

FY 2009

CONGRESSIONAL BUDGET JUSTIFICATION

OFFICE OF INSPECTOR GENERAL

OFFICE OF INSPECTOR GENERAL

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OFFICE OF INSPECTOR GENERAL

APPROPRIATION LANGUAGE

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, *as amended*, [\$70,072,000] \$76,326,000, together with not to exceed [\$5,641,000] \$5,815,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund. (*Department of Labor Appropriations Act, 2008.*)

OFFICE OF INSPECTOR GENERAL

ANALYSIS OF APPROPRIATION LANGUAGE

<p>For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, [\$70,072,000] \$76,326,000, together with not to exceed [\$5,641,000] \$5,815,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund. (Department of Labor Appropriations Act, 2008.)</p>	<p>This language appropriates funds for OIG Program Activities that further the mission of the OIG as prescribed by the IG Act.</p>
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OFFICE OF INSPECTOR GENERAL

AMOUNTS AVAILABLE for OBLIGATION						
(Dollars in Thousands)						
FY 2007						
	Comparable		FY 2008 Estimate		FY 2009 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	395	67,214	403	70,072	408	76,326
Reduction pursuant to (P.L. 110-161)	0	0	0	-1,224	0	0
A.1) Subtotal	395	67,214	403	68,848	408	76,326
Reimbursements	0	500	0	1,000	0	1,000
Unemployment Trust Fund	36	5,552	36	5,641	36	5,815
Reduction pursuant to (P.L. 110-161)	0	0	0	-99	0	0
Black Lung Disability Trust Fund	1	346	1	335	1	325
Comparative Transfer To:	0	0	0	0	0	0
Working Capital Fund for consolidation of IT resources (25.3)	0	423	0	423	0	0
Comparative Transfer From:	0	0	0	0	0	0
Contract resources for consolidation of IT resources (23.3)	0	-423	0	-423	0	0
A.2) Subtotal	37	6,398	37	6,877	37	7,140
B. Gross Budget Authority	432	73,612	440	75,725	445	83,466
Reimbursements	0	-500	0	-1,000	0	-1,000
B.1) Subtotal	0	-500	0	-1,000	0	-1,000
C. Budget Authority	432	73,112	440	74,725	445	82,466
Reimbursements	0	500	0	1,000	0	1,000
IT Crosscut	0	1,425	0	0	0	284
C.1) Subtotal	0	1,925	0	1,000	0	1,284
D. Total Budgetary Resources	432	75,037	440	75,725	445	83,750
Unobligated Balance Expiring	-17	-149	0	0	0	0
E. Total, Estimated Obligations	415	74,888	440	74,725	445	82,466

OFFICE OF INSPECTOR GENERAL

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2008 Estimate	FY 2009 Request	Net Change
Budget Authority			
General Funds	68,848	76,326	+7,478
Trust Funds	5,877	6,140	+263
Total	74,725	82,466	+7,741
Full Time Equivalents			
General Funds	403	408	+5
Trust Funds	37	37	0
Total	440	445	+5

Explanation of Change	FY 2008 Base		Trust Funds		FY 2009 Change General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	440	42,675	0	79	0	1,250	0	1,329
Employee health benefits	0	11,826	0	21	0	352	0	373
Federal Employees Compensation Act (FECA)	0	439	0	0	0	118	0	118
Travel	0	3,491	0	0	0	0	0	0
Transportation of things	0	4	0	0	0	0	0	0
GSA Space Rental	0	4,850	0	0	0	101	0	101
Communications, utilities & miscellaneous charges	0	204	0	0	0	0	0	0
Printing and reproduction	0	38	0	0	0	0	0	0
Other services	0	343	0	0	0	0	0	0
Working Capital Fund	0	4,510	0	0	0	761	0	761
Other government accounts (DHS Charges)	0	274	0	0	0	0	0	0
Purchase of goods and services from other Government accounts	0	5,187	0	0	0	0	0	0
Operation and maintenance of equipment	0	298	0	0	0	0	0	0
Supplies and materials	0	287	0	0	0	0	0	0
Equipment	0	299	0	0	0	0	0	0
Built Ins Subtotal	440	74,725	0	100	0	2,582	0	2,682
B. Programs:								
Labor Racketeering and Non-Traditional Organized Crime Initiative	0	0	0	0	5	1,000	5	1,000
To restore funds for staff reductions and inflationary costs that were not provided under the FY2008 Omnibus Bill.	0	0	0	187	0	4,081	0	4,268
Programs Subtotal	0	0	0	+187	+5	+5,081	+5	+5,268

