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EMPLOYMENT STANDARDS ADMINISTRATION



SPECIAL REPORT RELATING TO THE FEDERAL EMPLOYEES' COMPENSATION ACT SPECIAL BENEFIT FUND

September 30, 2008

This report was prepared by KPMG LLP, under contract to the U.S. Department of Labor, Office of Inspector General, and by acceptance, it becomes a report of the Office of Inspector General.

Eleist P. Rewis

U.S. Department of Labor Assistant Inspector General for Audit

Date Issued: October 27, 2008 Report Number: 22-09-001-04-431

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U.S. Department of Labor

Office of Inspector General Washington, DC 20210



October 27, 2008

Assistant Inspector General for Audit's Memorandum

MEMORANDUM FOR: FEDERAL AGENCIES WITH RESPONSIBILITIES FOR THE FEDERAL EMPLOYEES' COMPENSATION ACT PROGRAM

Elevit P. Lewis

FROM:

ELLIOT P. LEWIS Assistant Inspector General for Audit

SUBJECT:

Special Report Relating to the Federal Employees' Compensation Act Special Benefit Fund – FY 2008 Report No. 22-09-001-04-431

Attached is the special report on the Federal Employees' Compensation Act (FECA) Special Benefit Fund (the Fund) that was prepared to assist in the audit of your agency's annual financial statements. The U.S. Department of Labor, Employment Standards Administration, Office of Workers' Compensation Programs (OWCP) administers the Fund, and the DOL Office of Inspector General is responsible for auditing the Fund.

The Office of Inspector General contracted with the independent certified public accounting firm of KPMG LLP (KPMG) to prepare the report on the Fund as of and for the year ended September 30, 2008. This special report consists of two reports. The first report is an *opinion* on the Schedule of Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense of the Fund (the Schedule) as of and for the year ended September 30, 2008. KPMG issued an unqualified opinion on this Schedule. In connection with this audit, KPMG considered DOL's internal control over financial reporting and tested DOL's compliance with laws and regulations related to the Fund. Their consideration of internal control over financial reporting disclosed a significant deficiency titled *Controls Over the Financial Reporting Process Need Improvement*. This significant deficiency is not considered to be a material weakness. Their testing of compliance with laws and regulations disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Special Report Relating to the Federal Employees' Compensation Act Special Benefit Fund

The second report is an agreed-upon procedures (AUP) report on the schedules of Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense of the Fund by agency as of and for the year ended September 30, 2008. This report includes a description of the procedures performed and the results of those procedures. The sufficiency of the procedures referred to in the AUP is solely the responsibility of the parties specified in this report. Consequently, neither the OIG nor KPMG makes any representations regarding the sufficiency of the procedures. Because the AUP performed did not constitute an examination, KPMG did not express an opinion on any elements, accounts, or items as they pertained to the AUP report. Further, neither the OIG nor KPMG has any obligation to perform any procedures beyond those listed in the attached AUP report.

KPMG is responsible for the attached reports dated October 27, 2008, and the conclusions expressed in the reports. We reviewed KPMG's reports and related documentation and inquired of their representatives. Our review, as differentiated from an audit in accordance with *Government Auditing Standards*, was not intended to enable us to express, and we do not express opinions on: the Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense of the Fund as of and for the year ended September 30, 2008; or the AUP report on the schedules of Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense by agency as of and for the year ended September 30, 2008. Our review disclosed no instances where KPMG did not comply, in all material respects, with *Government Auditing Standards*.

If you have any questions or comments, please send your questions or comments via regular mail, facsimile, or e-mail to:

Joseph L. Donovan, Jr. Audit Director, Financial Statement Audits U.S. Department of Labor Office of Inspector General 200 Constitution Ave., N.W., Room S-5512 Washington, D.C. 20210

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KPMG LLP 2001 M Street, NW Washington, DC 20036

SECTION 1A

Independent Auditors' Report on the Schedule of Actuarial Liability, Net Intra-Governmental <u>Accounts Receivable, and Benefit Expense</u>

Victoria A. Lipnic, Assistant Secretary Employment Standards Administration, U.S. Department of Labor, Government Accountability Office, Office of Management and Budget, and Agencies Specified in Section 2B of this Report:

We have audited the accompanying Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense for the year ended September 30, 2008, of the U.S. Department of Labor's (DOL) Federal Employees' Compensation Act Special Benefit Fund (the Schedule). The objective of our audit was to express an opinion on the fair presentation of DOL's Schedule. In connection with our audit, we also considered DOL's internal control over financial reporting related to the Schedule and tested DOL's compliance with certain provisions of applicable laws and regulations that could have a direct and material effect on the Schedule.

SUMMARY

As stated in our opinion on the Schedule, we concluded that DOL's Schedule as of and for the year ended September 30, 2008, is presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.

Our consideration of internal control over financial reporting resulted in the identification of a significant deficiency related to weaknesses in control over financial reporting. However, we do not consider this significant deficiency to be a material weakness.

The results of our tests of compliance with certain provisions of laws and regulations disclosed no instances of noncompliance or other matters that are required to be reported herein under *Government Auditing Standards*.

The following sections discuss our opinion on DOL's Schedule, our consideration of DOL's internal control over financial reporting, our tests of DOL's compliance with certain provisions of applicable laws and regulations, and management's and our responsibilities.

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OPINION ON THE SCHEDULE

We have audited the accompanying Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense for the year ended September 30, 2008, of the U.S. Department of Labor's Federal Employees' Compensation Act Special Benefit Fund.

In our opinion, the Schedule referred to above presents fairly, in all material respects, the actuarial liability and net intra-governmental accounts receivable as of September 30, 2008, and benefit expense for the year ended September 30, 2008, in conformity with U.S. generally accepted accounting principles.

