAO
WOMEN’S ISSUES	CRT, OJP, OLP, OVW, USAO
WORKERS’ COMPENSATION	CIV, DEA, FBI, OIG



## REASONABLE ACCOMMODATION STATEMENT

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The U.S. Department of Justice is an Equal Opportunity/Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination because of color, race, religion, national origin, political affiliation, marital status, disability (physical or mental), age, sex, gender identity, sexual orientation, genetic information, status as a parent, membership or non-membership in an employee organization, on the basis of personal favoritism, or any non merit factor. The Department of Justice welcomes and encourages applications from persons with physical and mental disabilities. The Department is firmly committed to satisfying its affirmative obligations under the Rehabilitation Act of 1973, to ensure that persons with disabilities have every opportunity to be hired and advanced on the basis of merit within the Department of Justice. This agency provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

It is the policy of the Department to achieve a drug-free workplace and persons selected for employment will be required to pass a drug test which screens for illegal drug use prior to final appointment. Employment is also contingent upon the completion and satisfactory adjudication of a background investigation. Only U.S. citizens are eligible for employment with the Executive Office for Immigration Review and the United States Attorneys' Offices. Unless otherwise indicated in a particular job advertisement, non-U.S. citizens may apply for employment with other organizations, but should be advised that appointments of non-U.S. citizens are extremely rare; such appointments would be possible only if necessary to accomplish the Department's mission and would be subject to strict security requirements. Applicants who hold dual citizenship in the U.S. and another country will be considered on a case-by-case basis.

There is no formal rating system for applying veterans' preference to attorney appointments in the excepted service; however, the Department of Justice considers veterans' preference eligibility as a positive factor in attorney hiring. Applicants eligible for veterans' preference must include that information in their cover letter or resume and attach supporting documentation (*e.g.*, the DD 214, Certificate of Release or Discharge from Active Duty and other supporting documentation) to their submissions. Although the "point" system is not used, *per se*, applicants eligible to claim 10-point preference must submit Standard Form (SF) 15, Application for 10-Point Veteran Preference, and submit the supporting documentation required for the specific type of preference claimed (visit the OPM website, [www.opm.gov/forms/pdf\\_fill/SF15.pdf](http://www.opm.gov/forms/pdf_fill/SF15.pdf) for a copy of SF 15, which lists the types of 10-point preferences and the required supporting document(s)). Applicants should note that SF 15 requires supporting documentation associated with service-connected disabilities or receipt of nonservice-connected disability pensions to be dated 1991 or later except in the case of service members submitting official statements or retirement orders from a branch of the Armed Forces showing that his or her retirement was due to a permanent service-connected disability or that he/she was transferred to the permanent disability retired list (the statement or retirement orders must indicate that the disability is 10% or more).

## ABOUT JUSTICE

As the largest law firm in the nation, the Department of Justice serves as counsel for its citizens. It represents them in enforcing the law in the public interest. Through its thousands of lawyers, investigators, and agents, Justice plays a key role in safeguarding our national security, in protecting against criminals and subversion, in ensuring healthy competition of business in our free enterprise system, in safeguarding the consumer, and in enforcing drug, immigration, and naturalization laws. Justice also plays a significant role in protecting citizens through its efforts for effective law enforcement, crime prevention, crime detection, and prosecution and rehabilitation of offenders. Moreover, Justice conducts all suits in the Supreme Court in which the United States is concerned. It represents the Federal Government in legal matters generally, rendering legal advice and opinions, upon request, to the President and to the heads of the executive departments. The Attorney General supervises and directs these activities, as well as those of the U.S. Attorneys and U.S. Marshals in the various judicial districts around the country.

## DEPARTMENT OF JUSTICE DIVERSITY POLICY STATEMENT

The Department of Justice employs more than 115,000 talented and diverse women and men to help meet its mission and goals. We are stronger, more credible, and more effective when our workforce includes highly qualified individuals with backgrounds, cultures and traditions that reflect our Nation's rich diversity.

We value diversity in our workforce and embrace the cultural and demographic dimensions of our country. We work diligently to attract and retain a workforce that represents the range of personal and professional backgrounds, and experiences and perspectives that arise from differences of culture and circumstances. This includes persons of varying age, ethnicity, gender, disability, race, sexual orientation, gender identity, religion, national origin, political affiliation, socioeconomic and family status, and geographic region.

To further promote diversity within the Department, we have developed and implemented a Department-wide Diversity Management Plan. This plan will foster effective diversity management across the Department, sustain progress over time, and ensure accountability for results. Through respect, understanding, and open communication between and among the rich tapestry of our employees, we will enhance critical aspects of our management practices, including policy development, decision making, and problem solving.

The Justice organizational culture reflects our ongoing commitment to build and maintain a workplace environment that supports the efforts of all employees to effectively carry out the Department's mission while ensuring that all employees are encouraged to excel as public servants.