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Explanation of Change	FY 2008 Base		FY 2009 Change				Total	
			Trust Funds		General Funds			
C. Financing:								
Total Increase	+440	+74,725	0	+287	+5	+7,663	+5	+7,950
Decreases:								
A. Built-Ins:								
To Provide For:								
One day less of Pay	0	0	0	-11	0	-185	0	-196
Built Ins Subtotal	0	0	0	-11	0	-185	0	-196
B. Programs:								
BLDTF Program Adjustment	0	0		-13	0	0		-13
Programs Subtotal			0	-13	0	0	0	-13
C. Financing:								
Total Decrease	0	0	0	-24	0	-185	0	-209
Total Change	+440	+74,725	0	+263	+5	+7,478	+5	+7,741

OFFICE OF INSPECTOR GENERAL

SUMMARY BUDGET AUTHORITY and FTE by ACTIVITY

(Dollars in Thousands)

	FY 2007 Comparable		FY 2008 Estimate		FY 2009 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
OIG Program Activity	415	73,112	440	74,725	445	82,466
General Funds	378	67,214	403	68,848	408	76,326
Unemployment Trust Funds	36	5,552	36	5,542	36	5,815
Black Lung Disability Trust Funds	1	346	1	335	1	325
Total	415	73,112	440	74,725	445	82,466
General Funds	378	67,214	403	68,848	408	76,326
Unemployment Trust Funds	36	5,552	36	5,542	36	5,815
Black Lung Disability Trust Funds	1	346	1	335	1	325

NOTE: FY 2007 reflects actual FTE.

OFFICE OF INSPECTOR GENERAL

BUDGET AUTHORITY by OBJECT CLASS				
(Dollars in Thousands)				
	FY 2007 Comparable	FY 2008 Estimate	FY 2009 Request	FY 09 Request/FY 08 Estimate
Total Number of Full-Time Permanent Positions	432	440	445	5
Full-Time Equivalent				
Full-time Permanent	432	440	445	5
Total	432	440	445	5
Average ES Salary	151,000	151,000	155,000	4000
Average GM/GS Grade	12.8	13.4	13.4	0
Average GM/GS Salary	82,498	89,518	97,182	7664
11.1 Full-time permanent	36,161	38,544	42,398	3854
11.3 Other than full-time permanent	136	304	313	9
11.5 Other personnel compensation	4,357	3,827	4,039	212
11.9 Total personnel compensation	40,654	42,675	46,750	4075
12.1 Civilian personnel benefits	12,566	12,265	14,852	2587
21.0 Travel and transportation of persons	2,897	3,491	3,721	230
22.0 Transportation of things	4	4	4	0
23.1 Rental payments to GSA	4,248	4,850	4,951	101
23.2 Rental payments to others	100	7	7	0
23.3 Communications, utilities, and miscellaneous charges	571	197	197	0
24.0 Printing and reproduction	38	38	38	0
25.2 Other services	520	343	343	0
Other purchases of goods and services				
25.3 from Government accounts 1/	9,713	9,971	10,719	748
Operation and maintenance of				
25.7 equipment	286	298	298	0
26.0 Supplies and materials	219	287	287	0
31.0 Equipment	1,296	299	299	0
Total	73,112	74,725	82,466	7,741
1/Other Purchases of Goods and Services				
From Government Accounts				
Working Capital Fund	4,744	4,510	5,271	761
DHS Services	266	274	274	0
Services by Other Government Departments	147	289	289	0