INTERNAL CONTROL OVER FINANCIAL REPORTING

Our consideration of the internal control over financial reporting was for the limited purpose described in the Responsibilities section of this report and would not necessarily identify all deficiencies in the internal control over financial reporting that might be significant deficiencies or material weaknesses.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects DOL's ability to initiate, authorize, record, process, or report financial data reliably in accordance with U.S. generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Schedule that is more than inconsequential will not be prevented or detected by DOL's internal control over financial reporting. A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the Schedule by DOL's internal control over financial reporting.

In our audit, we consider the deficiency described in Exhibit I to be a significant deficiency in internal control over financial reporting. However, we do not consider this significant deficiency described in Exhibit I to be a material weakness.

COMPLIANCE AND OTHER MATTERS

The results of our tests of compliance described in the Responsibilities section of this report disclosed no instances of noncompliance or other matters that are required to be reported herein under *Government Auditing Standards*.



RESPONSIBILITIES

Management's Responsibilities. Management is responsible for preparing the Schedule in conformity with U.S. generally accepted accounting principles; establishing and maintaining effective internal control; and complying with laws and regulations applicable to the Schedule.

Auditors' Responsibilities. Our responsibility is to express an opinion on the Schedule based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the Schedule is free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of DOL's internal control over financial reporting. Accordingly, we express no such opinion.

An audit also includes:

- Examining, on a test basis, evidence supporting the amounts and disclosures in the Schedule;
- Assessing the accounting principles used and significant estimates made by management; and
- Evaluating the overall Schedule presentation.

We believe that our audit provides a reasonable basis for our opinion.

In planning and performing our audit, we considered DOL's internal control over financial reporting by obtaining an understanding of DOL's internal control, determining whether internal controls had been placed in operation, assessing control risk, and performing tests of controls as a basis for designing our auditing procedures for the purpose of expressing our opinion on the Schedule. The objective of our audit was not to express an opinion on the effectiveness of DOL's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of DOL's internal control over financial reporting.

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As part of obtaining reasonable assurance about whether the Schedule is free of material misstatement, we performed tests of DOL's compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of the Schedule amounts. We limited our tests of compliance to the provisions described in the preceding sentence, and we did not test compliance with all laws and regulations applicable to the DOL Schedule. However, providing an opinion on compliance with laws and regulations was not an objective of our audit and, accordingly, we do not express such an opinion.

This report is intended solely for the information and use of the U.S. Department of Labor, the U.S. Government Accountability Office, Office of Management and Budget, the U.S. Congress, and those Federal agencies with responsibility for the FECA program and is not intended to be and should not be used by anyone other than these specified parties.



October 27, 2008

Exhibit I

Controls Over the Financial Reporting Process Need Improvement

During our FY 2008 audit, we noted deficiencies in the internal control over financial reporting related to the preparation of the FECA Schedule of Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense that resulted in a number of errors in the draft Schedules including the following:

- Net intra-governmental accounts receivable as of September 30, 2008, was understated by \$76 million. This amount is related to accrued benefits for benefit payments made as of September 30, 2008, but not yet billed to customer agencies that was reported in the general ledger but inadvertently excluded from the Schedule.
- Benefit expense for the year ended September 30, 2008, was overstated by \$46 million. The first part of this difference represents an \$11 million change in accrued benefit expense from September 30, 2007, to September 30, 2008, that was reported in the general ledger but was inappropriately excluded from the benefit expense amount reported on the Schedule. The second part is related to fair share payments of \$57 million for FY 2008 that were included in benefit expense reported in the draft Schedule but should have been excluded since it relates to administrative expenses and not benefit expense.

The above errors were subsequently corrected by management in the final Schedule.

Per GAO's *Standards of Internal Control in the Federal Government*, "Internal control should generally be designed to assure that ongoing monitoring occurs in the course of normal operations. It is performed continually and is ingrained in the agency's operations. It includes regular management and supervisory activities, comparisons, reconciliations, and other actions people take in performing their duties."

OMB Circular No. A-123, *Management's Responsibility for Internal Control*, states that "The agency head must establish controls that reasonably ensure that obligations and costs are in compliance with applicable laws; funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and revenues and expenditures applicable to agency operations are properly recorded and accounted for to permit the preparation of accounts and reliable financial and statistical reports"

These errors noted above were caused by lack of specific guidance in the form of written policies and procedures that would guide DOL supervisors on the proper review of the Schedule.

Special Report Relating to the Federal Employees' Compensation Act Special Benefit Fund

We recommend that management establish written policies and procedures that would provide its supervisors with detailed guidance on the proper review of the Schedule and mitigate the risk of misstatements. Furthermore, the policies and procedures should include comparing the balances reported in the Schedule to the DOL general ledger and information posted on the DOL website.

Management's Response:

Management concurs. Current written procedures will be updated to include, among other things, specific guidance for staff and supervisors on the preparation and review of quarterly and year-end FECA schedules. The guidance will also include a requirement for comparison of the balances reported on the schedules to the DOL general ledger and information reported on DOL's website. We anticipate completion by December 31, 2008.

Auditors' Conclusion:

This recommendation is considered **resolved and open**. FY 2009 audit procedures will determine whether this recommendation has been adequately addressed and can be considered closed.

SECTION 1B

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense For the Year Ended September 30, 2008

(dollars in thousands)	
Actuarial Liability	<u>\$ 27,589,634</u>
Net Intra-Governmental Accounts Receivable	<u>\$ 3,775,615</u>
Benefit Expense	<u>\$ 3,925,988</u>

See accompanying notes to schedule.

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Notes to the Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense For the Year Ended September 30, 2008

1. <u>Significant Accounting Policies</u>

a. Basis of Presentation

The Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense for the year ended September 30, 2008, of the U.S. Department of Labor's Federal Employees' Compensation Act Special Benefit Fund (the Schedule) has been prepared to report the actuarial liability, net intra-governmental accounts receivable, and benefit expense of the U.S. Department of Labor's (DOL) Federal Employees' Compensation Act (FECA) Special Benefit Fund (the Special Benefit Fund). The Special Benefit Fund was established by the Federal Employees' Compensation Act to provide for the financial needs resulting from compensation and medical benefits authorized under the Act. The DOL, Employment Standards Administration (ESA) is charged with the responsibility of operating the Special Benefit Fund under the provisions of the Act. The schedule has been prepared from the accounting records of the Special Benefit Fund.

