

FY 2009

DEPARTMENT OF LABOR

BUDGET IN BRIEF

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Budget Summary

The FY 2009 request is \$ 10.5 billion in discretionary budget authority and 16,848 full-time equivalent employees (FTE). The FY 2009 performance budget builds upon the Department's FY 2006 – FY 2011 Strategic Plan goals of *A Prepared Workforce, A Competitive Workforce, Safe and Secure Workplaces, and Strengthened Economic Protections*. This performance budget meets the Annual Performance Plan requirement under the Government Performance and Results Act of 1993 (GPRA), and sets out specific annual performance targets and the strategies to attain them.

Because the Department's agencies have a variety of missions -- and their performance goals are extensive and wide ranging -- this Overview section covers only the key agency goals that will be reflected in the Department's FY 2008 and FY 2009 Annual Performance and Accountability Reports.

Secretary's Priorities

The mission of DOL is to promote the welfare of the Nation's job seekers, wage earners, and retirees by improving working conditions, enforcing the Fair Labor Standards Act, expanding opportunities for training and employment, protecting retirement and health care benefits, helping employers find qualified workers, strengthening free collective bargaining, and tracking changes in employment, prices, and other national economic measurements.

The FY 2009 budget submission reflects the following priorities:

- Protecting workers' safety and health;
- Protecting workers' pay, benefits, pensions, and union member rights;
- Effectively serving our Nation's veterans and transitioning service members;
- Modernizing the temporary foreign labor certification programs; and
- Increasing the competitiveness of America's workforce by continuing reforms and strengthening policies that encourage growth, job creation, and opportunity.

In addition to these program-specific priorities, in FY 2009 the Department will scrutinize base funding to shift resources from lower priority, less effective programs, to higher priority, more effective programs. The Department has made significant progress in implementing the President's Management Agenda (PMA) and the Program Assessment Rating Tool (PART). As of December 31, 2007 the Department remains *Green* in status for the five government-wide initiatives.

The Department has also been conducting PART reviews of key programs, and implementing their recommendations to promote program improvement. Thirty-five programs have been reviewed to date, and agencies are using PART recommendations to improve performance

measures and targets, develop efficiency measures, and focus program evaluations to gauge effectiveness.

Strategic Goal Cost Model

The Department will measure its accomplishments in FY 2009 against the following strategic goals:

Goal 1 — A Prepared Workforce: *Develop a prepared workforce by providing effective training and support services to new and incumbent workers and supplying high quality information on the economy and labor market.*

Goal 2 — A Competitive Workforce: *Meet the competitive labor demands of the worldwide economy by enhancing the effectiveness and efficiency of the workforce development and regulatory systems that assist workers and employers in meeting the challenges of global competition.*

Goal 3 — Safe and Secure Workplaces: *Promote workplaces that are safe, healthful and fair; guarantee workers receive the wages due them; foster equal opportunity in employment; and protect veterans' employment and re-employment rights.*

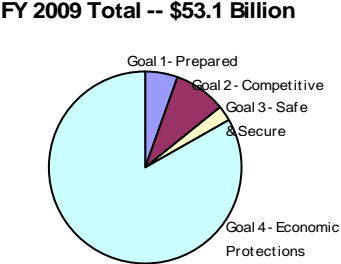
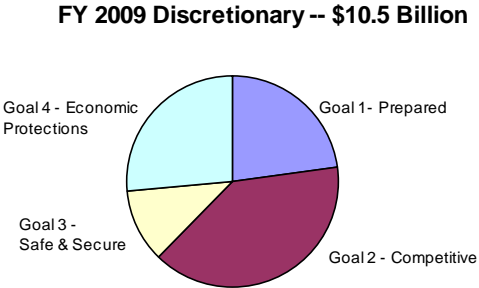
Goal 4 — Strengthened Economic Protections: *Protect and strengthen worker economic security through effective and efficient provision of unemployment insurance and workers' compensation; ensuring union transparency; and securing pension and health benefits.*

These strategic goals are supported by key program-level performance goals with specific performance indicators and ambitious targets that correspond to the presentations in Agency Congressional Budget Justifications. The tables below include changes to performance indicators and targets presented in the FY 2008 Performance Budget and to Program Year (PY) 2007 goals, which may have been adjusted due to intervening funding levels, PART assessments, or more recent performance results and trends.

As shown in the following table, the President's 2009 Budget requests \$10.5 billion in discretionary budget authority for DOL. In addition, the Budget includes \$42.6 billion in budget authority for the Department's mandatory programs.

FY 2009 DOL Request			
<i>(Budget Authority in Billions)</i>			
	<u>FY 2008</u>	<u>FY 2009</u>	<u>Change</u>
Discretionary:	\$11.4	\$10.5	-\$0.9
Mandatory:	\$37.7	\$42.6	+\$4.9
Total	\$49.1	\$53.1	+\$4.0
<i>Full Time Equivalent (FTE)</i>	<i>16,142</i>	<i>16,848</i>	<i>+706</i>

The following charts illustrate how the FY 2009 DOL Request supports each Strategic Goal:



A. Employment and Training Administration

Overview

The mission of the Employment and Training Administration (ETA) is to contribute to the more efficient functioning of the U.S. labor market by providing high quality job training, employment, workforce and labor market information, and temporary wage replacement. ETA promotes economic independence for individuals and families by administering programs that enhance employment opportunities and business prosperity. Major ETA programs include those authorized by the Workforce Investment Act of 1998 for adults, dislocated workers, youth, and targeted populations; Trade Adjustment Assistance authorized by the Trade Act of 1974; employment services authorized by the Wagner-Peyser Act; Unemployment Insurance authorized by the Social Security Act; Foreign Labor Certification activities, authorized by the Immigration and Nationality Act; the Senior Community Service Employment Program, authorized by the Older Americans Act; and Apprenticeship programs, which are authorized by the National Apprenticeship Act.

TRAINING AND EMPLOYMENT SERVICES

	<u>2007</u>	<u>2008 b/</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Career Advancement Accounts	0	0	0	2,826,000
Adult Employment and Training Activities	864,199	849,101	712,000	0
Dislocated Workers Employment and Training Activities	1,471,903	1,446,189	1,223,823	0
Youth Activities	940,500	924,069	840,500	0
WIA Competitive Grants - Ex-Offender Activities	68,746	73,493	39,600	39,600
Prisoner Reentry Initiative	19,642	0	0	0
Reintegration of Ex-Offenders	0	73,493	39,600	39,600
Responsible Reintegration of Youthful Offenders	49,104	0	0	0
WIA Competitive Grants - Community Based Job Training a/	0	0	125,000	125,000
WIA National Activities	21,101	54,326	25,000	25,000
Evaluation	4,921	4,835	9,000	9,000
Pilots, Demonstrations and Research	14,700	48,508	16,000	16,000
Technical Assistance	480	0	0	0
Women in Apprenticeship	1,000	983	0	0
Denali Commission	6,875	6,755	0	0
Indian and Native American Programs	53,696	52,758	45,000	45,000
Migrant and Seasonal Farmworkers	79,752	79,668	0	0
YouthBuild	49,500	58,952	50,000	50,000
Total Budget Authority	3,556,272	3,545,311	3,060,923	3,110,600

a/ Funded from the Dislocated Workers National Reserve in 2007 and 2008.

b/ FY 2008 does not reflect \$250M rescission for unexpended balances to WIA.

The Training and Employment Services (TES) appropriation funds skills training and employment services directed toward increasing the post-program employment and earnings of current and future workers, particularly low-income persons, dislocated workers, at-risk and out-of-school youth, and other unemployed and underemployed individuals.

Career Advancement Accounts

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	0	0	0	2,826,000
Participants	0	0	0	11,401,000
FTE	0	0	0	0

In April, 2007, the Administration transmitted to Congress the “Workforce Investment Act Amendments of 2007,” a proposal that would reauthorize and reform the Workforce Investment Act of 1998 (WIA). These reforms, which are re-proposed in the FY 2009 Budget, include:

- Maintaining the existing nationwide system of comprehensive One-Stop Career Centers, but reducing duplication and increasing efficiency by consolidating funding for WIA Adult, Dislocated Worker, and Youth, and Employment Service programs into a single funding stream to states for Career Advancement Accounts (CAA) and employment services for job seekers and employers.
- Establishing CAAs and increasing education and training opportunities by simplifying complex eligibility requirements and increasing the proportion of WIA funds devoted to education and training activities.
- Giving greater flexibility to states and local areas to design systems that align with economic development strategies and respond to the unique workforce needs and challenges of their regional economies.
- Strengthening the One-Stop system by financing the operational costs of One-Stop Career Centers through dedicated infrastructure funding and streamlining the membership requirements for state and local Workforce Investment Boards.
- Under a new feature, requiring states to contribute to the investment in training with a 20 percent match of Federal funds used for CAAs.

CAAs are self-directed accounts of up to \$6,000 over two years that would be available to adults and out-of-school youth entering or re-entering the workforce or transitioning between jobs, or incumbent workers in need of new skills to remain employed or to move up the career ladder.

The rationale for this request and the Administration’s proposed “Workforce Investment Act Amendments of 2007” is that Federal job training dollars should be put in the hands of the individuals in need of assistance, by replacing the current siloed system of separate training programs serving different populations with a single state grant for the provision of employment and training services. Under the current system, too many resources are being used to pay for administrative functions, overhead costs, and multiple levels of staff. The public workforce investment system should be redesigned to give individuals control over the resources they need to support their careers in the 21st century economy. With more clearly defined administrative costs and the majority of funding used to finance the accounts, this proposal means that more individuals will participate in job training and attain new and higher level job skills.

Adult Employment and Training Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	864,199	849,101	712,000	0
Participants	293,945	291,787	247,222	0
FTE	0	0	0	0

The Adult Employment and Training Program is authorized under the Workforce Investment Act of 1998, Title I, Subtitle B, Chapter 5, Public Law 105-220, 20 U.S.C. 9201, and is designed to increase employment, as measured by entry into employment, retention in employment, and average earnings. WIA Adult program funds are distributed by statutory formula to the 50 States, Puerto Rico, the District of Columbia, and other outlying areas. Once received, most of these funds are allocated by formula to local workforce investment areas within the States.

The Act authorizes three types of services: 1) “Core” services, for which all adults 18 years and older are eligible, which include initial assessment, job search and placement assistance, and workforce and economic information; 2) “Intensive” services, which include more comprehensive assessments, development of individual employment plans, and career guidance and planning; and 3) “Training” services, which are linked to employment in demand, including occupational training, skills upgrading, and adult literacy training. Priority for intensive and training services must be given to recipients of public assistance and other low-income individuals where funds are limited. States and local areas are responsible for establishing procedures for applying the priority requirements.

For FY 2009, the Administration proposes that funds previously appropriated for the WIA Adult Program, together with funds previously appropriated for the WIA Dislocated Worker and Youth Programs and the Employment Service, be allocated to states as a single funding stream. States would use these funds primarily to provide Career Advancement Accounts to individuals in need of employment assistance. A portion of this funding would also be used by states to provide employment services such as career assessments, workforce information, and job placement assistance.

Dislocated Worker Employment and Training Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	1,471,903	1,446,189	1,223,823	0
Participants	388,364	385,650	329,205	0
FTE	0	0	0	0

The Dislocated Worker Assistance Program provides workforce investment services to individuals who have lost their jobs, including those dislocated as a result of plant closings or mass layoffs, and who are unlikely to return to their previous industries or occupations; formerly self-employed individuals; and displaced homemakers who have been dependent on the income of another family member, but are no longer supported by that income.

The program is authorized by the Workforce Investment Act of 1998, Title I, Subtitle B, Chapter 5, Public Law 105-220, 20 U.S.C. 9201, and provides the three types of services described above in the Adult Employment and Training program. Participants use Individual Training Accounts to select an appropriate training program from qualified providers. Funding for dislocated worker activities is provided through formula allotments to states, and states may use up to 25 percent of their allotment to provide rapid response services to workers affected by layoffs and their employers. In addition, the Secretary has discretionary funds to provide National Emergency Grants for significant layoff events or natural disasters. States must apply for these discretionary funds.

For FY 2009, the Administration proposes that funds previously appropriated for the WIA Dislocated Worker Program, together with funds previously appropriated for the WIA Adult and Youth Programs and the Employment Service, be allocated to states as a single funding stream. States would use these funds primarily to provide Career Advancement Accounts to individuals in need of employment assistance. A portion of this funding would also be used by states to provide employment services such as career assessments, workforce information, and job placement assistance.