OFFICE OF INSPECTOR GENERAL

OIG Strategic Goals

The OIG shifts resources to address risks as they become apparent during the year the budget is executed and respond to oversight requests from the Congress and the Department. The OIG independently initiates audits and investigations and maintains an oversight role relative to DOL programs versus a policy implementation role. For these reasons, the amounts listed for current year through 2009 reflect estimates. However, we have included, by OIG goal, the amount of funding spent for each OIG goal. Please note that 2008 and 2009 numbers reflect estimates of audit and investigation numbers based on historical trends in departmental and congressional requests.

		2004	2005	2006	2007	2008	2009
		(\$ in millions)					
OIG Goals	Optimize performance and accountability of DOL employment and training programs	\$19.3	\$25.0	\$25.5	\$24.7	\$25.4	\$28.2
	Safeguard and improve worker and retiree benefit programs	\$15.2	\$12.3	\$15.3	\$11.0	\$15.8	\$17.4
	Optimize the performance and accountability of worker protection and workplace safety programs	\$4.8	\$3.9	\$4.1	\$5.8	\$4.0	\$4.5
	Assist DOL in maintaining an effective strategic management process	\$7.5	\$9.9	\$9.8	\$10.8	\$9.7	\$10.6
	Combat the influence of organized crime and labor racketeering in the workplace	\$15.7	\$15.7	\$13.1	\$13.9	\$16.6	\$18.3

OFFICE OF INSPECTOR GENERAL

TOTAL BUDGETARY RESOURCES (Dollars in thousands)

	FY 2007 Comparable				FY 2008 Estimate				FY 2009 Request			
	Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total	Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total	Activity Approp.	Other Approp. ^{1/}	Other Resrcs. ^{2/}	Total
Office of Inspector General	73,112	1,425	500	75,037	74,725	0	1,000	75,725	82,466	284	1,000	83,750
OIG Program Activity	73,112	1,425	500	75,037	74,725	0	1,000	75,725	82,466	284	1,000	83,750
Total	73,112	1,425	500	75,037	74,725	0	1,000	75,725	82,466	284	1,000	83,750

^{1/} "Other Appropriation" is comprised of resources appropriated elsewhere, but for which the benefits accrue toward the operation of the budget activities. (Mgmt Crosscut, Executive Direction, and IT Crosscut)

^{2/} "Other Resources" include funds that are available for a budget activity, but not appropriated such as, reimbursements and fees

OFFICE OF INSPECTOR GENERAL

AUTHORIZING STATUTES

Public Law/Act	Legislation	Statute No. U.S. Code	Expiration Date
Pub. L. 95-452, as amended	Inspector General Act of 1978	5 U.S.C. App. 3 92 Stat. 101	Indefinite

OFFICE OF INSPECTOR GENERAL

APPROPRIATION HISTORY (Dollars in Thousands)

	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
1999....1/	50,111	46,578	48,806	48,806	423
2000	55,496	47,806	52,243	52,237	428
2001....2/	56,465	52,243	53,351	55,001	428
2002....3/	57,461	57,461	57,461	57,201	428
2003....4/	62,590	62,590	60,090	62,185	453
2004....5/	67,133	67,133	65,190	65,677	470
2005....6/	69,932	69,932	69,932	69,337	468
2006....7/	71,163	71,163	72,163	71,445	450
2007	73,112	74,107	76,107	73,112	432
2008....8/	78,993	78,993	79,993	74,725	440
2009	82,466	0	0	0	0

Unemployment Insurance (UI) and Black Lung Disability (BL) trust fund are included in the amount for each year indicated.