The actuarial liability, net intra-governmental accounts receivable, and benefit expense of the Special Benefit Fund are considered specified accounts for the purpose of this Schedule. ESA is responsible for providing this information to the CFO Act agencies and other specified agencies to support and prepare their respective financial statements.

The actuarial liability of \$27,589,634 thousand is an accrued estimate of future workers' compensation benefits as of September 30, 2008. Historical benefits paid, inflation and interest rate assumptions, and other economic factors are applied to the actuarial model that calculates the liability estimate. The net intra-governmental accounts receivable is the amount due from Federal agencies for benefit payments paid to or on behalf of employees of the employing agency as of September 30, 2008. The net intra-governmental accounts receivable includes amounts which were billed to the employing agencies through June 30, 2008, but not paid as of September 30, 2008, including prior years, if applicable, plus the accrued receivable for benefit payments not yet billed for the period of July 1, 2008, through September 30, 2008, less credits due from the public. Benefit expense consists of benefits paid and accrued for the period from October 1, 2007, to September 30, 2008, plus the net change in the actuarial liability for the fiscal year.

Notes to the Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense For the Year Ended September 30, 2008

Benefit payments are intended to provide income and medical cost protection to covered Federal civilian employees injured on the job, employees who have incurred a work-related occupational disease, and beneficiaries of employees whose death is attributable to job-related injury or occupational disease.

b. Basis of Accounting

The Schedule has been prepared on the accrual basis of accounting and in conformity with U.S. generally accepted accounting principles.

An estimate of claims that have been incurred but not reported are included in the actuarial liability. Therefore, the actuarial liability represents the estimated present value of future compensation and medical payments based upon approved claims, plus a component for incurred but not reported claims.

2. <u>Actuarial Liability (Future Workers' Compensation Benefits)</u>

The Special Benefit Fund was established under the authority of the Federal Employees' Compensation Act to provide income and medical cost protection to covered Federal civilian employees injured on the job, employees who have incurred a work-related occupational disease, and beneficiaries of employees whose death is attributable to a job-related injury or occupational disease. The fund is reimbursed by other Federal agencies for the FECA benefit payments made on behalf of their workers.

The actuarial liability for future workers' compensation reported on the Schedule includes the expected liability for death, disability, medical and miscellaneous costs for approved cases as well as an estimate for those cases incurred but not reported. The liability is determined using a method that utilizes historical benefit payment patterns related to a specific incurred period to predict the ultimate payments related to that period. The actuarial model uses a Paid Loss Development Method by agency, by defined agency groups, and in total using inflation rate assumptions on both past and future indemnity and medical benefits to adjust past data and project forward.

Notes to the Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense For the Year Ended September 30, 2008

Consistent with past practice and as allowed under U.S. generally accepted accounting principles, these projected annual benefit payments have been discounted to present value using the Office of Management and Budget's (OMB) economic assumptions for 10-year Treasury notes and bonds. The interest rate assumptions utilized for discounting was 4.37% in year 1 and 4.77% in subsequent years.

To provide more specifically for the effects of inflation on the liability for future workers' compensation benefits, wage inflation factors (cost of living allowance or COLA), and medical inflation factors (consumer price index-medical or CPI-Med) are applied to the calculation of projected future benefits. These factors are also used to adjust the historical payments to current year constant dollars. The liability is determined assuming an annual payment at mid-year.

The compensation COLA and the CPI-Med used in the model's calculation of estimates were as follows:

COLA	CPI-Med
3.87%	4.00%
2.73%	3.86%
2.20%	3.87%
2.23%	3.93%
2.30%	3.93%
	3.87% 2.73% 2.20% 2.23%

The medical inflation rates presented represent an average of published quarterly rates covering the benefit payment fiscal year. The compensation factors presented are the blended rates used by the model rather than the published July 28, 2008, FECA-COLA factor from which the blended rates are derived.

3. <u>Net Intra-Governmental Accounts Receivable</u>

Net intra-governmental accounts receivable balance of \$3,775,615 thousand represents the total of the amounts billed to Federal agencies through June 30, 2008, that had not been paid as of September 30, 2008, of \$2,975,888 thousand, including prior years' amounts billed, if applicable; plus an accrued receivable

Notes to the Schedule of Actuarial Liability and Net Intra-Governmental Accounts Receivable as of September 30, 2008, and Benefit Expense For the Year Ended September 30, 2008

for benefit payments not yet billed for the period July 1, 2008, through September 30, 2008, of \$825,243 thousand, less applicable credits due from the Public of \$25,516 thousand. The FECA Special Benefit Fund also receives an appropriation for special cases and older cases where employing agencies are not charged for benefit payments.

Each Federal agency is required by the Federal Employees' Compensation Act to include in their annual budget estimate a request for an appropriation in the amount equal to the agency cost. Agencies not receiving an appropriation are required to pay agency costs from funds directly under their control. In addition, certain corporations and instrumentalities are assessed under the Federal Employees' Compensation Act for a fair share of the costs of administering disability claims filed by their employees. The fair share costs are included in the calculation to determine the net intra-governmental accounts receivable.