Under the Administration's proposal, a portion of the funds appropriated for CAAs would be reserved at the Federal level for a National Reserve Fund. The Secretary would have the discretion to use this funding to address unanticipated events, such as natural disasters and mass layoffs, and for innovative projects for adults and youth. In addition, states would still be able to carry out rapid response activities in response to large-scale layoffs and plant closings. However, unlike current law, there would be no specific amount reserved for rapid response activities at the state level. States would apply to ETA for rapid response funding in a manner similar to National Emergency Grant applications.

Youth Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	940,500	924,069	840,500	0
Participants	251,470	249,411	229,155	0
FTE	0	0	0	0

The Youth Activities program is authorized by Title I of the Workforce Investment Act of 1998 (29 U.S.C. 2851). The program allots funds to States and local areas by statutory formulas to deliver a comprehensive array of workforce development services to youth with barriers to employment. Eligible youth are ages 14-21, low-income, and have one or more of the following barriers to employment: 1) deficient in basic literacy skills; 2) a school dropout; 3) homeless, runaway, or a foster child; 3) pregnant or a parent; 4) an offender; or 5) requires additional assistance to complete an education program, or to secure and hold employment. Service providers prepare youth for employment and post-secondary education by stressing linkages between academic and occupational learning.

Consistent with the FY 2008 Budget request, ETA proposes that in FY 2009 funds previously appropriated for the WIA Youth program, together with funds previously appropriated for the

WIA Dislocated Worker and Adult programs and the Employment Service, be allocated to states as a single funding stream. States would use these funds primarily to provide Career Advancement Accounts (CAAs) to individuals, including out-of-school youth. A portion of this funding would also be used by states to provide basic employment services such as career assessments, workforce information, and job placement assistance.

WIA Competitive Grants

WIA Competitive Grants are authorized and funded under sections 170-172 of the Workforce Investment Act and various appropriations acts. Funds are used for Community-Based Job Training Grants and the following prisoner re-entry programs: Reintegration of Ex-Offenders, Responsible Reintegration of Youth Offenders (RRYO), and the Prisoner Re-entry Initiative.

Community Based Job Training Grants

	<u>2007 a/</u>	<u>2008 a/</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	0	0	125,000	125,000
Participants	0	0	50,000	50,000
FTE	0	0	0	0

a/ Program funded from the Dislocated Workers National Reserve in 2007 and 2008.

Community-Based Job Training Grants seek to address a critical shortage of workforce development capacity in many regions by supporting community colleges to create new curriculum and train workers for jobs in high-growth, high-demand industries. Due to their close connection to local labor markets, community colleges are well positioned to understand the intricacies of local economies and better prepare workers for occupations in these localized industries. These grants are authorized under the general authority of Title I-D of the Workforce Investment Act of 1998 and by specific appropriations language. The grants take advantage of community colleges' accessibility, affordability, and adaptability and position them to support talent development strategies that optimize innovation and successful regional economic transformation. To date, three rounds of Community-Based Job Training Grants have been awarded to support or engage in a combination of capacity building and training.

The requested funding level for FY 2009 of \$125,000,000 will allow DOL to make approximately 70 to 75 new grant awards of between \$500,000 and \$2,000,000. Based on evaluation of current grant outcomes and continuous analysis of workforce challenges facing high-growth, high-demand industries, the Department will continue to focus its future investments through Community-Based Job Training Grants on:

- Training individuals in the skill and competency needs of local high-growth, high-demand industries as defined in the context of the regional economy.
- Flexible education strategies that promote multiple pathways for workers to gain skills incrementally, including supporting efforts of community colleges and their education partners to become modular in their delivery, offering multiple entry and exit points for workers in need of continuous training.

- Strategies to further integrate community college workforce education and talent development activities with regional economic development, with an increased emphasis on coordination of these grants with state, local, and community workforce development strategies.
- Partnerships between community colleges, the workforce investment system, employers, and the continuum of education (including K-12 and 4-year educational institutions) to implement new and innovative education and learning models that support workers in receiving the training they need, promoting life-long learning, and personal accountability for skill development. Examples of these models include on-the-job and apprenticeship training, distance and technology-based learning, and simulation applications that enhance clinical experiences in industries such as health care, biotechnology, energy, and advanced manufacturing.

Prisoner Re-Entry Initiative

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	19,642	0	0	0
Participants	6,200	0	0	0
FTE	0	0	0	0

The Prisoner Reentry Initiative (PRI) provides funds to eligible applicants in order to reduce recidivism by helping inmates find work when they return to their communities. Eligible service providers are faith-based and community organizations that are located in, or have a staff presence in, the urban community being served, and that have the capacity to serve as the lead agency under this initiative. In some cases, lead agencies provide technical assistance and oversight to other faith-based community organizations. This program is authorized through appropriations bills. In FY 2008, the Administration proposed to merge the RRYO Program and the Prisoner Reentry Initiative into a new, consolidated Reintegration of Ex-Offenders program that serves both youth and adults a proposal that was adopted in the 2008 Omnibus appropriation. The 2009 Budget continues this approach. The PRI grants funded in FY 2006 and FY 2007 will be completed by FY 2009.

Reintegration of Ex-Offenders

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	0	73,493	39,600	39,600
Participants	0	17,440	9,491	9,491
FTE	0	0	0	0

In FY 2008, the Department proposed to merge funding for the Prisoner Reentry Initiative (PRI) and the Responsible Reintegration for Young Offenders (RRYO) into a single, consolidated program that serves adult and juvenile ex-offenders and strengthens communities by reducing recidivism. The FY 2009 Budget Request is based on continuation of this approach.

The Department's request will continue the single, consolidated approach to serving the ex-offender population in FY 2009. The Reintegration of Ex-Offenders Program will continue to capitalize on the lessons learned from both RRYO and PRI projects. It will continue to promote

the use of the robust performance accountability system developed by the PRI and extend the mechanisms developed in that project to new Federal efforts to support re-integration of ex-offenders. The consolidated program will also continue its focus on the adoption of specific practices developed through RRYO and PRI that have shown the greatest promise in boosting employment and reducing recidivism among classes of offenders most at-risk of re-offending.

Reintegration of Ex-Offenders will continue to serve both adult and youthful offenders. The priorities for serving adults will continue to be placing returning offenders into employment and providing mentors for returning offenders. The priorities of the youth grants will be to address the low educational achievement of youth offenders and to offer multiple education pathways to high school graduation and post-secondary education.

Responsible Reintegration of Youthful Offenders

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	49,104	0	0	0
Participants	9,486	0	0	0
FTE	0	0	0	0

The Responsible Reintegration of Youthful Offenders (RRYO) Program, authorized by the pilot and demonstration authority under the Workforce Investment Act (section 171 (P.L. 105-220)), funded a variety of projects aimed at serving youthful offenders and youth who are at-risk of becoming involved in the justice system.

Projects funded under this appropriation include: 1) projects using demand-driven strategies to move youth into high-growth occupations, 2) demonstration projects to provide employment to youthful offenders and youth who are at-risk of criminal involvement in selected cities, 3) projects that provide training in construction and other trades with apprenticeship programs and use community services for youthful offenders returning to their communities from correctional facilities, 4) state-operated projects aimed at improving the academic and workforce preparation components for youth in correctional facilities, and 5) local demonstration projects that involve faith-based and community organizations in assisting released prisoners returning home.

In FY 2008, the Administration proposed to merge the RRYO Program and the Prisoner Reentry Initiative into a new, consolidated Reintegration of Ex-Offenders program that serves both youth and adults. Per the Administration's FY 2008 proposal, there will be no new RRYO activity in FY 2009. However, the RRYO grants started with FY 2006 and FY 2007 funds will continue in FY 2009. RRYO activities include district based grants to reduce the involvement of youth in violence and gangs, multiple education pathway grants for your offenders, and grants allowing successful projects serving youth offenders to expand additional sites.

WIA National Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	21,101	54,326	25,000	25,000
Participants	0	0	0	0
FTE	0	0	0	0

ETA is authorized, under Title I of the Workforce Investment Act to conduct pilots, demonstrations, research and evaluations. These pilots, demonstrations, research and evaluations support key areas of program and policy emphasis, inform workforce investment policies and investment decisions, and support continuous improvement of the workforce investment system. The Women in Apprenticeship and Non-Traditional Occupations Act are also a part of WIA National Activities.

Evaluations

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	4,921	4,835	9,000	9,000
Participants	0	0	0	0
FTE	0	0	0	0

Under Section 172 of the Workforce Investment Act of 1998 (29 U.S.C. 2916), ETA carries out the rigorous evaluation of programs and activities authorized by title I of WIA. ETA program evaluations contribute to the improvement of service delivery interventions of state and local WIA programs, and ultimately contribute to improved outcomes. Results from evaluation studies support continuous improvement of and inform policy and investment decisions.

The FY 2009 Request restores funding for evaluations to the levels appropriated between FY 2001 and FY 2005. Evaluation efforts in FY 2009 focus on evaluating key ETA programs and initiatives, as well as responding to PART findings and the President's Management Agenda Program Improvement initiative. This includes oversight of multi-year evaluations of the Senior Community Service Employment Program and the Trade Adjustment Assistance program; an impact analysis evaluation of the WIA Adult, Dislocated Worker, and Youth programs (the WIA Gold Standard Evaluation); evaluations of the Individual Training Account experiments, Community-Based Job Training Grants, and the WIRED initiative; and completion of evaluations of the Veteran's Priority of Service Provision, the H-2A Program, and the High Growth Job Training Initiative.

Pilots, Demonstrations and Research

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	14,700	48,508	16,000	16,000
Participants	0	0	0	0
FTE	0	0	0	0

Section 171 of the Workforce Investment Act of 1998 (29 U.S.C. 2916) authorizes ETA to conduct pilot, demonstration, and research (PD&R) activities which support key areas of program and policy emphasis, inform workforce investment policies and investment decisions, and support continuous improvement of the workforce investment system. The overall goal of these activities is twofold: (1) “seed” promising practices for national policy application; and (2) incubate pilot projects that can be launched on a larger scale. ETA evaluates new and promising programs and policies to better understand the efficacy of the intervention. Projects must include the provision of direct services to individuals to enhance employment opportunities and an evaluation component and may include (1) building a demand driven workforce investment system; (2) building the capacity of workers to obtain good jobs with good wages; (3) focusing on key segments of the workforce; (4) building a comprehensive workforce system through new strategic approaches; and (5) evaluating program effectiveness.

Grants are awarded on a competitive basis, announced in Solicitation for Grant Applications in the Federal Register and also on ETA’s Internet Website. In certain instances, for particular solicitations or groups of awards, matching requirements may be imposed because of statutory requirements and/or administrative decisions.

Priority for FY 2009 PD&R funds will be directed towards the WIA Gold Standard Random Assignment Study – a new priority project that began in FY 2007 and is included in the Department’s Five-Year Research, Demonstration and Evaluation Strategic Plan for 2007-2012, as well as in the President’s Management Agenda Performance Improvement initiative.

Technical Assistance

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	480	0	0	0
Participants	0	0	0	0
FTE	0	0	0	0

Following the enactment of the Workforce Investment Act of 1998 funds were appropriated for activities authorized under Section 170, including providing training, technical assistance, staff development and other activities to states and localities, and in particular, activities to assist in making transitions to the new law. Since the enactment of this legislation in 1998, the need for such technical assistance has diminished. No funds are requested for WIA National Activities – Technical Assistance in FY 2009.

Women in Apprenticeship

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	1,000	983	0	0
Participants	0	0	0	0
FTE	0	0	0	0

Women in Apprenticeship grants are awarded competitively to community-based, union, or employer organizations that provide technical assistance to employers and labor unions to prepare them to recruit, select, train, and retain women in apprenticeship and nontraditional occupations, as authorized under the Women in Apprenticeship and Non-Traditional Occupations Act of 1992 (P.L. 102-530).

Denali Commission

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	6,875	6,755	0	0
Participants	0	0	0	0
FTE	0	0	0	0

The purpose of the Denali Commission is to provide critical utilities, infrastructure and economic support to distressed rural communities in Alaska. The authorizing legislation for this effort is the Denali Commission Act of 1998 (42 U.S.C. 3121, as amended).

The 2009 Budget proposes to terminate direct funding for this earmark, which is unnecessary and duplicative. The President's 2009 Budget requests \$6 million (\$2 million in the Energy and Water appropriations bill, and \$4 million in a trust fund) for the Denali Commission, which will allow it to continue the constructive role the Commission plays as a regional planner and coordinator of other Federal investments in Alaska. Alaska will receive Federal support for job training and employment services through Workforce Investment Act (WIA) formula grants, Native Americans training grants, and a Job Corps center.