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- 1/ Includes a \$1,000,000 transfer from Y2K Contingent Emergency Fund.
 - 2/ Includes \$102,000 reduction pursuant to P.L. 106-554.
 - 3/ Includes \$158,000 reduction pursuant to P.L. 107-116 and a rescission of \$102,000 pursuant to P.L. 107-206.
 - 4/ Includes \$405,000 reduction pursuant to P.L. 108-7.
 - 5/ Includes \$485,000 reduction pursuant to P.L. 108-199.
 - 6/ Includes a \$595,000 reduction pursuant to P.L. 108-447 and a reduction of 12 FTE.
 - 7/ Includes a \$718,000 reduction pursuant to P.L. 109-148.
 - 8/ Includes a \$1,323,000 reduction pursuant to P.L. 110-161.

OFFICE OF INSPECTOR GENERAL

Overview

Introduction

The mission of the Office of Inspector General (OIG) at the Department of Labor (DOL) is to:

- recommend policies to prevent and detect waste, fraud, and abuse in DOL programs and operations and to increase their economy and efficiency;
- conduct and supervise audits and investigations of DOL's programs and activities;
- inform the Secretary of Labor and the Congress of problems and corrective action taken with respect to the administration of DOL operations and programs;
- review legislation and regulations to assess potential for waste, fraud, and abuse, and make recommendations to DOL and the Congress; and
- operate a criminal investigative program to reduce the influence of organized crime and labor racketeering on employee benefit plans, internal union affairs, and labor-management relations.

Consistent with the Government Performance and Results Act of 1993, the OIG has a strategic plan that is driven by our responsibilities under the Inspector General Act and other statutes, as well as the mission of the Department of Labor. The OIG's strategic goals align with those of the Department. However, given its mission, OIG goals focus on optimizing integrity and accountability rather than on specific program or policy results, with the exception of the OIG labor racketeering program. The OIG strategic goals are as follows:

Goal 1: *Optimize performance and accountability of DOL employment and training programs.*

Goal 2: *Safeguard and improve worker and retiree benefit programs.*

Goal 3: *Optimize the performance and accountability of worker protection and workplace safety programs.*

Goal 4: *Assist DOL in maintaining an effective strategic management process.*

Goal 5: *Combat the influence of organized crime and labor racketeering in the workplace.*

The OIG plans its work based on these five OIG goals and establishes performance targets based on workload trends. However, we cannot anticipate with precision, a full year in advance, what risks may emerge, what oversight requests may be forthcoming, and therefore, what audits and investigations we will conduct. Indeed, for FY 2006, over 50% of new discretionary audits were initiated as a result of hotline complaints and requests from the Department and the Congress. This figure does not include the significant work we do as a result of statutory mandates. This approach to the budget also permits the OIG to exercise its independent authority to initiate audits and investigations wherever we deem appropriate as risks or oversight needs become apparent.

The FY 2009 President's Budget includes an initiative to expand the OIG's labor racketeering program. The initiative will focus on an area where we have been tasked by the Administration to increase investigative attention and where its investigations and intelligence have been shown