4. <u>Benefit Expense</u>

Benefit expense for the year ended September 30, 2008, was comprised of the following (dollars in thousands):

Benefits paid for compensation	\$1,842,130
Benefits paid for medical benefits	789,271
Change in accrued benefits	11,015
Change in actuarial liability	<u>1,283,572</u>
Total benefit expense	<u>\$3,925,988</u>



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SECTION 2A

Independent Accountants' Report on Applying Agreed-Upon Procedures

Victoria A. Lipnic, Assistant Secretary Employment Standards Administration, U.S. Department of Labor, Government Accountability Office, Office of Management and Budget, and Agencies Specified in Section 2B of this Report:

We have performed the procedures described in Section 2C, Agreed-Upon Procedures and Results, which were agreed to by the U.S. Department of Labor, U.S. Government Accountability Office, Office of Management and Budget, and the Agencies Specified in Section 2B of this Report, solely to assist you and such agencies with respect to the accompanying Schedules of Actuarial Liability by Agency and Net Intra-Governmental Accounts Receivable by Agency as of September 30, 2008, and Benefit Expense by Agency for the year ended September 30, 2008, of the U.S. Department of Labor Federal Employees' Compensation Act Special Benefit Fund (the Schedules). The U.S. Department of Labor is responsible for the Schedules (Section 2B).

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and with *Government Auditing Standards*, issued by the Comptroller General of the United States.

The sufficiency of these procedures is solely the responsibility of the parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described in Section 2C either for the purpose for which this report has been requested or for any other purpose. Our agreed-upon procedures and results are presented in Section 2C of this report.

We were not engaged to, and did not conduct an examination of the Schedules of Actuarial liability by Agency, Net Intra-Governmental Accounts Receivable by Agency, and Benefit Expense by Agency, the objective of which would be the expression of an opinion on the Schedules or a part thereof. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

KPMG

This report is intended solely for the information and use of the U.S. Department of Labor, the U.S. Government Accountability Office, Office of Management and Budget, and those federal agencies with responsibility for the FECA program, and is not intended to be and should not be used by anyone other than these specified parties.

KPMG LIP

October 27, 2008

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Actuarial Liability by Agency As of September 30, 2008

(dollars in thousands)

AGENCY	Actuarial Liability
Agency for International Development	\$ 23,137
Environmental Protection Agency	44,615
General Services Administration	163,826
National Aeronautics and Space Administration	63,977
National Science Foundation	1,198
Nuclear Regulatory Commission	7,059
Office of Personnel Management	22,139
U.S. Postal Service	9,543,799
Small Business Administration	27,061
Social Security Administration	297,932
Tennessee Valley Authority	532,499
U. S. Department of Agriculture	832,013
U. S. Department of the Air Force	1,395,449
U. S. Department of the Army	1,980,257
U. S. Department of Commerce	169,580
U. S. Department of Defense – other	800,883
U. S. Department of Education	16,554
U. S. Department of Energy	104,734
U. S. Department of Health and Human Services	282,517
U. S. Department of Homeland Security	1,795,351
U. S. Department of Housing and Urban Development	84,529
	(continued

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Actuarial Liability by Agency As of September 30, 2008

(dollars in thousands)

AGENCY	Actuarial Liability
U. S. Department of the Interior	\$ 692,389
U. S. Department of Justice	1,136,570
U. S. Department of Labor	235,383
U. S. Department of the Navy	2,685,911
U. S. Department of State	68,892
U. S. Department of Transportation	985,336
U. S. Department of the Treasury	593,196
U. S. Department of Veterans Affairs	1,905,472
Other agencies ¹	1,097,376
Total - all agencies	\$ 27,589,634

1 Non-billable and other agencies for which ESA has not individually calculated an actuarial liability.

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Net Intra-Governmental Accounts Receivable by Agency As of September 30, 2008

Net Intra-Amounts Governmental Credits Amounts Expended Billed Not Not Yet Billed Due from Accounts Public (3) Yet Paid (1) **Receivable** (4) AGENCY (2)Agency for International Development \$ 6,545 \$ 1,106 \$ (34) \$ 7,617 Environmental Protection Agency 8,559 1,398 (43) 9,914 **General Services Administration** 29,876 4,845 (150)34,571 National Aeronautics and Space Administration 13,604 2,228 (69)15,763 National Science Foundation 255 45 (1) 299 250 1,710 Nuclear Regulatory Commission 1,468 (8)Office of Personnel Management 3,978 631 (20)4,589 **U.S. Postal Service** (34,043)315,982 (9,767)272,172 **Small Business Administration** 5,168 864 (27)6,005 Social Security Administration 49,946 8,061 (249)57,758 Tennessee Valley Authority 7,897 17,952 (555)25,294 U. S. Department of Agriculture 143,401 23,408 (724)166,085 261,018 41,476 (1,282)301,212 U. S. Department of the Air Force U. S. Department of the Army 280,998 45,420 (1,404)325,014 29,213 5,112 (158)34,167 U. S. Department of Commerce U. S. Department of Defense other 175,653 32,985 (1,020)207,618 U. S. Department of Education 2,995 497 (15) 3,477 U. S. Department of Energy 16,991 2,906 (90)19,807

(dollars in thousands)

(continued)

1 Amount billed through June 30, 2008 (including prior years) but not yet paid as of September 30, 2008.

2 Amounts paid and accrued but not yet billed for the period July 1, 2008 through September 30, 2008.

3 Allocation of credits due from the public through September 30, 2008.

4 Total amount due to the fund for each agency as of September 30, 2008.

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Net Intra-Governmental Accounts Receivable by Agency As of September 30, 2008

(dollars in thousands)				
AGENCY	Amounts Billed Not Yet Paid (1)	Amounts Expended Not Yet Billed (2)	Credits Due from Public (3)	Net Intra- Governmental Accounts Receivable (4)
U. S. Department of Health and Human Services	\$ 50,004	\$ 8,254	\$ (255)	\$ 58,003
U. S. Department of Homeland Security	318,959	48,710	(1,506)	366,163
U. S. Department of Housing and Urban Development	16,006	2,382	(74)	18,314
U. S. Department of the Interior	120,127	18,597	(575)	138,149
U. S. Department of Justice	195,732	31,883	(985)	226,630
U. S. Department of Labor	45,096	7,892	(253)	52,735
U. S. Department of the Navy	486,051	77,646	(2,400)	561,297
U. S. Department of State	15,227	2,463	(76)	17,614
U.S. Department of Transportation	191,484	32,125	(993)	222,616
U. S. Department of the Treasury	105,856	16,713	(517)	122,052
U. S. Department of Veterans Affairs	340,040	56,254	(1,739)	394,555
Other agencies	87,784	17,158	(527)	104,415
Total - all agencies	\$ 2,975,888	\$ 825,243	\$ (25,516)	\$ 3,775,615