Indian and Native American Program

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	53,696	52,758	45,000	45,000
Participants	21,916	21,756	18,750	18,750
FTE	0	0	0	0

The Indian and Native American Program supports employment and training activities for Indians, Alaska Natives, and Native Hawaiians to develop more fully their academic, occupational, and literacy skills; and to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities. The program is authorized by section 166 of the Workforce Investment Act of 1998, 29 U.S.C. 2801 et seq. Supplemental youth funding is also authorized to help low-income Native American and Native Hawaiian youth between the ages of 14 and 21 to acquire

the educational skills, training and support needed to achieve academic and employment success and transition to careers and productive adulthood. Competitions are conducted to select Native American tribes and organizations that are awarded funds for a two-year period to carry out these programs.

ETA's priorities for the Native American Section 166 program in FY 2009 will be to:

- Increase program efficiency;
- Increase the amount of program funds spent on training participants and reduce funding spent on overhead costs;
- Increase performance outcomes;
- Emphasize training and talent development in high-growth and high-demand occupations; and
- Integrate the program with the One-Stop Career Center system.

Job Training for Employment in High Growth Industries

H-1B fees are authorized under Sec. 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (P.L. 105-277, title IV), as amended by P.L. 108-447 (codified at 29 U.S.C. 2916a). These fees are available to the Department without appropriations action by Congress and, in part, are used to provide job training and related activities to workers to assist them in gaining the skills and competencies needed to obtain or upgrade employment in high-growth industries and economic sectors. Participants are trained in occupations and industries for which employers are using H-1B visas to hire foreign workers. Funds may also be used for activities that enhance the provision of job training services and information, such as supporting talent development related to entrepreneurship and small business development; developing and implementing model activities to build core competencies and train workers; identifying and disseminating career and skill information; and integrated regional planning, such as increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs of business.

Fee revenues are also used to support activities under two major initiatives – the High Growth Job Training Initiative (HGJTI) and the Workforce Innovation in Regional Economic Development (WIRED) Initiative.

Based on continuous evaluation and analysis of the kinds of workforce challenges facing high growth, high demand industries, DOL has identified the following areas of focus for future investments for this funding:

- Talent Development in Regional Economies. Identify strategies to further integrate workforce, education and talent development with economic development, particularly at the regional level, to ensure workers have the skills they need to compete in the global marketplace.
- Technology-Based Learning Models. Invest in new and innovative education and learning models, including technology-based learning curricula and programs to promote better access to education and training programs.

- Enhancing Capacity of Talent Development Institutions. Enhance new and expanded pathways to post-secondary education, develop competency-based apprenticeships and internships, and build a framework for competencies across industries that can be customized within sectors and easily updated to accommodate changing technology and business practices.
- Expanding Access to Human Capital. Work with industry to develop strategies for engaging untapped labor pools and overcoming barriers to employment.

In addition to identifying new funding opportunities, during FY 2009, ETA will provide third-year funds to the Second and Third Generations of WIRED regions.

Migrant and Seasonal Farmworkers

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	79,752	79,668	0	0
Participants	18,655	18,811	0	0
FTE	0	0	0	0

The National Farmworker Jobs Program (NFJP) serves economically disadvantaged persons who are primarily dependent on agricultural employment for their livelihood. The authorizing legislation for this program is section 167 of the Workforce Investment Act of 1998 (29 U.S.C. 2912). Eligible participants are those persons employed on a seasonal or part-time basis in the unskilled and semi-skilled manual labor occupations in crop and animal production. Through training and other services, the program assists migrant and seasonal farmworkers and their families to prepare for jobs that provide stable, year-round employment in agricultural and non-agricultural occupations. Service providers are selected by DOL through a competitive process.

Funds appropriated for the NFJP are subject to a biennial grants competition that is open to state agencies, local workforce investment boards, faith-based and community organizations, institutions of higher learning, and other entities capable of delivering services on a statewide basis. Formula funds are allocated to states that approximate through estimation the relative proportion of eligible farmworkers in each state. In addition, appropriations language requires that approximately six percent of the NFJP appropriated funding be used to support a Housing Assistance program for farmworkers. The Housing Assistance program is a supportive service offered to assist migrants and seasonal farmworkers to retain employment or enter into or complete training.

For the past six fiscal years, the Administration has not requested budget authority for the NFJP. It became apparent that those being served by NFJP had the same type of barriers to full-time employment that other workers do, and that the relatively small NFJP program did not provide its participants with the full array of benefits they would derive from a more fully integrated workforce investment system. No budget authority is requested for the NFJP in FY 2009 as ETA continues to pursue this integration strategy.

YouthBuild

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	49,500	58,952	50,000	50,000
Participants	3,135	3,771	3,231	3,231
FTE	0	0	0	0

The YouthBuild program was transferred to DOL from the Department of Housing and Urban Development in FY 2007, under the authority of the YouthBuild Transfer Act, and is now authorized by section 173A of the Workforce Investment Act of 1998.

YouthBuild helps at-risk youth ages 16 to 24 years acquire high school credentials and receive skills training through the construction and rehabilitation of affordable housing for low-income or homeless families in their own neighborhoods. Youth divide their time between the construction site and the classroom, where they earn their GED or high school diploma, learn to be community leaders, and prepare for college and other postsecondary training opportunities. Grant funds can be used to fund eligible educational and supportive services and activities composed of basic skills development, and counseling, referral and support services. Grantees are selected on a competitive basis in accordance with criteria published in the Solicitation for Grant Applications, which are also published in the Federal Register. Eligible entities for this grant funding include: (a) a community-based organization, (b) a faith-based organization, (c) a local workforce investment board, (d) a community action agency; (e) a State or local housing development agency, (f) an Indian tribe or other agency primarily serving Indians, (g) a community development corporation, (h) a State or local youth service or conservation corps, and (i) any other entity eligible to provide education and employment training under other Federal programs.

With the transfer of the YouthBuild Program from HUD to DOL in FY 2008, ETA's attention focused on providing training for the new YouthBuild grantees on DOL's administrative procedures, regulations, and performance expectations during this transition year. While the agency will continue to work with grantees on these areas, in FY 2009, the Department of Labor will focus on performance outcomes for the YouthBuild Program. In FY 2009, ETA will hold its second YouthBuild grant competition. Under the competition, 90-100 new grants will be awarded to serve approximately 3,200 participants. In addition, since the core components of the YouthBuild program remained the same under the YouthBuild Transfer Act, ETA will continue to emphasize improved academic programming, provision of industry recognized skill training, project based learning that connects education and skill training, collaboration with a broad range of business and community partners, and seamless transitions to post-secondary education and training.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Senior Community Service Employment Program	483,611	521,625	350,000	350,000
Total Budget Authority	483,611	521,625	350,000	350,000

The Senior Community Service Employment Program (SCSEP) program is authorized by Title V of the Older Americans Act. The program offers wage-based community service training opportunities to low-income individuals age 55 and older who want to remain in or re-enter the workforce. Participants must have incomes of no more than 125 percent of the Federal poverty level. Training opportunities are offered at non-profit agencies that serve hospitals, libraries, day care centers, and parks; and prepare individuals to enter or re-enter the workforce. The ultimate goal of the program is unsubsidized employment and economic self-sufficiency.

While the Older Americans Act Amendments of 2006 (P.L. 109-365) reauthorized and made some improvements in this program, the program still suffers from inadequate competition, duplication of other federal programs, and low levels of performance in getting participants into unsubsidized employment. The Department also notes that the Older Americans Act Amendments prohibited competition beyond the current pool of national grantees until 2010.

The FY 2009 President's Budget level of \$350,000,000 will serve approximately 71,795 low-income older workers in part-time work-based community service training opportunities. The increase in the minimum wage will raise the cost per slot in PY 2009 to \$9,642. The additional cost per slot will be offset in part by changes to program sought by the Department in the 2006 Reauthorization that will move participants more quickly into unsubsidized employment, allowing the program to serve more participants with the same number of slots.

In FY 2009, the workforce investment system will play a stronger role in placing job-ready older workers in unsubsidized employment as an alternative to placing them in SCSEP subsidized employment.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Trade Adjustment Assistance	837,600	888,700	958,800	964,800
Total Budget Authority	837,600	888,700	958,800	964,800

The Federal Unemployment Benefits and Allowances (FUBA) account finances the Trade Adjustment Assistance (TAA) and the Alternative Trade Adjustment Assistance (ATAA) programs, which are authorized by Part I, Subchapter B and D, Chapter 2, Title II of the Trade Act of 1974, as amended (19 U.S.C. 2101); and Part II, Subchapter B and D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2101). Programs in the FUBA account are financed through mandatory appropriations. Funding for training is capped in the authorizing legislation at \$220 million annually.

The FY 2009 Budget includes legislation to reauthorize and reform the TAA program. The Department identified four overarching principles to guide the reauthorization of the TAA program to ensure its relevance for the 21st century economy. Trade-affected workers must have: (1) greater flexibility and enhanced access to training, including post-reemployment education and training, and transitional income support; (2) improved access to education and training; (3) access to education and training prior to a trade-impacted layoff; and (4) access to services through a streamlined and efficient workforce investment system – one that is customer focused and does not arbitrarily limit services.

The request represents an increase of \$76,100,000 from the FY 2008 level. The request under current law is \$958,800,000, which provides sufficient funds to continue the TAA for Workers programs through FY 2009 (including issuing certifications for new workers) and cover the phase-out costs of the ATAA demonstration program.

Trade Adjustment Assistance

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
BA in Thousands	837,600	888,700	958,800	964,800
Participants	91,701	98,244	107,068	107,738
FTE	0	0	0	0

The Trade Adjustment Assistance (TAA) program provides assistance to workers who have been adversely affected by international trade. To be eligible for TAA, a group of workers, a company official, a union or other duly authorized representative, or a One-Stop Career Center operator must file a petition with the Department of Labor. In response to the petition, the Department institutes an investigation to determine whether the workers were laid off as a direct result of foreign trade. If the Department determines that the workers meet the statutory criteria, it issues a certification of eligibility for the workers in the group to apply for benefits and services through the One-Stop Career Center system. Once covered by a certification, individual workers apply for benefits and services through the One-Stop Career Center system. Each

benefit and service has specific, individual eligibility criteria that must be met, such as previous work history, unemployment insurance eligibility, and individual skill levels.

The TAA program offers the following services to certified individuals: training, weekly income support, out-of-area job search and relocation allowances, and the Health Coverage Tax Credit (HCTC). Reemployment services, including assessment and placement services, are not provided with TAA funds. These services are often provided as “wrap-around” services to TAA participants who are co-enrolled in the Workforce Investment Act and other partner programs.

Alternative Trade Adjustment Assistance

The Trade Adjustment Assistance Reform Act of 2002 also established a demonstration program of Alternative Trade Adjustment Assistance (ATAA) for older workers. The ATAA program offers a wage supplement and a Health Coverage Tax Credit to workers age 50 years and over within the TAA population. ATAA eases the transition to reemployment by making up part of any earnings losses. ATAA provides a wage supplement that represents up to 50 percent of the difference between a worker’s wages on the pre-layoff job and the post-layoff job, with a maximum of \$10,000 payable over up to two years. The authorization of the Alternative TAA program expires in September 2008.

**STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE
OPERATIONS**

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Unemployment Insurance	2,507,670	2,463,861	2,636,038	2,636,038
National Activities	9,900	9,727	12,893	12,893
State Administration	2,497,770	2,454,134	2,623,145	2,623,145
Employment Service	749,311	735,571	20,026	2,349
Employment Service National Activities	33,428	32,194	20,026	2,349
FLC	13,013	12,518	0	0
TAT/SWA Retirement	2,738	2,308	2,349	2,349
WOTC	17,677	17,368	17,677	0
Grants to State	715,883	703,377	0	0
Workforce Information-Electronic Tools-System Building	63,855	52,059	48,880	16,880
Work Incentive Grants	19,514	14,393	0	0
Total Budget Authority	3,340,350	3,265,884	2,704,944	2,655,267

The State Unemployment Insurance and Employment Service Operations (SUIESO) account provides funding to support the Unemployment Insurance system, including State Administration, Reemployment and Eligibility Assessments, and National Activities. The SUIESO account also funds Employment Service Grants to States; Employment Service National Activities, which includes administration of the Work Opportunity Tax Credit, Technical Assistance and Training (TAT)/State Workforce Agency (SWA) Retirement; Workforce Information-Electronic Tools-System Building; and Work Incentive Grants.