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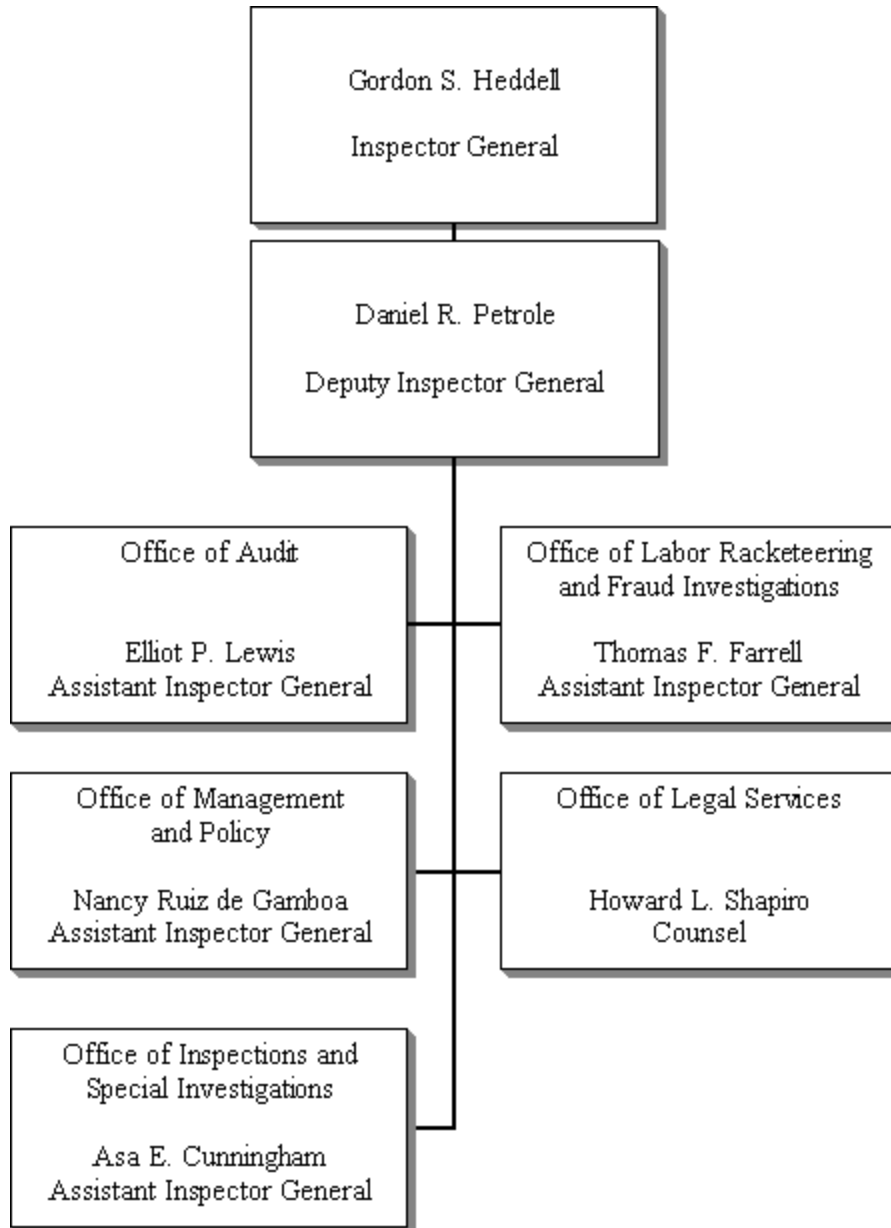
to be vulnerable to labor racketeering and non-traditional organized crime groups. These include Gulf Coast Reconstruction and Construction Contracts and Unemployment Insurance Fraud.

Cost Model

In FY 2009, the OIG requests a total of \$82,466,000 and 445 FTE, an increase of \$7,741,000 above FY 2008. This includes \$76,326,000 and 408 authorized FTE for salaries, benefits, and expenses, \$5,815,000 and 36 authorized FTE for Unemployment Insurance trust fund, and \$325,000 and 1 authorized FTE for Black Lung Disability trust fund. This level of funding will enable the OIG to carry out its mandate under the IG Act of 1978. The FY 2009 request also includes \$1,000,000 for an initiative to expand our labor racketeering program and \$4,268,000 to restore funds for staff reductions and inflationary costs that were not provided under the FY 2008 Omnibus Appropriations Act.

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ORGANIZATION CHART



OIG PROGRAM ACTIVITY

Budget Authority Before the Committee						
(Dollars in Thousands)						
	FY 2007 Comparable	FY 2008 Enacted	FY 2008 Estimate	Diff. FY07 Comp/ FY 08 Est	FY 2009 Request	Diff. FY 08 Est/FY 09 Req
Activity Appropriation	73,112	78,993	74,725	1,613	82,466	7,741
FTE	415	468	440	25	445	5

NOTE: FY 2007 reflects actual FTE. Authorized FTE for FY 2007 was 432.

Introduction

OIG Program Activity encompasses all the work undertaken by the OIG pursuant to its mission as mandated by the IG Act. The FY 2009 President’s Budget funds the OIG program activity at \$82,466,000 and 445 FTE. The Inspector General provides program direction over: the Office of Audit, the Office of Labor Racketeering and Fraud Investigations, and the Executive Direction and Management function.