1 Amount billed through June 30, 2008 (including prior years) but not yet paid as of September 30, 2008.

2 Amounts paid and accrued but not yet billed for the period July 1, 2008 through September 30, 2008.

3 Allocation of credits due from public through September 30, 2008.

4 Total amount due to the fund for each agency as of September 30, 2008.

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Benefit Expense by Agency As of September 30, 2008

(dollars in thousands)

AGENCY	Benefits Paid and Change in Accrued Benefits	Change in Actuarial Liability	Total Benefit Expense
Agency for International Development	\$ 3,396	\$ (391)	\$ 3,005
Environmental Protection Agency	4,513	4,829	9,342
General Services Administration	14,816	(1,057)	13,759
National Aeronautics and Space Administration	6,856	(83)	6,773
National Science Foundation	131	16	147
Nuclear Regulatory Commission	755	226	981
Office of Personnel Management	2,216	1,120	3,336
United States Postal Service	1,001,131	620,392	1,621,523
Small Business Administration	2,553	740	3,293
Social Security Administration	25,872	25,951	51,823
Tennessee Valley Authority	55,325	(5,597)	49,728
U. S. Department of Agriculture	73,224	56,731	129,955
U. S. Department of the Air Force	131,175	14,291	145,466
U. S. Department of the Army	140,861	2,385	143,246
U. S. Department of Commerce	15,929	5,164	21,093
U. S. Department of Defense – other	101,450	23,842	125,292
U.S. Department of Education	1,544	368	1,912
U. S. Department of Energy	9,385	(497)	8,888

U.S. Department of Labor Employment Standards Administration Federal Employees' Compensation Act Special Benefit Fund

Schedule of Benefit Expense by Agency As of September 30, 2008

(dollars in thousands)

AGENCY	Benefits Paid and Change in Accrued Benefits	Change in Actuarial Liability	Total Benefit Expense
U. S. Department of Health and Human Services	\$ 25,822	\$ 6,742	\$ 32,564
U.S. Department of Homeland Security	160,695	111,783	272,478
U. S. Department of Housing and Urban Development	7,583	\$2,750	10,333
U. S. Department of the Interior	60,217	33,057	93,274
U. S. Department of Justice	102,131	90,090	192,221
U. S. Department of Labor	25,184	(2,536)	22,648
U. S. Department of the Navy	219,285	(8,163)	211,122
U. S. Department of State	8,100	814	8,914
U. S. Department of Transportation	98,999	35,871	134,870
U. S. Department of the Treasury	53,465	20,158	73,623
U. S. Department of Veterans Affairs	177,894	78,908	256,802
Other agencies ⁽¹⁾	111,909	165,668	277,577
Total - all agencies	\$ 2,642,416	\$ 1,283,572	\$ 3,925,988

1 Non-billable and other agencies for which ESA has not individually calculated an actuarial liability.

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Ag	reed-Upon Procedures Performed	Results of Procedures
1)	Calculated the actuarial liability, by agency, as of September 30, 2008, using KPMG's Loss Development actuarial model ¹ .	The actuarial liability as of September 30, 2008, calculated using KPMG's Loss Development actuarial model is approximately \$26.6 billion.
2)	Recalculated the actuarial liability, by agency as of September 30, 2008, using DOL's Loss Development actuarial model ² .	No exceptions were found as a result of applying this procedure.
3)	Compared the interest rate and inflation (COLA, CPI-Med) assumptions used by the DOL Loss Development model as of September 30, 2008, to the interest rate and inflation (COLA, CPI-Med) assumptions used by KPMG's Loss Development model as of September 30, 2008.	No exceptions were found as a result of applying this procedure.
4)	Compared DOL's actuarial liability as of September 30, 2008, using DOL's Loss Development actuarial model to KPMG's calculation of the actuarial liability as of September 30, 2008, using DOL's Loss Development actuarial model.	No exceptions were found as a result of applying this procedure.

 ¹ KPMG's model uses actual data to evaluate trends and project future payments. KPMG's model also supplements its methodology with the number of workers related to each agency in injury years 2003 through 2008.
 ² The DOL, model uses a Paid Loss Development Method by agency, by defined agency groups, and in total using

² The DOL, model uses a Paid Loss Development Method by agency, by defined agency groups, and in total using inflation rate assumptions on both past and future indemnity and medical benefits to adjust past data and project forward.

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Agreed-Upon Procedures Performed	Results of Procedures
5) Compared DOL's results for the 2008 fiscal year end actuarial liability using DOL's Loss Development actuarial model to KPMG's results for the 2008 fiscal year end actuarial liability using KPMG's Loss Development actuarial model.	The DOL results for the 2008 fiscal year end actuarial liability using DOL's Loss Development actuarial model is approximately one billion dollars (3.8%) greater than the KPMG results for the 2008 fiscal year end actuarial liability using KPMG's Loss Development actuarial model.
6) Compared the average interest and average inflation rate (COLA and CPI- Med) assumptions used by the DOL Loss Development actuarial model as of September 30, 2007, to the average interest and average inflation rate (COLA and CPI-Med) assumptions used by the DOL Loss Development actuarial model as of September 30, 2008.	The average Discount Interest rate used in the DOL Loss Development Actuarial model decreased from 5.06% to 4.73% from September 30, 2007, to September 30, 2008. The average COLA rate used in the DOL Loss Development Actuarial model increased from 2.42% to 2.48% from September 30, 2007 to September 30, 2008. The average CPI-med rate used in the DOL Loss Development Actuarial model decreased from 3.94% to 3.93% from September 30, 2007 to September 30, 2008.