Unemployment Insurance

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
BA in Thousands	2,507,670	2,463,861	2,636,038	2,636,038
Participants	0	0	0	0
FTE	0	0	0	0

The federal-state Unemployment Insurance (UI) program, authorized by Title III of the Social Security Act (SSA), provides temporary, partial wage replacement between jobs to unemployed workers and helps to stabilize the national and local economies in response to layoffs. To be eligible for benefits, unemployed workers must have worked recently, be involuntarily unemployed, and be able to and available for work. UI benefits and administration are funded by Federal and state payroll taxes.

An integral part of the public workforce system, the UI program is the entry point for unemployed workers to One-Stop Career Center services that helps expedite their return to work. Reemployment is essential to maintaining workers' long-term economic security. States administer the UI program directly and are responsible for establishing specific policies and operating methods that conform to Federal law. The states also administer Federal programs for payments to former Federal military and civilian personnel; to claimants who qualify for

extended or special Federal unemployment benefits; to workers certified under the Trade Adjustment Assistance program; and to individuals unemployed due to disasters.

For FY 2009, the request includes \$40,000,000 for Reemployment and Eligibility Assessments (REAs), which were included in the FY 2008 request as a cap adjustment item. REAs are in-person interviews with selected UI claimants to review their adherence to state UI eligibility criteria, develop an individual service plan that the claimant will follow to secure future employment, refer the individual to reemployment services, as appropriate, and provide labor market information which addresses the claimant's specific needs.

The request also includes a legislative proposal (identical to that included in the President's 2008 Budget) addressing UI Integrity and UI Innovation which would give states new tools to reduce improper payments and to collect delinquent benefit overpayments and employer taxes. There will be no discretionary cost associated with this proposal. It would provide new tools and additional resources to reduce overpayments by \$5.0 billion and reduce employer tax evasion by over \$400 million over 10 years. More specifically, it would:

- Permit states to use a small percentage of unemployment compensation (UC) overpayments or delinquent UC taxes collected to augment funding for activities related to deterring, detecting, and collecting overpayments or employer fraud/tax evasion.
- Authorize the U.S. Treasury Department to recover UC overpayments, uncollected state UC taxes, and associated penalties/interest through offset from Federal income tax refunds.
- Require employers to report the first day of earnings for new hires to the National Directory of New Hires to more easily identify individuals who collect UC after returning to work.
- Require states to assess a penalty of not less than 15% on any UC overpayment due to the claimant's fraud and use it to deter, detect, and recover overpayments.
- Give employers an incentive to respond timely and adequately to requests for information about why former employees are unemployed.
- Enable states to follow standard industry practice to pay a debt collection agency that collects UC overpayments due to claimant fraud or delinquent UC taxes.

In addition, ETA proposes the Secretary of Labor be authorized to grant waivers requested by states of certain Federal UC requirements in order for states to run cost-neutral demonstration projects that would accelerate the reemployment of UC claimants or improve the effectiveness of the state in administering its UC program.

State Administration

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	2,497,770	2,454,134	2,623,145	2,623,145
Participants	0	0	0	0
FTE	0	0	0	0

Unemployment Insurance (UI) State Administration funds are awarded to finance the administrative costs of the UI program for eligible workers through Federal and State cooperation; and to administer payment of Trade Adjustment Assistance, Disaster Unemployment Assistance, and Unemployment Compensation for Federal employees and ex-service members. The request is based on the projected number of Average Weekly Insured Unemployment (AWIU) claims, including processing benefit payments for the Trade Act of 1974, as amended. If the projection for UI claims proves to be too low, the budget provides a mechanism to “trigger on” additional funds to finance the unanticipated workload.

UI State Administration includes funding for Reemployment and Eligibility Assessments, which seek to reduce erroneous UI benefit payments, decrease the avoidance of unemployment tax liability, and improve overpayments collections and tax assessments. The funds support in-person interviews of unemployed workers at the One-Stop Career Centers. These interviews are designed to offer services to help workers become employed and determine their continued eligibility to receive weekly UI benefits.

Authorization for this program is the Social Security Act, as amended, 42 U.S.C. 501- 504, 1101-1109; Trade Act of 1974, as amended, Public Law 93-618, 88 Stat . 2024, 19 U.S.C.2311; Federal Unemployment Tax Act , as amended, 26 U.S.C. 3404 note; Federal Employees and Ex-Service Members, 5 U.S.C. 8501 and 8521; Robert T . Stafford Disaster Relief and Emergency Assistance Act, as amended, Public Law 100-707, 88 Stat . 153, 42 U.S.C. 5171.

For FY 2009, the funds requested for UI are sufficient to process 2.790 million Average Weekly Insured Unemployment (AWIU) including processing benefit payments for the Trade Act of 1974, as amended. The request continues the contingency reserve language which provides for additional funds to meet unanticipated workload.

National Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	9,900	9,727	12,893	12,893
Participants	0	0	0	0
FTE	0	0	0	0

Unemployment Insurance National Activities provides funds to support the states collectively in administering their state UI programs. These activities include: (1) assisting states in applying common technology-based solutions to improve the efficiency and performance of their UI operations, (2) supporting the private telecommunications network which links state agencies for interstate and combined wage claims purposes and through which they obtain information

necessary for Federal civilian and military claims processing, (3) financing the purchase of standard hardware and software used by states to report critical economic and other data/reports to the Department electronically, (4) supporting training, and (5) contracting for actuarial support for state trust fund management. These funds are authorized under Title III of the Social Security Act, as amended (42 U.S.C. 502-504).

In FY 2009, funding is requested to convert the existing IT infrastructure that supports the collection and storage of critical data on claims, payments, taxes and other UI activities to a database system which conforms to DOL's database standards. The initial claims data collected through the IT infrastructure and reported weekly are a leading economic indicator closely monitored by economists and a key component of the Composite Index of Leading Economic Indicators. In addition, analysis of these data is an integral component in ETA's responsibility to ensure proper and efficient administration of Federal grants, to measure state performance, and to provide information for monitoring and fiscal management.

Employment Service

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	749,311	735,571	20,026	2,349
Participants	13,016,054	13,025,500	0	0
FTE	0	0	0	0

Authorized by the Wagner-Peyser Act, the Employment Service helps jobseekers to secure employment by providing a variety of job search assistance and information services without charge. Such services can be provided through self-help or are staff-assisted. Employers are also a primary customer of the Employment Service and are provided with access to regional workforce and economic information, job listing services, referral of qualified applicants, support in applicant screening, support for job fairs, tax credits for hiring targeted populations, and customized services. Under the Workforce Investment Act, the public Employment Service has evolved from a nationwide system of state-administered local employment offices to participating as a One-Stop delivery system for educating and employing a prepared workforce.

The FY 2009 budget includes a legislative proposal, in which funds previously appropriated for the Employment Service, together with funds previously appropriated for the Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Programs, be allocated to states as a single funding stream. States would use these funds primarily to provide Career Advancement Accounts to individuals in need of employment assistance. A portion of this funding would also be used by states to provide employment services such as career assessments, workforce information, and job placement assistance. The FY 2009 budget also proposes to end funding for Employment Service state grants.

Employment Service National Activities

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	33,428	32,194	20,026	2,349
Participants	0	0	0	0
FTE	0	0	0	0

The Employment Service National Activities appropriation provides funding to support Technical Assistance and Training (TAT) activities that build the capacity of the workforce investment system to provide critical core services such as career guidance and connecting businesses to the workers they need. These funds also finance unfunded liabilities in those states where independent retirement plans for State Workforce Agency employees were established prior to the introduction of state employee retirement systems. This account also provides funding for the administration of the Work Opportunity Tax Credit. Employment Service National Activities are funded through the State Unemployment Insurance and Employment Service Operations appropriation.

The FY 2009 Budget includes no funding for this account except for state employee retirement systems. The Administration proposes that funds previously appropriated for the Employment Service, together with funds previously appropriated for the Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Programs, be allocated to states as a single funding stream for Career Advancement Accounts and employment services. Also, as part of the President's job training reform proposal, funding for administration of the WOTC program would be moved from the Employment Service National Activity request to the Career Advancement Account line item.

Foreign Labor Certification State Grants

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	13,013	12,518	0	0
FTE	0	0	0	0

ETA administers several foreign labor certification programs. In prior years appropriations authorized from the SUIESO/National Activities account funded state responsibilities for processing temporary labor certification applications under the H-2A agricultural and H-2B non-agricultural worker programs and for providing employers with prevailing wage determinations for the H-1B and Permanent (PERM) programs. Starting in FY 2009 funds for state responsibilities will be appropriated in a new Foreign Labor Certifications account along with funds for Federal Administration (see page 28).

TAT-SWA Retirement

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	2,738	2,308	2,349	2,349
Participants	0	0	0	0
FTE	0	0	0	0

The Employment Service National Activities appropriation provides funding to support Technical Assistance and Training (TAT) activities that build the capacity of the workforce investment system to provide core services such as workforce and economic information and career guidance, and connect businesses to skilled workers. These funds also finance unfunded liabilities in those states where independent retirement plans for State Workforce Agency employees were established prior to the introduction of state employee retirement systems.

WOTC

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	17,677	17,368	17,677	0
Participants	0	0	0	0
FTE	0	0	0	0

State administration of the Work Opportunity Tax Credit (WOTC) has traditionally been funded from this line item. Congress reauthorized the tax credit through August 31, 2011. Under the President's legislative proposal for job training reform, the funding previously requested for the WOTC Program would be consolidated with WIA Adult, WIA Dislocated Worker, WIA Youth, and Employment Service funding and allocated to states as a single funding stream for Career Advancement Accounts and employment services. Governors would draw from this single funding stream as necessary for the administration of the WOTC program.

Employment Service: Grants to States

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	715,883	703,377	0	0
Participants	13,016,054	13,025,500	0	0
FTE	0	0	0	0

Employment Service Grants-to-States funds are allotted to each State Workforce Agency in accordance with the formula set forth in Section 6 of the Wagner-Peyser Act (29 U.S.C. 493). The formula is based on each state's share of the civilian labor force and unemployment. The Secretary of Labor is required to set aside up to three percent of the total available funds to assure that each State Workforce Agency will have sufficient resources to provide staff and other resources necessary to carry out employment service activities and related administrative and support functions on a statewide basis.

Under the current law request, the FY 2009 Budget includes no funds for Employment Service Grants to States. The Administration believes these labor exchange/employment services should

be provided exclusively through the One-Stop Career Center system. This should be the case whether or not the Congress accepts the Administration's consolidation proposal. Given the severe constraints on funding for employment and training programs, we cannot afford to continue funding these duplicative services and programs.

Workforce Information-Electronic Tools-System Building

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>	<u>2009</u> <u>Legislative</u> <u>Proposal</u>
BA in Thousands	63,855	52,059	48,880	16,880
Participants	0	0	0	0
FTE	0	0	0	0

To ensure that America's workers are able to successfully and independently navigate their careers, the Department of Labor has created services, electronic tools (E-tools), and information focused on the high-growth, high-demand jobs of today and the future. E-tools are also available to provide information on industry-defined skills, competencies, and credentials needed to be successful in those jobs, and to help provide the workforce investment system with information resources to work with business and industry to develop workforce solutions that grow local, state, and regional economies. These tools are critical to youth and transitioning adults as they make decisions regarding their workforce preparation and careers and to the workforce and human resource professionals who provide career guidance. This budget item supports investments in information, tools, and infrastructure development for the workforce investment system to achieve its goals. These investments change over time as new technologies and strategies are identified and developed. These activities are authorized under Title I-D of the Workforce Investment Act of 1998 and Section 15 of the Wagner-Peyser Act.

The FY 2009 request for workforce information reflects the legislative proposal to appropriate as a single funding stream to states the amounts previously separately appropriated in this line item for state core data products and services as part of the Career Advancement Account (CAA) appropriation, which combines funding for WIA Adult, Dislocated Worker, and Youth Programs, as well as other Employment Service Programs. Funds appropriated under CAAs will be available to support the development of standardized information across states for purposes of state, local area, and regional economic analysis, talent development, and investment decision-making. They will also support the workforce system's strategic planning and the system's customers, including business, economic developers, educators, and individuals who are planning careers and pursuing skill training.