- **Office of Audit:** The Office of Audit is responsible for conducting and supervising audits relating to the Department’s programs and operations and for making recommendations to promote economy and efficiency in the administration of DOL programs and operations. It is similarly responsible for preventing and detecting fraud, waste, abuse, and mismanagement in these programs and operations. Finally, it assists the Inspector General in keeping the Secretary and the Congress fully and currently informed about problems and deficiencies relating to the administration of the Department’s programs and operations as well as the necessity for, and progress of, corrective action.
- **Office of Labor Racketeering and Fraud Investigations:** The mission of the Office of Labor Racketeering and Fraud Investigations is to prevent and detect fraud and abuse in DOL programs and operations. In order to accomplish this mission, the OIG conducts criminal investigations relating to programs, operations, and employees of the Department. In addition, the Department of Labor OIG has a unique program responsibility for investigating labor racketeering and organized crime influence or control in unions, employee benefit plans, and the workplace.

Program Fraud: The OIG administers an investigative program to detect and deter fraud, waste, and abuse in DOL programs and operations, and investigate employee misconduct allegations. Its primary goals are to increase the economy and efficiency of DOL programs by seeking criminal prosecution of those who defraud those programs and to deter future violations by reporting vulnerabilities to program managers and working with those managers to ensure corrective action is taken.

Labor Racketeering: The OIG has a programmatic mission to combat the influence of organized crime, labor racketeering, and corruption in employee benefit plans, labor-management relations, and internal union affairs. The primary emphasis of the program continues to be the investigation and removal of organized crime’s

OIG PROGRAM ACTIVITY

influence and control over the nation's labor unions and employee benefit plans. In recent years, we have also investigated non-traditional organized crime groups and their impact on DOL programs. The influence of organized crime and labor racketeering continues to have an adverse impact on the U.S. economy by reducing competitiveness in affected industries, thereby creating additional costs that are borne by American workers, businesses, and consumers.

The funding for this office includes an initiative that will focus on an area where we have been tasked by the Administration to increase investigative attention and where our investigations and intelligence have been shown to be vulnerable to labor racketeering and non-traditional organized crime groups. These include Gulf Coast Reconstruction and Construction Contracts and Unemployment Insurance Fraud.

- **Executive Direction and Management.** This function provides the overall direction, planning, management, administration, and inspections necessary to independently carry out the OIG's nationwide mission, supplying centralized management of OIG headquarters and regional staff. The major components of the Executive Direction and Management function include:

The Office of Management and Policy provides for overall direction, planning, management, and administration necessary to carry out the nationwide responsibilities of the OIG. This includes human resources, information technology, budget, procurement, and EEO. The office is also responsible for congressional liaison and reporting, agency-wide strategic planning, developing OIG policy, and reviewing and assessing proposed legislation and regulations.

The Office of Legal Services provides independent legal services and counsel to the IG and the OIG components relating to laws of the United States. Services provided include legal support and advice relating to audit and investigative activities, representation of OIG employees, litigation support, ethics training, and disclosure determinations. Moreover, the office operates a hotline and complaint analysis unit to address stakeholder allegations of wrongdoing involving DOL operations and programs.

The Office of Inspections and Special Investigations is responsible for employee integrity investigations and performs internal inspections of the OIG functions.

Five-Year Budget Activity History

Fiscal Year	Funding (Dollars in Thousands)	FTE
2004	65,677	470
2005	69,337	468
2006	71,445	450
2007	73,112	432
2008	74,725	440

OIG PROGRAM ACTIVITY

Workload Summary			
	FY 2007 Actual	FY 2008 Target	FY 2009 Target
Number of Audits	95	98	100
Number of Investigations Closed	512*	384	419

*The large number of investigations closed in FY 2007 was the result of a high number of small dollar, single claimant Unemployment Insurance cases that were investigated as the result of the FY 2005 Hurricanes. Because of the temporary nature of the Unemployment Insurance fraud committed immediately after the Hurricanes, performance will return to pre-2006 levels in FYs 2008 and 2009.