U.S. Department of Justice  
Office of Attorney Recruitment and Management  
[www.justice.gov/oarm/](http://www.justice.gov/oarm/)

December 2011

# **EXHIBIT 3**

## **Order Denying Motion to Stay**



**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

ROBERT HOLMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:21-cv-01085-STA-jay
	)	
THOMAS J. VILSACK, in his official	)	
capacity as Secretary of the United States	)	
Department of Agriculture, and	)	
	)	
ZACH DUCHENEAUX, in his official	)	
capacity as Administrator of the Farm Service	)	
Agency,	)	
	)	
Defendants.	)	

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**ORDER DENYING DEFENDANTS’ MOTION TO STAY PROCEEDINGS  
PENDING RESOLUTION OF RELATED CLASS ACTION**

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Before the Court is Defendants’ motion to stay proceeding pending resolution of *Miller v. Vilsack*, 4:21-cv-595 (N.D. Tex.), a related class action. (ECF No. 45). Plaintiff has filed a response and opposes the motion. (ECF No. 48.) For the reasons set forth below, Defendants’ motion is **DENIED**.

“A district court’s power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). However, “it is also clear that a court must tread carefully in granting a stay of proceedings, since a party has a right to a determination of its rights and liabilities without undue delay.” *Ohio Envtl. Council v. U.S. Dist. Court, S. Dist. of Ohio, E. Div.*, 565 F.2d 393, 396 (6th Cir. 1977). “[T]he burden is on the party seeking the stay to show that there is pressing need for delay, and that neither the other

party nor the public will suffer harm from entry of the order.” *Id.* at 396; *see also Landis*, 299 U.S. at 255 (“Only in rare circumstances will a litigant in one cause be compelled to stand aside while a litigant in another settles the rule of law that will define the rights of both.”) In this case, Defendants have not met their burden.

As noted by Defendants, Plaintiff filed this action to challenge the USDA’s implementation of Section 1005 of the American Rescue Plan Act of 2021 (“ARPA”). (ECF No. 1.) This Court granted Plaintiff’s request for a preliminary injunction and enjoined disbursement of Section 1005 funds on a nationwide basis pending resolution of the case on the merits. (ECF No. 41.) Defendants contend that Plaintiff is a member of the two classes certified by the *Miller* Court under Rule 23(b)(2), and Defendants will be bound by any relief granted to the classes with respect to Plaintiff should the *Miller* plaintiffs’ claim prevail. Defendants argue that, continued adjudication of Plaintiff’s claims in this Court, separate from the class to which he belongs, would be unnecessarily duplicative and risk inconsistent results. Defendants further argue that a stay would not prejudice Plaintiff who will benefit from any judgment applicable to the classes and who, in the meantime, is protected by the preliminary injunctions entered by the *Miller* Court and this Court. According to Defendants, a stay would also preserve judicial resources and prevent hardship to Defendants who would otherwise be required to continue defending against duplicative claims in separate courts.

Plaintiff has responded by correctly pointing out that his primary authority, *Vitolo v. Guzman*, 999 F.3d 353 (6th Cir. 2021), is not binding precedent in *Miller*, whereas it is binding in this Court. (“The government asks the Court to take this matter out of the hands of a Plaintiff who has already prevailed on a motion for preliminary injunction, and have his fate determined by other parties with other legal counsel in a court in a different judicial circuit that isn’t bound by *Vitolo*

*v. Guzman*, 999 F.3d 353 (6th Cir. 2021).” (Resp. p. 8, ECF. No. 48.)) This fact alone militates against granting a motion to stay.

However, beyond that, the Court agrees with Plaintiff’s argument that, if this matter is stayed, he “would have no say whatsoever in the pace at which *Miller* would proceed, including whether extensions of deadlines may be requested or granted by either party, or whether the government may seek en banc review by the Fifth Circuit, or whether ultimate review by the U.S. Supreme Court may occur.” (*Id.* at p. 9.) Plaintiff could well have to wait years before he is able to resume his case in this Court.

Additionally, the interests of the *Miller* plaintiffs are not completely aligned with Plaintiff’s interests, thus negating Defendants’ claim of duplicative lawsuits. Plaintiff has alleged in his complaint that loan forgiveness will bar him from obtaining future loans from the USDA. While the government’s position is that it can allow future loan eligibility for those who receive loan forgiveness under Section 1005, this Court has not decided the issue, and the issue has not been raised in *Miller*. Therefore, if the government accepts the suggestion of the *Miller* Court that “defendants will have a choice in whether to respond to the proposed injunction by extending loan forgiveness to all farmers and ranchers, or whether to respond by withholding loan forgiveness from everyone,” *Miller*, No. 4:21-cv-595, ECF No 18 at PageID 675, and chooses to eliminate the race requirement of Section 1005, Plaintiff’s claim concerning eligibility for future loans will be left adjudicated. Finally, Plaintiff may choose to opt out of the *Miller* classes, thus leaving his interest unrepresented.

In summary, Defendants have not shown that a stay is warranted in this matter, and their motion to stay proceedings is **DENIED**. The parties are **DIRECTED** to confer and then submit a joint proposed scheduling order to the Court’s ECF inbox in word processing format within

fourteen (14) days of the entry of this order. The Clerk of the Court will set a scheduling conference by separate order.

IT IS SO ORDERED.

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
CHIEF UNITED STATES DISTRICT JUDGE

Date: August 2, 2021.