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Agreed-Upon Procedures Performed	Results of Procedures
 7) Calculated the percentage change in the actuarial liability by agency and in the aggregate from September 30, 2007, to September 30, 2008, based on the DOL Loss Development actuarial model, identified agencies whose actuarial liability changed by more than 10 percent during fiscal year 2008, and for such agencies, calculated the percentage change in benefit payments for the year ended September 30, 2007, to September 30, 2008. 	The actuarial liability increased in the aggregate from approximately \$26.3 billion as of September 30, 2007, to approximately \$27.6 billion (4.9%) as of September 30, 2008. The following agencies had a change in actuarial liability from September 30, 2007, to September 30, 2008, of greater than 10%: $\frac{Agency \frac{Percentage}{change in} \frac{Percentage}{change in benefit} \\ \frac{EPA 12.1\% \qquad 4.7\%}{3Ml 14.4\% \qquad 5.9\%} \\ OPC 17.1\% \qquad (4.8)\%$
8) Compared the interest rate (used for discounting the future liability to the present value) and inflation rates (COLA and CPI-Med) used by the DOL Loss Development actuarial model as of September 30, 2008, to the Fiscal Year 2008 Mid-Session Review prepared by OMB from which they are derived.	No exceptions were found as a result of applying this procedure.

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Agreed-Upon Procedures Performed	Results of Procedures	
9) Compared the actuarial liability by agency, as reported in the Memorandum to the CFOs of Executive Departments issued by DOL's Chief Financial Officer, for the 2008 fiscal year end, to the liability calculated by the DOL Loss Development model and reported on the Projected Liability Reports as of September 30, 2008.	No exceptions were found as a result of applying this procedure.	
10) Compared both the fiscal year 2008 benefit payments by agency and the aggregate fiscal years 2003-2008 benefit payments used by the DOL loss Development actuarial model with the amount of benefit payments reported in the <i>Summary Chargeback</i> <i>Billing Report</i> which reflects benefit paid on behalf of each agency.	No exceptions were found as a result of applying this procedure.	
11) Compared the agency groupings used in the DOL Loss Development actuarial model as of September 30, 2008, with the agency groupings used in the DOL Loss Development actuarial model as of September 30, 2007, and determined if there were any changes.	September 30, 2008, compared to the agency groupings used in the DOL Loss	

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Agreed-Upon Procedures Performed	Results of Procedures
12) Compared the fiscal year 2008 benefit payments predicted by the 2007 DOL Loss Development actuarial model to the actual fiscal year 2008 benefit payments from the DOL Summary Chargeback Billing Report and identified agencies where the DOL Loss Development actuarial model computed benefit payments varied by more than 20 percent and \$2 million from actual benefit payments made during fiscal year 2008 from the Summary Chargeback Billing Report.	No agencies were identified as a result of applying this procedure.

Agreed-Upon Procedures & Results

ACTUARIAL LIABILITY

Agreed-Upon Procedures Performed	Results of Procedures	
13) Compared the net effective rates (interest minus inflation rates) for compensation and medical utilized in the Loss Development actuarial model as of September 30, 2008, by the Postal Service, OPM, SSA, Energy Employees' Occupation Illness Compensation Program, and the Black Lung Disability Trust Fund to the net effective rates (interest minus inflation rates) for compensation and medical utilized by the DOL Loss Development actuarial model as of September 30, 2008.	inflation rate ¹) for compensation of 2.25% used by the DOL Loss Development actuarial model as of September 30, 2008, was less than the net effective rates for compensation utilized in the Loss Development actuarial model as of September 30, 2008, by Postal Service (2.6%), OPM (2.75%), SSA (2.91%), and Black Lung Disability Trust Fund (3.12%). The Energy Employees' Occupational Illness Compensation Program does not	

¹ COLA

² CPI-Med

Agreed-Upon Procedures & Results

NET INTRA-GOVERNMENTAL ACCOUNTS RECEIVABLE

Agreed-Upon Procedures Performed	Results of Procedures
14) Confirmed accounts receivable balances due as of June 30, 2008, from the <i>Liability for Current Federal</i> <i>Employees' Compensation Act</i> <i>Benefits</i> prepared by the DOL-OCFO and posted on the DOL website ³ for all CFO Act agencies (except DOL) and the U.S. Postal Service and compared confirmed account receivable balances as of June 30, 2008, to the amounts	Confirmations were received from all agencies that were sent a confirmation request. The confirmed account receivable balances as of June 30, 2008, agreed with the account receivable balances as of June 30, 2008, posted on the DOL website ⁵ except for the following agencies:
posted on the DOL website ⁴ .	DOT \$ 370,067 \$ 350,746 \$ 19,321
	OPM 3,977,945 3,976,046 1,899

³ http://www.dol.gov/ocfo/media/reports/FECA_liability_2008_3q.pdf ⁴ http://www.dol.gov/ocfo/media/reports/FECA_liability_2008_3q.pdf