The FY 2009 request also reflects increased efficiencies due to the use of new technology and collaborative strategies in the development of E-tools and a shift toward greater emphasis on refreshing the data and maintaining the sites over expanded functionality. These efficiencies include expanding the use of Web services as a standardized means to exchange information between Web sites and the implementation of a content management system. The increased use of Web services will allow for a low cost and low maintenance means to widely disseminate E-tools' content to partner organizations and other Federal and state-sponsored Web sites. The content management system will diminish the need to employ information technology staff to make routine content changes and will significantly reduce the development time to make

content updates. E-tools and associated systems for tracking performance and outcomes, as described above, will continue to be funded under this line item in FY 2009.

Work Incentive Grants

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	19,514	14,393	0	0
Participants	11,478	8,541	0	0
FTE	0	0	0	0

The Work Incentive Grants (WIGs) program was established to increase the labor force participation and career advancement of persons with disabilities by effecting systemic change in the One-Stop Career Centers. This program supports the capacity of the One-Stop Career Center system to achieve integrated, seamless, and comprehensive services for people with disabilities, thereby increasing their employment, retention, and earnings. Funds are used for establishing Disability Program Navigators (DPN) in One-Stop Career Centers and improving the centers' physical and programmatic access for customers with disabilities. Key authorizing provisions are included in Sections 121, 134(c), and 189(c)(c) of the Workforce Investment Act (29 U.S.C 2841, 2864 (c), and 2939(c) and the Wagner-Peyser Act (29 U.S.C.49f).

As in FY 2007 and FY 2008, no budget authority is requested for the Work Incentive Grants in FY 2009. Several years of WIGs have successfully demonstrated approaches to improve the accessibility to One-Stop services for job seekers with disabilities. States and localities are now expected to finance these approaches through their base resources or other Federal, state, or local funding. ETA is also working closely with states on potential sustainability options and opportunities to incorporate a “navigator” role and disability expertise into their on-going delivery structure using alternative funding. A shift in emphasis toward DPNs has led to the training of One-Stop Career Center staff to more effectively serve people with disabilities. Initial indications from WIA performance data suggest a significant increase in workforce service levels to job seekers with disabilities. ETA fully expects this increase to continue even after this program ends.

FOREIGN LABOR CERTIFICATION

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Program Administration	0	0	59,497	59,497
State Grants	0	0	18,473	18,473
Total Budget Authority	0	0	77,970	77,970
Total FTE	0	0	111	111

ETA determines in accordance with provisions of the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101 et seq, whether there are U.S. workers available to meet the workforce requirements of employers requesting foreign workers prior to employers being approved to hire workers from international labor markets. In addition, and prior to a labor certification being granted ETA also ascertains whether there would be any adverse impact upon similarly employed U.S. workers should the foreign worker be admitted to perform the work noted in the employer filed application.

ETA processes applications from U.S. employers who desire to hire foreign workers to fill critical permanent or temporary vacancies that are going unfilled due to a local shortage of qualified workers. FLC programs include the Permanent Labor Certification Program (PERM), H-1B Specialty (Professional) Worker Program, H-1B1 Specialty Worker Program, E-3 Specialty Worker Program, H-2A Temporary Agricultural Program, H-2B Temporary Non-agricultural Program, and D-1 Crewmember Program. Funds under this account support Federal program administration, as well as state responsibilities for processing of temporary labor certification applications under the H-2A agricultural and H-2B non-agricultural worker programs and for providing employers with prevailing wage determinations for the H-1B, H-2B and Permanent (PERM) programs.

For FY 2009, the Budget request for the Foreign Labor Certification program activities totals \$90,770,000. This amount includes:

- \$59,497,000 to cover Federal administrative costs;
- \$18,473,000 to support state foreign labor certification activities; and
- \$13,000,000 in anticipated revenues resulting from DOL's portion of the H-1B fees authorized to support processing activities under the H-1B Visa Reform Act.

The 2009 Budget proposes to authorize three cost-based fees to ensure adequate resources are in place for future increases in workloads. The proposals would:

- Authorize the Secretary to retain existing H-2A Temporary Agricultural Program Processing fee revenue to offset the Department's costs in carrying out these certification activities, and subsequently raise the fee to cover program costs.
- Authorizing a fee structure in the H-2B temporary labor certification program to cover the Department's direct costs of administering the H-2B temporary labor certification program.

- Re-proposing a fee on employers for the processing of Permanent Labor Certifications to recover the direct costs to the Department of carrying out permanent foreign labor certification activities.

These fee proposals will ensure the timely processing of foreign labor certifications, contributing to an efficient, functioning national immigration system. In addition, to improve transparency, the 2009 Budget establishes a separate account for these activities, combining funding that was formerly included in SUIESO and Program Administration.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND

	<u>2007</u>	<u>2008</u>	2009 <u>Current Law</u>	2009 <u>Legislative Proposal</u>
Advances to the Unemployment Trust Fund	465,000	437,000	422,000	2,710,000
Total Budget Authority	465,000	437,000	422,000	2,710,000

This appropriation provides general fund advances to several trust and general fund accounts for the purposes authorized under various Federal and state Unemployment Compensation laws whenever the balances in such accounts prove insufficient or whenever reimbursement of an account for expended funds is provided for by law. The accounts are the Extended Unemployment Compensation Account, the Federal Employees Compensation Account and the Federal Unemployment Account, all of which are in the Unemployment Trust Fund; the Black Lung Disability Trust Fund; and the Federal Unemployment Benefits and Allowances general fund appropriation account. The legislative proposal reflects the prepayment premium associated with the Black Lung Disability Trust Fund debt refinancing proposal.

PROGRAM ADMINISTRATION

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
Adult Services	43,442	42,683	48,544	48,544
Trust Funds	7,846	7,709	8,655	8,655
Youth Services	10,776	10,789	12,932	12,932
Workforce Security	6,354	6,243	3,705	3,705
Trust Funds	34,633	34,168	37,023	37,023
Apprenticeship	21,542	21,166	23,130	23,130
Executive Direction	6,967	6,025	7,734	7,734
Trust Funds	2,090	2,053	2,288	2,288
Foreign Labor Certification	0	0	0	0
Trust Funds	37,480	41,487	0	0
Total Budget Authority	171,130	172,323	144,011	144,011
Total FTE	907	898	850	850

The Program Administration (PA) account finances Federal staff for leadership, policy direction, and administration of the following programs authorized by the Workforce Investment Act: Adults, Dislocated Workers, Youth, WIA National Activities, the Indian and Native American Program, and the National Farmworker Jobs Program. This account also finances staff that administer the Unemployment Insurance, Employment Service, Workforce Information, Senior Community Service Employment Program, Work Opportunity Tax Credits, Work Incentive Grants, Trade Adjustment Assistance programs, and the National Registered Apprenticeship System (under the authority of the National Apprenticeship Act).

In FY 2009, ETA staff will continue working to raise business awareness of the workforce investment system through the establishment of innovative partnerships and targeted outreach. Joint ventures with related Federal agencies (HHS, DOD, HUD, and DOJ) will improve coordination and enable better linkages between the economic and workforce development systems nation-wide. Staff will develop and implement pilots, demonstrations and research to inform ETA decision-makers and to support continuous improvement of the public workforce investment system. If the Career Advancement Account proposal is enacted by Congress, in FY 2009, ETA staff will focus on implementing the reforms of the workforce investment system included in the proposal and providing assistance to states and local areas as they work to implement the required changes.

Apprenticeship

	<u>2007</u>	<u>2008</u>	2009 Current <u>Law</u>	2009 Legislative <u>Proposal</u>
BA in Thousands	21,542	21,166	23,130	23,130
Participants	291,108	289,945	321,250	321,250
FTE	137	127	135	135

ETA administers the National Apprenticeship Act, which established the foundation for developing and expanding the nation's skilled workforce through apprenticeship programs and establishing standards for safeguarding the welfare of apprentices. The Federal government, in cooperation with the states, is responsible for overseeing the nation's apprenticeship system by:

- Registering apprenticeship programs that meet Federal and state standards;
- Issuing nationally recognized and portable certificates of completion to apprentices;
- Promoting the development and recognition of new programs and occupations;
- Assuring that all programs provide high quality learning; and
- Assuring that all programs produce skilled and competent workers.

The current Federal/state partnership is based on the Secretary of Labor's recognition of State Apprenticeship Agencies as the entities for state registration and /or approval of local apprenticeship programs and agreements for Federal purposes. ETA registers apprentice programs in 23 states, and State Apprenticeship Agencies register apprentice programs in 27 states.

In FY 2009, ETA will continue five major activities designed to modernize registered apprenticeship, including revising the regulatory framework, enhancing integration of the national apprenticeship system and the workforce investment system, expanding apprenticeship into high growth industries, re-engineering data management system, and improving program quality.

B. Employee Benefits Security Administration

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Enforcement and Participant Assistance	126,418	116,590	122,792
Policy and Compliance Assistance	16,885	17,545	18,851
Executive Leadership, Program Oversight and Administration	5,270	5,178	6,228
Total Budget Authority	148,573	139,313	147,871
Total FTE	829	855	867

Note: The FY 2007 enacted amount includes a real transfer of \$7 million from PBGC pursuant to P.L. 110-28.

The Employee Benefits Security Administration (EBSA) protects the integrity of pensions, health, and other employee benefits for more than 150 million people. EBSA was established by the Employee Retirement Income Security Act (ERISA) of 1974 (P.L. 93-406), 29 U.S.C. 1001 et. seq. as amended. ERISA sets uniform minimum standards to ensure that employee benefit plans are established and maintained in a fair and financially sound manner in private industry. Although ERISA does not require any employer to establish a pension plan, it requires those who establish plans to meet certain minimum standards and regularly provide participants with information about the plan.

Included in the EBSA FY 2009 budget request is a program decrease of \$5.5 million to reflect the elimination of an FY 2008 one-time enhancement for the development of the ERISA Filing and Acceptance System (EFAST2); a program increase of \$8.1 million for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161; and a program increase of \$1.9 million and 12 FTE to begin planning and implementing regular, periodic reviews of major service providers thereby better protecting plans and participants serviced by these providers.

Throughout FY 2007, EBSA has been proactive in efforts to enhance pension and health benefit security. EBSA closed over 3200 civil cases and obtained monetary results of approximately \$1.4 billion. Monetary results are a product of investigative, compliance and participant assistance activities. Additionally, EBSA has closed 188 criminal cases that resulted in 115 individuals being indicted and 70 cases being closed with guilty pleas and/or convictions. EBSA reported via the Performance Accountability Report (PAR) that 69 percent of civil cases were closed with corrected fiduciary violations of ERISA and over 67 percent of criminal cases submitted by EBSA have been accepted for prosecution.

EBSA is committed to educating and assisting the 150 million Americans covered by more than 683,000 private retirement plans, 2.5 million health plans, and similar numbers of other welfare benefit plans; as well as plan sponsors and members of the employee benefits community. EBSA promotes voluntary compliance and facilitates self-regulation, working diligently to provide quality assistance to plan participants and beneficiaries. It is the policy of EBSA to provide the highest quality of service to stakeholders and the regulated community. EBSA carries out its mission by: (1) deterring and correcting violations of ERISA; (2) helping plan officials understand and comply with the legal requirements of ERISA; (3) educating workers on their

benefit rights; and (4) developing policies that encourage the growth of employment-based benefits.

Strong enforcement and participant assistance, combined with a solid commitment to encourage and facilitate compliance with the law, will continue to be the hallmarks of our Agency. An important part of our program is to provide compliance assistance to plan sponsors, plan administrators, plan trustees, and service providers to plans. The result is better protection of health and retirement benefits for America's workers, retirees, and their families. EBSA will continue to be vigilant in protecting workers from abusive practices and will ensure plan sponsors, employers and unions, pay attention to their obligations under ERISA.

C. Pension Benefit Guaranty Corporation

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Pension Insurance	80,357	74,884	68,548
Pension Plan Termination and Benefits			
Administration	196,567	218,553	240,406
Operational Support	128,466	133,210	135,768
Single Employer Program Benefit Payments	4,797,000	4,500,000	4,818,000
Multi-Employer Program Financial Assistance	93,000	106,000	100,000
Total Budget Authority	5,295,390	5,032,647	5,362,722
Total FTE	870	870	870

The Pension Benefit Guaranty Corporation (PBGC) was created by the Employee Retirement Income Security Act (ERISA) which established the PBGC as a federal corporation. Currently, the PBGC protects the pensions of over 44 million workers and retirees in more than 38,900 private defined benefit pension plans, including some 33.8 million people covered by nearly 29,000 single-employer plans and 10 million people covered by approximately 1,530 multiemployer plans. These pension plans provide a specified monthly benefit at retirement, usually based on a salary or a stated dollar amount and years of service. PBGC guarantees benefits subject to the limits specified in ERISA. PBGC operates under the guidance of its Board of Directors, which consists of the Secretaries of Labor (Chair), Commerce, and the Treasury.