Summary of Performance

Presented below are summaries and projections of performance and resource levels for FYs 2004-2009. Please note that 2008 and 2009 numbers reflect estimates of audit and investigation numbers based on historical trends in departmental and congressional requests.

DOL Goal **A Prepared Workforce**
OIG Goal **Optimize performance and accountability of DOL employment and training programs**

		Actual				Plan	
		2004	2005	2006	2007	2008	2009
Indicators	Number of employment and training investigations completed	42	49	64	85	50	61
	Percentage of employment and training investigations that result in a conviction for those indicted	100%	97%	100%	93%	85%	85%
	Number of employment and training audits completed	36	54	58	42	53	54
	Percentage of prior year employment and training audit recommendations resolved by DOL	73%	92%	83%	90%	50%	50%

*Includes 8 investigations with the initiative

OIG PROGRAM ACTIVITY

DOL Goal **Strengthened Economic Protections**
OIG Goal **Safeguard and improve worker and retiree benefit programs**

		Actual				Plan	
		2004	2005	2006	2007	2008	2009
Indicators	Number of worker and retiree benefit program investigations completed	222	200	277	282	200	214
	Percentage of worker and retiree benefit program investigations that result in a conviction for those indicted	90%	92%	94%	93%	85%	85%
	Number of worker and retiree benefit program audits completed	23	21	21	14	17	17
	Percentage of worker and retiree benefit program prior year audit recommendations resolved by DOL	53%	52%	79%	100%	50%	50%

*Includes 4 investigations with the initiative

DOL Goal **Safe and Secure Workplaces**
OIG Goal **Optimize the performance and accountability of worker protection and workplace safety programs**

		Actual				Plan	
		2004	2005	2006	2007	2008	2009
Indicators	Number of worker protection and workplace safety program investigations completed	13	20	17	17	10	12
	Percentage of worker protection and workplace safety program investigations that result in a conviction for those indicted	83%	100%	94%	100%	85%	85%
	Number of worker protection and workplace safety program audits completed	7	8	7	7	8	9
	Percentage of prior year worker protection and workplace safety program audit recommendations resolved by DOL	89%	75%	97%	92%	50%	50%

OIG PROGRAM ACTIVITY

DOL Goal **All Goals**
OIG Goal **Assist DOL in maintaining an effective strategic management process**

		Actual				Plan	
		2004	2005	2006	2007	2008	2009
Indicators	Number of Departmental Management audits completed	49	56*	37	32	20	20
	Percentage of prior year Departmental Management audit recommendations resolved by DOL	96%	71%	97%	92%	50%	50%

*This significant increase is due to a high volume of Single Audit Act audits that the OIG received late in the year from the National Single Audit Clearinghouse.

DOL Goal **Safe and Secure Workplaces and Strengthened Economic Protections**
OIG Goal **Combat the influence of organized crime and labor racketeering in the workplace**

		Actual				Plan	
		2004	2005	2006	2007	2008	2009
Indicators	Number of organized crime and labor racketeering investigations completed	115	106	114	111	124	133*
	Percentage of organized crime and labor racketeering investigations that result in a conviction for those indicted	89%	86%	94%	93%	85%	85%

*Includes 3 investigations with the initiative.

OIG PROGRAM ACTIVITY

CHANGES IN FY 2009

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	1,329
Employee health benefits	373
One day less of Pay	-196
Federal Employees Compensation Act (FECA)	118
Travel	0
Transportation of things	0
GSA Space Rental	101
Printing and reproduction	0
Other services	0
Working Capital Fund	761
Other government accounts (DHS Charges)	0
Purchase of goods and services from other Government accounts	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Built Ins Subtotal	2,486

Net Program **5,255**

Direct FTE **5**

	Estimate	FTE
Base	77,211	440
Program Increase	5,268	5
Program Decrease	-13	0