⁵ http://www.dol.gov/ocfo/media/reports/FECA_liability_2008_3q.pdf

Agreed-Upon Procedures & Results

NET INTRA-GOVERNMENTAL ACCOUNTS RECEIVABLE

Agreed-Upon Procedures Performed	Results of Procedures			
 15)Compared the net intra-governmental accounts receivable balances reported by the OCFO on the Liability for Current Federal Employees' Compensation Act Benefits report as of September 30, 2007, to the net intra-governmental accounts receivable balances by Federal agency reported by the OCFO on the Liability for Current Federal Employees' Compensation Act Benefits as of September 30, 2008. Recalculated the September 30, 2008, Net Intra-governmental Accounts Receivable balances for each agency by subtracting the cash collections (reported by the OCFO on the SF-224s) and adding the FY 2008 bills (sent to Federal agencies) to the September 30, 2007, ending balance and compared the recalculated 	governm balance <i>Liability</i> <i>Comper</i> Septem governm balance the OC <i>Federal</i> <i>Benefits</i> identifie The rec account the bala <i>Liability</i> <i>Comper</i> Septem	nental ac s reported f for Curren hsation Act ber 30, 20 nental ac s by Federa FO on the Employees as of Sep d in Exhibit A calculated r s receivable inces reported for Curren hsation Ac ber 30, 2008	by the OCF t Federal E Benefits rep 07 to the ccounts al agency re Liability for s' Compens tember 30,	receivable O on the <i>imployees</i> ' port as of net intra- receivable ported by or <i>Current</i> ation Act 2008, are rernmental agreed to CFO in the <i>imployee's</i> as of pency after
balance to the balance reported by the	Agency	OCFO Amount	Recalculated Amount	Difference
OCFO in the Liability for Current Federal Employees' Compensation Act	TREAS	\$ 122,052,925	\$ 122,049,303	\$ 3,622
Benefits as of September 30, 2008.	EDU	3,476,854	3,438,891	37,963
	DOD	207,618,635	207,595,311	23,324
	Other	104,415,234	104,357,789	57,445

Agreed-Upon Procedures & Results

NET INTRA-GOVERNMENTAL ACCOUNTS RECEIVABLE

Agreed-Upon Procedures Performed	Results of Procedures	
16) Compared the <i>Summary Chargeback</i> <i>Billing Report</i> for the period, July 1, 2007, through June 30, 2008, to the bills sent to Federal entities dated July 31, 2008.		
	Bill Report Agency Amount Amount Difference	
	Dept of Agriculture – New Enrollees \$ - \$ 30,190 (\$30,190)	
	Dept of the Interior – New Enrollees - 24,298 (\$24,298)	
 17) Compared the Allocation of Accrued Benefits as of September 30, 2008, recorded on the OCFO <i>Liability for</i> <i>Current Federal Employees'</i> <i>Compensation Act Benefits</i> report as of September 30, 2008, to the accrual calculation worksheet prepared by DOL. 	No exceptions were found as a result of applying this procedure.	
18) Compared the FY 2008 4 th quarter accounts receivable estimate prepared by the OCFO and reported on the 4th Quarter <i>FECA Liability Report</i> to the FY 2008 4 th quarter benefit payments reported on the <i>Summary Chargeback Billing Report</i> .	The FY 2008 4 th quarter accounts receivable estimate prepared by the OCFO varied from the actual payments reported on the Summary <i>Chargeback Billing Report</i> by \$24 thousand.	

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Results of Procedure 15

SECTION 2C

Agreed-Upon Procedures & Results

NET INTRA-GOVERNMENTAL ACCOUNTS RECEIVABLE

Procedures and Results

(dollars in thousands)

Net Intra-Governmental Accounts Receivable

	Septem	ber 30	
Agency	2008	2007	Change
Agency for International Development	\$ 7,617	\$ 8,463	\$ (846)
Environmental Protection Agency	9,914	9,102	812
General Services Administration	34,571	33,998	573
National Aeronautics and Space			
Administration	15,763	15,553	210
National Science Foundation	299	292	7
Nuclear Regulatory Commission	1,710	1,659	51
Office of Personnel Management	4,589	4,022	567
U.S. Postal Service	272,172	261,962	10,210
Small Business Administration	6,005	5,718	287
Social Security Administration	57,758	54,868	2,890
Tennessee Valley Authority	25,294	82,224	(56,930)
U.S. Department of Agriculture	166,085	161,620	4,465
U.S. Department of the Air Force	301,212	295,089	6,123
U.S. Department of the Army	325,014	325,113	(99)
U.S. Department of Commerce	34,167	28,307	5,860
U.S. Department of Defense - other	207,618	207,418	200
U.S. Department of Education	3,477	9,209	(5,732)
U.S. Department of Energy	19,807	20,553	(746)
U.S. Department of Health and Human			
Services	58,003	56,439	1,564
U.S. Department of Homeland Security	366,163	361,483	4,680

EXHIBIT A Results of Procedure 15

SECTION 2C

Agreed-Upon Procedures & Results

NET INTRA-GOVERNMENTAL ACCOUNTS RECEIVABLE

Procedures and Results

(dollars in thousands)

Net Intra-Governmental Accounts Receivable September 30

	Septer		
Agency	2008	2007	Change
U.S. Department of Housing and Urban			
Development	\$ 18,314	\$ 18,367	\$ (53)
U.S. Department of Interior	138,149	136,654	1,495
U.S. Department of Justice	226,630	215,027	11,603
U.S. Department of Labor	52,735	54,831	(2,096)
U.S. Department of Navy	561,297	559,940	1,357
U.S. Department of State	17,614	17,637	(23)
U.S. Department of Transportation	222,616	213,973	8,643
U.S. Department of the Treasury	122,052	119,377	2,675
U.S. Department of Veterans Affairs	394,555	377,655	16,900