PBGC's mission is to protect participants' pension benefits and support a viable retirement plan system. PBGC receives no funds from general tax revenues. Its operations are financed by:

- Insurance premiums set by the Congress and paid by sponsors of defined benefit plans,
- Investment income,
- Assets from pension plans trusteeed by the PBGC, and
- Recoveries from companies formerly responsible for the plans.

The Pension Protection Act of 2006 (PPA) comprehensively reformed and updated the original pension legislation provided in ERISA. Although the PPA made significant improvements to the defined benefit pension system, at the end of FY 2007 PBGC's deficit stood at \$14.1 billion. The 2009 Budget calls on Congress to pass legislation that reflects the President's proposals to restore solvency to the PBGC and eliminate underfunding of the defined benefit pension system.

D. Employment Standards Administration

Overview

The Employment Standards Administration (ESA) administers and enforces laws that protect the basic rights of workers, including minimum wage and hour standards, workers' compensation programs, equal employment opportunity, and affirmative action programs for Federal contract employees, as well as laws that protect worker's rights as union members. ESA was created in 1971 as the Workplace Standards Administration and renamed in 1972.

The four accounts within ESA's appropriation are:

- **Salaries and Expenses (S&E):** Supports the cost of administering relevant statutes;
- **Special Benefits:** Finances payments to Federal civilians and Longshore and Harbor Workers and their dependents for work-related injuries and illnesses;
- **Special Benefits for Disabled Coal Miners:** Finances income maintenance to miners suffering from Black Lung disease and eligible survivors for claims filed under Part B of the Black Lung Benefits Act between December 30, 1969, and June 30, 1973; and
- **Energy Employees Occupational Illness Compensation Program (EEOICP):** Part B and Part E provide compensation to Department of Energy (DOE) employees and their survivors, as well as contractors, for illness or death stemming from work in the (DOE) nuclear weapons complex.

Within the discretionary S&E appropriation, the:

- **Wage and Hour Division (WHD)** promotes compliance with labor standards, including the minimum wage, overtime, and child labor provisions of the Fair Labor Standards Act;
- **Office of Workers' Compensation Programs (OWCP)** provides compensation, medical treatment and vocational rehabilitation benefits to certain workers who experience work-related injury or occupational disease;
- **Office of Labor-Management Standards (OLMS)** enforces democracy, transparency and financial integrity in labor organizations;
- **Office of Federal Contract Compliance Programs (OFCCP)** promotes compliance with equal employment and non-discrimination among Federal contractors; and
- **Program Direction and Support (PDS)** leads, directs, and supports this multifaceted organization.

Through OWCP, ESA administers the mandatory:

- **Black Lung Disability Trust Fund (BLDTF)**, which was established under the Black Lung Benefits Reform Act of 1977 to provide for payment of benefits (income maintenance and medical payments to miners suffering from Black Lung disease and eligible survivors), administrative expenses, and interest on repayable advances.

- **Special Fund for the Federal Employees' Compensation Act (FECA)**, which provides for payment of benefits to Federal civilian employees of the United States who are disabled as a result of injury or illness sustained in the performance of duty, and to the dependents in case of death resulting from such injury or illness. Under legislative amendments to extensions of FECA, benefits are also paid to certain groups such as War Hazards, non-Federal law enforcement officers, Job Corps enrollees, and certain Federally-supported volunteers.

ESA also administers the Panama Canal Commission (PCC) Compensation Fund. The PCC Compensation Fund was established to provide for the accumulation of funds to meet the Commission's future FECA workers' compensation cost obligations. The PCC was dissolved on December 31, 1999, under the Panama Canal Treaty of 1977; however, PCC's liability for workers' compensation payments extended beyond the Commission's termination date. The PCC Compensation Fund was set up to continue payments until all beneficiaries are deceased or no longer eligible. This Fund was established in conjunction with the transfer of the administration of the FECA program from the Commission to the Department of Labor (DOL), ESA, effective January 1, 1989.

SALARIES AND EXPENSES

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Enforcement of Wage and Hour Standards	170,220	175,658	193,092
Federal Contractor and EEO Standards			
Enforcement	82,442	81,001	89,013
Federal Programs for Workers Compensation	100,889	100,086	108,031
Trust Funds	2,042	2,022	2,179
Division of Federal Employees' Compensation	90,137	89,449	96,153
Division of Longshore Harbor Workers' Compensation	10,752	10,637	11,878
Office of Labor and-Management Standards	47,753	44,938	58,256
Program Direction and Support	17,526	17,220	18,089
Subtotal Salaries and Expenses	420,872	420,925	468,660
Salaries and Expenses, Federal Programs for Workers Compensation, BLDTF (Mandatory)	33,171	32,365	31,915
Salaries and Expenses, Program Direction and Support, BLDTF (Mandatory)	407	396	393
Total Budget Authority	454,450	453,686	500,968
Total FTE	3,255	3,229	3,380

Enforcement of Wage and Hour Standards

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	170,220	175,658	193,092
FTE	1,216	1,208	1,283

WHD was created with the enactment of the Fair Labor Standards Act (FLSA) of 1938. The Division is responsible for the administration and enforcement of a wide range of laws, which collectively cover virtually all private and State and local government employment - over 135 million workers in more than 7.3 million establishments throughout the United States and its territories. WHD is comprised of a nationwide staff of investigators, supervisors, and technical and clerical employees responsible for enforcing the FLSA, Walsh-Healy Public Contracts Act, Contract Work Hours and Safety Standards Act, Davis-Bacon Act, Migrant and Seasonal Agricultural Worker Protection Act, McNamara-O'Hara Service Contract Act, Immigration and Nationality Act, Employee Polygraph Protection Act, and Family and Medical Leave Act.

The FY 2009 budget includes a program increase of \$5.1 million to finance 75 FTE. The additional staff will enable the program to conduct more targeted investigations, provide additional compliance assistance, and ensure that cases effectively maximize compliance on behalf of the greatest number of workers. Also included in the request is an increase of \$6.7 million for the restoration of FY 2008 program increases and other inflationary adjustments not provided under P.L. 110-161.

WHD prioritizes its enforcement in three major areas: (1) ensuring greater compliance in low-wage industries that employ vulnerable workers (including young and immigrant workers); (2) reducing the likelihood for employers to repeat volatile practices, and; (3) strategically utilizing the investigation of complaints to increase labor protections for the greatest number of workers. During FY 2007, WHD employed 734 investigators who completed more than 30,400

compliance actions and 1,700 compliance assistance events. As a result of these actions, WHD collected more than \$220.6 million dollars in back wages for more than 341,000 workers nationwide, including more than \$3 million for more than 6,000 workers in the Gulf Coast region on cases concluded in FY 2007.

Federal Contractor and EEO Standards Enforcement

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	82,442	81,001	89,013
FTE	587	585	585

OFCCP has the responsibility of ensuring that employers doing business with the Federal Government comply with the equal employment opportunity (EEO) and affirmative action provisions of their contracts. OFCCP administers and enforces three EEO programs: Executive Order 11246; Section 503 of the Rehabilitation Act of 1973; and the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974.

For FY 2009, OFCCP is requesting a total of \$89,013,000. This request includes a program increase of \$2.0 million for the design of a new case management system, the Federal Contractor Compliance System (FCCS). The program increase will allow the program to continue funding of the data integrity team, as part of the Contracts First project, and enable OFCCP to fill critical managerial and investigatory personnel vacancies to ensure effective enforcement. Additionally, the FY 2009 request includes \$3.2 million for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

OFCCP carries out its responsibilities by: (1) offering technical assistance to Federal contractors and subcontractors to help them understand the regulatory requirements and review process; (2) conducting compliance evaluations and complaint investigations of Federal contractor and subcontractor personnel policies and procedures; (3) obtaining Conciliation Agreements from contractors and subcontractors who are in violation of regulatory requirements; (4) monitoring contractors and subcontractors progress in fulfilling the terms of their agreements through periodic compliance reports; (5) forming linkage agreements between contractors and Labor Department job training programs to help employers identify and recruit qualified workers and recommend enforcement actions to the Solicitor of Labor.

In FY 2007, OFCCP recovered \$51,680,950 for 22,251 American workers who had been subjected to unlawful employment discrimination.

Federal Programs for Workers' Compensation

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	136,102	134,473	142,125
FTE	1,044	1,026	1,050

OWCP administers workers' compensation programs which mitigate hardship imposed by work-related injuries or disease through the provision of wage replacement and cash benefits, medical treatment, vocational rehabilitation, and other benefits to certain workers or their dependents or survivors. Claims are administered under the Federal Employees' Compensation Act, which was established in 1916. In addition, OWCP administers benefit programs authorized by the Longshore and Harbor Workers' Compensation Act of 1927 and the Black Lung Benefits Reform Act of 1977.

Division of Federal Employees Compensation

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	90,137	89,449	96,153
FTE	768	745	768

OWCP's Division of Federal Employees' Compensation (DFEC) program provides income and medical benefits to civilian employees of the Federal government injured at work and to certain other designated groups. Not all benefits are paid by the program, since the first 45 days of disability are usually covered by keeping injured workers in pay status with their employing agencies (the continuation-of-pay period). Approximately 134,000 injured Federal workers or their survivors filed claims in FY 2007 and over 51,000 received long-term wage replacement benefits for job-related injuries, diseases, or deaths. Most of the costs are charged back to the beneficiaries' employing agencies.

For FY 2009, the DFEC is requesting a total of \$96,153,000. The request includes a program increase of \$3.9 million for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

DFEC has traditionally carried out its mission through the efficient, timely, and accurate provision of payments. That performance has evolved in the past two decades to addressing the full impact of injuries on workers that extends beyond maintenance of income and coverage for medical bills. DFEC's larger benefit delivery mission now extends to disability management (DM) to improve the likelihood of the individual's recovery and return to duty. The keystone DM strategy is FECA's Quality Case Management (QCM), a proactive program of using nurses to coordinate with providers to obtain appropriate medical treatment for newly injured workers and work with employers to facilitate a safe return to work. Early disability management outcomes are expressed as reductions in lost production days and increases in returns-to-work.

In FY 2007, with more effective case management, OWCP reduced average lost production days in new FECA cases by five percent to 148 days and increased the number of cases returned to work with nurse assistance by nearly one-third to over 8,000. A directed review of FECA long-term cases saved \$17 million in compensation benefits, and cost containment measures kept average FECA medical treatment costs below national trends. Customer services goals were

exceeded as OWCP improved responsiveness to FECA telephone callers. Average processing time for Longshore disputed cases was reduced to 230 days, and the average time to reach initial decisions in Black Lung claims was reduced to 224 days.

Division of Longshore and Harbor Workers Compensation

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	12,794	12,659	14,057
FTE	94	97	104

The Longshore and Harbor Workers' Compensation Act, as amended, provides protection to approximately 500,000 workers for injuries or occupational diseases occurring during the course of covered employment. These benefits are paid directly by an authorized self-insured employer; or through an authorized insurance carrier; or, in particular circumstances, by a Special Fund administered by the Division of Longshore and Harbor Workers' Compensation (DLHWC).

For FY 2009, the DLHWC is requesting a total \$14,057,000. Included in this request is a program increase of \$500 thousand and 5 FTE for the Defense Base Act program claims examining, program analysis, and program coordination. The request also includes \$556 thousand for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

Longshore also administers injury and occupational disease coverage for non-maritime employees under several extensions of the Act. These include the District of Columbia Workmen's Compensation Act (enacted in 1928 and repealed effective July 26, 1982); the Defense Base Act (1941); the Non-appropriated Fund Instrumentalities Act (1952); and the Outer Continental Shelf Lands Act (1953).

The Division currently receives 30,000 new lost time injury claims per year. Annual assessments are collected from Longshore employers or their insurance carriers for the Special Fund, which provides benefits directly for certain classes of benefits and beneficiaries. Benefits include medical and vocational rehabilitation benefits, and bi-weekly recurring benefit payments to over 6,700 beneficiaries. Annually, 560 companies are evaluated and authorized to participate in the Fund. Financed by assessments, the Fund maintains over \$2 billion in securities to ensure the continuing provision of benefits for covered workers in case of employer/carrier insolvency.