Agreed-Upon Procedures & Results

BENEFIT EXPENSE

Agreed-Upon Procedures Performed	Results of Procedures
19) Compared benefit payments recorded in the Integrated Federal Employees Compensation System (iFECS) and Central Bill Pay (CBP) databases to the U.S. Department of the Treasury's SF-224 as of March 31, 2008, and September 30, 2008.	No exceptions were found as a result of applying this procedure.
 20)Obtained the reconciliation prepared by the Office of Workers' Compensation Programs between the benefit payments reported in the <i>Chargeback Billings Reports</i> for the fiscal year ending September 30, 2008, and the benefit payments reported in the iFECS and CBP databases for the fiscal year ending September 30, 2008, and performed the following procedures: <i>A</i>) Compared the benefit expenses in the <i>Chargeback Billings Reports</i> reported in the reconciliation to the actual <i>Chargeback Billings Reports</i>. B) Compared the Benefit payments from iFECS and the CBP databases. C) Identified any unreconciled differences. 	 A) The benefit expenses in the Chargeback Billings Reports reported in the reconciliation for the fiscal year ended September 30, 2008, were \$8 thousand higher than the actual Chargeback Billings Reports. B) The benefit payments from iFECS and the CBP databases reported in the reconciliation for the fiscal year ended September 30 2008, were \$329 thousand higher than the actual iFECS and the CBP databases. C) The Office of Workers' Compensation Programs' reconciliation between the benefit payments reported in the <i>Chargeback Billings Reports</i> for the fiscal year ending September 30, 2008, and the benefit payments reported in the iFECS and CBP databases for the fiscal year ending September 30, 2008, had unreconciled differences of \$2 thousand.

Agreed-Upon Procedures & Results

BENEFIT EXPENSE

Agreed-Upon Procedures Performed	Results of Procedures
21) Compared compensation and medical bill payments by agency for the fiscal year ending September 30, 2008, from the Summary Chargeback Billing Report prepared by DOL, to the compensation and medical bill payments by agency made for the fiscal year ended September 30, 2007, from the Summary Chargeback Billing Report prepared by DOL, and identified any variances over 10 percent.	The following agencies had increases (decreases) over 10% in compensation and medical bill payments for the year ended September 30, 2008, compared to the year ended September 30, 2007: <u>Agency Variance</u> DOS 11% SBA 11% OPM 29% EOP (23)% PCE 11% Variances for the remaining agencies were less than 10%
22) For a selection of 119 compensation payments for initially eligible claimants, performed tests for existence and accuracy by comparing benefit data from the applicable Forms CA-1 Federal Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation, and CA-2 Notice of Occupational Disease and Claim for Compensation to the payment amounts in iFECS.	No exceptions were found as a result of applying this procedure.

Agreed-Upon Procedures & Results

BENEFIT EXPENSE

Agre	eed-Upon Procedures Performed	Results of Procedures
23)	For a selection of 119 compensation payments for continuing eligibility and file maintenance, performed tests of existence and accuracy by comparing benefit data from applicable Forms CA-7 <i>Claim for</i> <i>Compensation</i> , and CA-1032 <i>Request for information on</i> <i>Earnings, Dual Benefits,</i> <i>Dependents and Third Party</i> <i>Settlements</i> to the payment amounts in iFECS.	No exceptions were found as a result of applying this procedure.
24)	For a selection of 133 medical payments, performed tests for existence and accuracy by comparing the medical bill to the payment amount in CBP.	No exceptions were found as a result of applying this procedure.
25)	Calculated the change in the actuarial liability reported on the September 30, 2008, and September 30, 2007, compilation reports prepared by DOL.	approximately \$1.3 billion on the compilation reports prepared by DOL from

Agreed-Upon Procedures & Results

BENEFIT EXPENSE

Agreed-Upon Procedures Performed	Results of Procedures
 26) Calculated the annual projected benefit payments for fiscal year 2008 using the following two step process: (a) Determined the average amount per roll during the period of October 1, 2007, to March 31, 2008, by dividing the total medical and compensation benefit payments from the iFECS and CBP databases with the number of rolls in the period from October 1, 2007, to March 31, 2008; and (b) Multiplied the average amount per roll determined in step 26 (a) above by the number of rolls scheduled for fiscal year 2008. Compared this amount to the actual 12-month total benefit payments as of September 30, 2008, calculated from the <i>Summary Chargeback Billing Reports</i>. 	The calculated annual projected benefit payments based on the March 31, 2008, iFECS and CBP databases were approximately \$90 million (3.47%) less than the actual 12 month total benefit payments as of September 30, 2008, calculated from the <i>Summary Chargeback Billing Reports</i> .
27) Compared the fiscal year 2008 4th quarter benefit expense estimate calculated by the OCFO on the Liability for Current Federal Employees Compensation Act Benefits report to the actual benefits recorded in iFECS and CBP.	No exceptions were found as a result of applying this procedure.

Appendix

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ACRONYMS and ABBREVIATIONS

ACS	Affiliated Computer Services
AODF	All Other Defense
AUP	Agreed Upon Procedures
BLS	Bureau of Labor Statistics
CBP	Central Bill Processing System
CFO	Chief Financial Officers' Act
COLA	Cost of Living Allowance
CPI-Med	Consumer Price Index for Medical
DHS	U.S. Department of Homeland Security
DOD	U.S. Department of Defense
DOI	U.S. Department of Interior
DOJ	U.S. Department of Justice
DOL	U.S. Department of Labor
DOT	U.S. Department of Transportation
EDU	U.S. Department of Education
EPA	Environmental Protection Agency
ESA	Employment Standards Administration
FECA	Federal Employees' Compensation Act
HUD	Department of Housing and Urban Development
iFECS	Integrated Federal Employees' Compensation System
LBP	Liability to Benefits Paid
NASA	National Aeronautics and Space Administration
NCS	Corp. for National and Community Service
NRC	Nuclear Regulatory Commission
NSF	National Science Foundation
OCFO	Office of the Chief Financial Officer
OMB	Office of Management and Budget
OPC	Office of Peace Corps
OPM	Office of Personnel Management
OWCP	Office of Workers' Compensation Programs
PCE	Peace Corp Enrollees
SBA	Small Business Administration
	(continued)

ACRONYMS and ABBREVIATIONS

SFFAS	Statement of Federal Financial Accounting Standards
SMI	Smithsonian Institution
SSA	Social Security Administration
USAID	U.S. Agency for International Development
USDA	Department of Agriculture
USPS	U.S. Postal Service
TREAS	U.S. Department of the Treasury