Division of Coal Mine Workers Compensation

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	33,171	32,365	31,915
FTE	182	184	178

The Black Lung Benefits Act authorizes monetary and medical benefits to former coal mine workers who are totally disabled by occupational pneumoconiosis and their dependent survivors.

Historically, the Black Lung Benefits Act was administered by the Social Security Administration (Part B) and the Department of Labor (Part C). In FY 2002, Congress passed legislation permanently transferring responsibility for Part B to the Department of Labor. Effective October 1, 2003, all components of program administration of the Black Lung Benefits Act were combined, resulting in fiscal and operational efficiencies and improved service delivery. ESA's Division of Coal Mine Workers' Compensation (DCMWC) has responsibility for the entire Act. This account is related to Part B of the Act, which pertains to Black Lung claims filed on or before December 31, 1973.

The program provides two types of medical services related to black lung disease: (1) diagnostic testing to determine the presence or absence of black lung disease and the degree of associated disability; and, (2) for miners entitled to monthly benefits, medical coverage for treatment of black lung disease and disability. Also provided, with specific approval, are items of durable medical equipment, such as hospital beds, home oxygen, and nebulizers; outpatient pulmonary rehabilitation therapy; and home nursing visits. Present and former coal miners and their surviving dependents may file claims. In FY 2007, nearly 40,000 beneficiaries received payments and more than 4,900 claims were received.

Office of Labor and Management Standards

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	47,753	44,938	58,256
FTE	321	317	369

OLMS is responsible for administering and enforcing most provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA) (P.L. 86-257), 29 U.S.C. 7101. The LMRDA ensures basic standards of democracy and fiscal responsibility in labor organizations representing employees in private industry. OLMS does not have jurisdiction over unions representing solely state, county, or municipal employees. OLMS also administers provisions of the Civil Service Reform Act of 1978, (P.L. 95-454), 5 U.S.C. 7101, the Urban Mass Transportation act of 1964 as amended (P.L. 88-365), (P.L. 102-240) 1601 et seq. and the Rail Passenger Service Act of 1970 as amended (P.L. 91-518), 45 U.S.C. 501 et seq.

For FY 2009, OLMS is requesting a total of \$58,256,000. This request includes \$12.0 million for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

In carrying out its LMRDA responsibilities, OLMS performs four types of activities: public disclosure of reports; union audits; investigations; and education and compliance assistance. In

FY 2007, OLMS conducted 782 union audits, 3,627 civil and criminal investigations, supervised 26 union officer election reruns, and conducted compliance assistance seminars for union officials to administer and enforce the LMRDA.

Program Direction and Support

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	17,933	17,616	18,482
FTE	87	93	93

The Program Direction and Support (PDS) activity supports ESA's operating programs and ensures effective management by providing planning, personnel management, financial management, Federal/state liaison programs, management systems implementation, and data processing. PDS is also responsible for ESA's security and emergency management planning, strategic planning, performance reporting, legislative and regulatory analysis, employee safety and health, labor relations, equal employment opportunity enforcement, and general support services to all ESA program components.

For FY 2009, PDS is requesting a total of \$18,482,000. This request includes \$415 thousand for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

SPECIAL BENEFITS

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
FECA Fair Share	51,034	52,280	52,720
Compensation Benefits	2,605,866	2,684,420	2,679,080
Total Budget Authority	2,656,900	2,736,700	2,731,800
Total FTE	125	127	127

Note: Compensation Benefits is not appropriated funding.

The Special Benefits fund is comprised of two accounts representing obligations for benefits under the Federal Employees' Compensation Act (FECA), and the Longshore and Harbor Workers' Compensation Act (Longshore). The FECA program provides workers' compensation coverage to three million Federal and Postal workers around the world for employment-related injuries and occupational diseases. Benefits include wage replacement, payment for medical care, and where necessary, medical and vocational rehabilitation assistance in returning to work. The program has 12 district offices nationwide.

In FY 2007, 134,436 new FECA cases were created. The program provided 253,000 workers and survivors approximately \$2.5 billion in benefits for work-related injuries or illnesses.

The 2009 Budget re-proposes legislation to update the FECA program's benefit structure, adopt best practices of State workers' compensation system and strengthen return-to-work incentives. On a government-wide basis, these reforms are expected to produce 10-year savings of more than \$377 million.

Fair Share financing provides for operations and maintenance of the Integrated Federal Employees' Compensation System (iFECS); support for the document imaging system; operation of centralized mail intake and centralized bill processing; maintenance of DFEC's telecommunications system; and Periodic Roll Management (PRM) and Medical Bill Review (MBR). These investments are aimed at improving services and better managing the expenditure of compensation funds

BLACK LUNG DISABILITY TRUST FUND

	<u>2007</u>	<u>2008</u>	2009 <u>Request</u>
Benefits Payments and Interest on Advances	\$1,005,465	\$1,009,763	\$1,014,317
ESA, OWCP, Salaries and Expenses	\$33,171	\$32,365	\$31,915
ESA, PDS, Salaries and Expenses	\$407	\$396	\$393
DM, SOL & ADJ, Salaries and Expenses	\$25,255	\$24,785	\$24,694
DM, Inspector General	\$346	\$335	\$325
Treasury	\$356	\$356	\$356
Total , Black Lung Disability Trust Fund	\$1,065,000	\$1,068,000	\$1,072,000

The Black Lung Disability Trust Fund (BLDTF) was established by the Black Lung Benefits Revenue Act of 1977 to assign responsibility for Black Lung benefit payments with the coal industry. The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), enacted April 7, 1986, and effective through December 31, 1995, raised excise tax rates from \$1.00 to \$1.10 per ton on underground-mined coal, and from 50 to 55 cents per ton on surface-mined coal, in either case not to exceed 4.4 percent of the sale price. The legislation also provided for a five-year moratorium on interest payments through September 30, 1990. The Omnibus Budget Reconciliation Act of 1987 extended the current tax structure until 2014; it will then revert to the 1978 levels, or \$0.50 per ton on underground coal, and \$0.25 per ton on surface coal.

The Trust Fund pays all Part C Black Lung benefits, including income maintenance and medical benefits, when no coal mine operator can be held liable for payments. Income maintenance payments are calculated at 37.5 percent of the GS-2, Step 1 salary level, which was \$18,698 in 2007. The Fund also pays all Department of Labor Administration costs in administering Part C of the Black Lung benefits program and the costs incurred by the Department of the Treasury in the collection of the coal excise tax and for managing the Trust Fund.

The BLDTF is facing a growing debt, which the program originally incurred in its early days. This debt stood at \$10 billion at the end of FY 2007. BLDTF revenues – which consist primarily of excise taxes on coal – are insufficient to repay the debt principal or interest on the debt. Under current conditions, this debt will continue to grow, and the BLDTF will never become solvent, even when benefit outlays have declined to a level approaching zero. To solve this problem, the Administration has proposed legislation that will authorize a restructuring of the BLDTF debt, and extend, at current rates, coal excise taxes set to decline in January 2014. Without debt restructuring, the Trust Fund will never achieve solvency and will continue borrowing due to the compounding effect of the interest charges on earlier loans.

Monthly compensation and ongoing medical treatment benefits of \$256 million are paid to an estimated 30,900 recipients under Part C. The program monitors cash and medical treatment benefits disbursed by coal mine operators in the private sector to approximately 4,300 additional recipients under Part C; and processes an estimated 4,700 incoming claims.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Benefits Amount in FY 2009 Budget Request	\$224,000	\$203,000	\$183,000
Advance Appropriation for Benefits Requested in Prior Year	\$74,000	\$68,000	\$62,000
Total Benefits Amount for Budget Year	\$298,000	\$271,000	\$245,000
Advance Appropriation for Benefits Requested for Next Fiscal Year	\$68,000	\$62,000	\$56,000
Administration	\$5,373	\$5,221	\$5,130
Total Request, Special Benefits for Disabled Coal Miners a/	\$303,373	\$276,221	\$250,130
Total FTE	17	17	17

a/ Includes the Advance Appropriation from the Prior Year and excludes Advance Appropriations requested for the next Fiscal Year.

The Black Lung Benefits Act Part B authorizes monetary benefits to former coal mine workers who are totally disabled by occupational pneumoconiosis and their dependent survivors. Part B of the Act, which pertains to Black Lung claims filed on or before December 31, 1973, was administered by the Social Security Administration until 2002 legislation transferred jurisdiction for Part B to the Department of Labor. Each year an Advance Appropriation is requested for the first quarter of the next fiscal year to ensure that Part B benefit payments are delivered timely, even if enactment of the appropriation is delayed.

Approximately \$245 million in compensation benefits is paid to an estimated 27,700 beneficiaries.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request a/</u>
Energy Employees Occupational Illness Compensation Program Part B	102,307	104,745	49,654
Department of Health and Human Services/NIOSH	53,095	55,358	0
Department of Labor	49,212	49,387	49,654
Energy Employees Occupational Illness Compensation Program Part E	56,659	56,885	58,524
Total Budget Authority	158,966	161,630	108,178
Total FTE	508	598	598

a/ The 2009 Budget requests funds for Part B activities carried out by the Department of Health and Human Services (HHS) directly in HHS.

The Energy Employees Occupational Illness Compensation Program provides benefits authorized by the Energy Employees Occupational Illness Compensation Program Act (EEOICPA or Act).

Energy Employees Occupational Illness Compensation Part B

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	102,307	104,745	49,654
FTE	299	305	305

Part B provides benefits to covered employees or survivors of employees of the Department of Energy (DOE), and private companies under contract with DOE, who have been diagnosed with a radiation-related cancer, beryllium-related disease, or chronic silicosis as a result of their work in producing or testing nuclear weapons and supplements benefits for uranium workers awarded by the Department of Justice (DOJ) under Section 5 of the Radiation Exposure Compensation Act (RECA).

For FY 2009, Energy Employees Occupational Illness Compensation Part B is requesting a total of \$49,654,000, which reflects the Administration's request that funding for HHS/NIOSH activities be appropriated directly to HHS rather than DOL.

The 2009 Budget requests funds for Part B activities carried out by the Department of Health and Human Services (HHS) directly in HHS. The direct appropriation of administrative funding to DOL and HHS will improve transparency and accountability, as each will have sole responsibility for managing and overseeing its own administrative budget.

Energy Employees Occupational Illness Compensation Part E

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	56,659	56,885	58,524
FTE	209	293	293

Part E provides eligible DOE contractor employees Federal benefits based on the level of impairment and/or wage loss if they developed an occupational illness as a result of exposure to toxic substances at a DOE facility. Part E provides payment for RECA benefits awarded by DOJ to uranium workers as defined under Section 5 of the RECA for illnesses due to toxic substance exposure at uranium mines or mills.

EEOICP has received more than 87,000 claims and has made more than 57,300 recommended decisions and 53,200 final decisions in Part B claims since program inception. EEOICP has made payments in over 27,930 Part B claims, totaling more than \$2,244,800,000. Under Part E, EEOICP has received nearly 68,800 claims. DOL has delivered more than \$912,575,400 in Part E benefits to more than 8,030 claimants. In addition, more than \$183,323,000 has been paid in medical benefits under both Parts B and E.

E. Occupational Safety and Health Administration

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Safety and Health Standards	16,892	16,597	17,204
Federal Enforcement	176,973	182,631	194,000
State Programs	91,093	89,502	91,093
Technical Support	22,392	21,681	22,632
Compliance Assistance-Federal	72,659	71,389	76,541
Compliance Assistance-State Consultations	53,357	52,425	54,531
Compliance Assistance-Training Grants	10,116	9,443	0
Safety and Health Statistics	32,274	31,523	34,128
Executive Direction	11,169	10,809	11,545
Total Budget Authority	486,925	486,000	501,674
Total FTE	2,055	2,118	2,165

The Occupational Safety and Health Administration (OSHA) was established by the Occupational Safety and Health Act of 1970 (Public Law 91-596). Since its inception, OSHA has grown to serve more than 135 million workers at 8.9 million worksites.

OSHA's mission is to ensure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. Fulfilling this mission will result in fewer illnesses, injuries, and fatalities that might have occurred otherwise. In response to this mission, OSHA is focusing on three strategies: 1) strong, fair and effective enforcement; 2) outreach, education and compliance assistance; and 3) partnerships and cooperative programs.

Nearly every working man and woman in the nation comes under OSHA's jurisdiction (with some exceptions such as miners, transportation workers, many public employees, and the self-employed). Other users and recipients of OSHA services include: occupational safety and health professionals, the academic community, lawyers, journalists, and personnel of other government entities.

Section 18 of the Occupational Safety and Health Act of 1970 encourages States to develop and operate their own job safety and health programs. OSHA approves and monitors State plans and provides up to 50 percent of an approved plan's operating costs. There are currently 22 States and jurisdictions operating complete State plans (covering both the private sector and State and local government employees) and 4 - Connecticut, New Jersey, New York and the Virgin Islands - which cover public employees only. States with OSHA-approved programs have their own cooperative and voluntary compliance programs.

Occupational injuries, illnesses, and fatalities continue to decline due to OSHA's successful federal and state enforcement programs. Since 2001, the overall occupational injury and illness rate has declined by 19 percent. And since 2001, the worker fatality rate has dropped by 8%. In FY 2007, OSHA conducted 39,324 federal inspections, and 57,380 state inspections.

OSHA also has a strong outreach, education, and compliance assistance program. In FY 2007, OSHA conducted 31,911 consultations with employer, and over 522,000 students were trained

through the OSHA outreach-training programs. OSHA's Strategic Partnership Program included 159 open partnerships, covering more than 4,000 employers and 600,000 employees, and OSHA's Voluntary Protection Programs added 251 new participants in FY 2007.

F. Mine Safety and Health Administration

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Coal Mine Safety and Health	120,395	154,670	144,982
Metal and Nonmetal Mine Safety and Health	72,506	71,420	82,427
Office of Standards, Regulations, and Variances	2,727	3,180	2,831
Office of Assessments	6,556	6,134	5,948
Educational Policy and Development	35,326	36,605	36,366
Technical Support	29,237	29,476	29,117
Program Evaluation and Information Resources	21,185	15,936	16,514
Program Administration	13,637	16,504	13,876
Total Budget Authority	301,569	333,925	332,061
Total FTE	2,161	2,306	2,361

The Mine Safety and Health Administration (MSHA) protects the safety and health of the nation's miners through enforcement of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act). MSHA's vision is to lead the way to zero accidents and fatalities and to put an end to occupational illness in the mining industry through enforcement of mandatory safety and health standards, mandated and periodic regular inspections, special emphasis programs, compliance and training assistance, and investigations. Mandated inspections require four complete inspections annually at active underground mines and two complete inspections annually at active surface mines. MSHA also provides engineering and scientific expertise to assist in the resolution of safety and health issues. MSHA services more than 2,100 coal mines and 12,700 metal and nonmetal mines.

MSHA develops and promulgates mandatory safety and health standards and regulations for the mining industry to ensure the best protection for the health and safety of all miners. MSHA also assesses civil monetary penalties for violations, and collects and accounts for all penalties paid. In FY 2007, MSHA assessed a total of \$57 million in civil penalties for over 130,000 citations and withdrawal orders.

MSHA develops and coordinates MSHA's mine safety and health education and training activities to the mining industry throughout the country, and provides classroom instruction at the National Mine Health and Safety Academy (Academy). In 2007, MSHA conducted 1,525 course days of training at the Academy. MSHA administers a State Grants Program, which provides funds to assist 49 states, the Navajo Nation, and Puerto Rico. In 2007, MSHA provided over \$8 million in health and safety training grants.

While MSHA's funding level is flat, approximately \$11 million in costs will no longer be present in 2009, as the coal inspectors that have been hired over the past two years are trained and deployed. This will allow MSHA to reallocate funding to increase support for metal and nonmetal enforcement activity, as well as provide for increases in salaries, benefits, and rent. MSHA remains dedicated and focused on its core mission to ensure the safety and health of America's miners.

G. Bureau of Labor Statistics

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Labor Force Statistics a/	170,272	167,542	183,906
Trust Funds	77,067	75,721	78,264
Prices and Cost of Living	177,847	177,986	198,464
Compensation and Working Conditions	81,658	82,251	86,281
Productivity and Technology	11,063	10,870	11,706
Executive Direction and Staff Services	30,766	30,431	34,185
Total Budget Authority	548,673	544,801	592,806
Total FTE	2,386	2,283	2,388

a/ The 2009 BLS budget request includes a \$550 thousand comparative transfer from the Office of Disability Employment Policy to the BLS. For comparability purposes, this is reflected in the 2007 Comparable and 2008 Estimate levels as well.

The Bureau of Labor Statistics (BLS) produces some of the Nation's most sensitive and important economic data. The BLS is an independent national statistical agency that collects, processes, analyzes, and disseminates essential statistical data to the American public, the U.S. Congress, other Federal agencies, State and local governments, business, and labor. It provides statistics that support the formulation of economic and social policy, decisions in the business and labor communities, legislative and other programs affecting labor, and research on labor market issues. These policies and decisions affect virtually all Americans.

An Act of June 27, 1884, that established the BLS states, "The general design and duties of the Bureau of Labor Statistics shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to the capital, the hours of labor, social, intellectual, and moral prosperity."

The BLS comprises five activities, encompassing 21 economic programs:

Labor Force Statistics

The Labor Force Statistics programs provide comprehensive and timely information on the labor force, employment, unemployment, and related labor market characteristics at the national level; industrial and occupational employment at the State and local levels; and labor force and unemployment at State and local levels. In addition, these programs develop projections of the labor force, economic growth, industrial output, and employment by industry and occupation for 10 years into the future for the Nation as a whole.

The Labor Force Statistics programs are authorized by an Act dated July 7, 1930, which provides that the BLS shall prepare "...full and complete statistics of the volume of and changes in employment..." (29 U.S.C. 1 and 2). Programs in this area help fulfill many requirements of the Workforce Investment Act (WIA) of 1998, including requirements that the Secretary of Labor "...oversee the development, maintenance, and continuous improvement of a nationwide employment statistics system..." as well as the development and maintenance of national projections of employment opportunities by occupation and industry. This Act requires the

development of information on the outlook for jobs and research to improve the methods of projecting future labor demand and supply relationships.

In 2009, the BLS request includes an initiative to fund the rising costs of the Current Population Survey (CPS) resulting from changes in the survey environment, such as more stringent measures to protect respondent confidentiality. The requested resources will allow the CPS to continue to provide high quality information on the national labor market. Without funding, the BLS would be forced to curtail the CPS sample by about 15,000 households, or approximately one-quarter of the sample, which would increase the variance on the estimates by about 11 percent. However, in order to offset part of the funding increase for the CPS initiative, the BLS will eliminate its American Time Use Survey, which provides data on the full range of how Americans spend their time in nonmarket activities. In addition, in 2009, similar to past arrangements, the Mass Layoff Statistics program will be partially funded by the ETA National Reserve account through a reimbursable agreement. The 2009 request also restores funds for staff and other inflationary costs that were not provided under the Consolidated Appropriations Act level in FY 2008.

Prices and Cost of Living

The Prices and Cost of Living programs publish the Consumer Price Index (CPI), the Producer Price Index, and the U.S. Import and Export Price Indexes. This budget activity provides CPI data for many geographic areas within the United States, and estimates of consumers' incomes and expenditures that are used in analysis of price behavior and consumer spending patterns. The BLS also provides these data for interpretation of price movements in relation to other major economic changes, and the formulation and evaluation of economic policy.

In addition to meeting general statutory responsibilities assigned to the BLS (29 U.S.C. 1 and 2), data produced by the price programs are used by the Social Security Administration to adjust payments to beneficiaries, the Department of Health and Human Services to update Medicare services and payments, the Internal Revenue Service and State tax offices to adjust tax brackets and personal exemption amounts, and the Bureau of Economic Analysis as a principal input to the Gross Domestic Product, among other uses.

The 2009 request again includes a program increase to continuously update the housing and geographic area samples in the CPI, which will improve the accuracy and timeliness of the CPI. The CPI is the Nation's most widely used measure of price change for the consumer sector and, because it is used to adjust payments to Social Security recipients, has a significant impact on the finances of the Federal Government. The 2009 request also restores funds for staff and other inflationary costs that were not provided under the Consolidated Appropriations Act level in FY 2008.

Compensation and Working Conditions

The Compensation and Working Conditions programs publish data on employee compensation, including information on wages, salaries, and employer-provided benefits, by occupation for major labor market areas and industries. The programs also publish information on work stoppages. In addition, the BLS compiles annual information on the incidence and number of work-related injuries, illnesses, and fatalities.

In addition to meeting general statutory requirements assigned to the BLS (29 U.S.C. 1, 2, and 4), programs in the compensation levels and trends category are designed to meet specific legal requirements, including the requirements of the Federal Employees Pay Comparability Act of 1990 (FEPCA) [5 U.S.C. 5301-5304]. The Occupational Safety and Health Act of 1970 (29 U.S.C. 673) requires the Secretary of Labor (who, in turn, authorizes the BLS) to compile statistics and to "promote, encourage, or directly engage in programs of studies, information, and communication concerning occupational safety and health statistics."

In order to partially fund inflationary cost increases for FY 2009 for its other core programs, the BLS will reduce the Locality Pay Surveys (LPS) component of the National Compensation Survey (NCS), thereby reducing the level of detail in LPS publications. The NCS sample reduction, approximately nine percent, will impact all three NCS program outputs: the Employment Cost Index, the Employee Benefits Survey, and the LPS. The 2009 request also restores funds for staff and other inflationary costs that were not provided under the Consolidated Appropriations Act level in FY 2008.

Productivity and Technology

The Productivity and Technology programs measure productivity trends for major sectors of the economy and individual industries, and analyze trends in order to examine the factors underlying changes in productivity. The programs also develop international comparisons of productivity, hourly compensation, unit labor costs, and employment and unemployment.

The productivity measurement programs are authorized by an act dated June 7, 1940 (29 U.S.C. 2b), which directs that the BLS "make continuing studies of productivity and labor costs in manufacturing, mining, transportation, distribution, and other industries."

The 2009 request restores funds for staff and other inflationary costs that were not provided under the Consolidated Appropriations Act level in FY 2008.

Executive Direction and Staff Services

The Executive Direction program provides agency-wide policy and management direction, including all centralized support services in the administrative, publications, information technology, and statistical methods research areas.

The 2009 request restores funds for staff and other inflationary costs that were not provided under the Consolidated Appropriations Act level in FY 2008.

H. Departmental Management

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Program Direction and Support	27,871	22,831	29,714
Legal Services	85,488	86,942	100,532
International Labor Services	72,516	81,074	14,822
Administration and Management	32,865	32,291	34,370
Adjudication	27,855	27,056	30,064
Women's Bureau	9,666	9,660	10,237
Civil Rights	6,445	6,332	7,038
Chief Financial Officer	5,336	5,243	5,775
Information Technology Systems	29,462	19,651	29,846
Management Crosscut Activities	1,108	491	758
Subtotal Departmental Management	298,920	291,874	263,483
Departmental Management, Legal Services, BLDTF (Mandatory)	7,747	7,655	7,384
Departmental Management, Adjudication, BLDTF (Mandatory)	17,508	17,130	17,310
Total Budget Authority	324,175	316,659	288,177
Total FTE	1,283	1,237	1,361

The Act to Establish the Bureau of Labor, 1884, was amended by the Act of 1913 to establish the Department of Labor (29 U.S.C. 1); this act also authorizes Departmental Management (DM) functions. The DM Salaries and Expenses (S&E) appropriation is responsible for formulating and overseeing the implementation of Departmental policy and management activities. DM is composed of eleven budget activities.

Program Direction and Support

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	27,871	22,831	29,714
FTE	152	140	150

PDS includes the Office of the Secretary and its associated offices, such as the Office of the Assistant Secretary for Policy and the Office of Congressional and Intergovernmental Affairs. PDS oversees a program of analysis and general research on issues affecting the American workforce and evaluates the effectiveness of Departmental programs.

In FY 2009, PDS request restores \$5.8 million of reductions included in P.L. 110-161.

Legal Services

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	93,543	94,900	108,243
FTE	575	588	643

The Act of March 4, 1913 provided that there should be a Solicitor for the Department of Labor in the Department of Justice. Subsequently, the Solicitor for the Department of Labor was transferred from the Department of Justice by Executive Order No. 6166, dated June 10, 1933.

The mission of the Office of the Solicitor (SOL) is to “meet the legal service demands of the entire Department of Labor, including providing the legal support necessary to enable the Secretary of Labor to accomplish her goals.” SOL, which itself conducts much of the litigation to enforce the nation’s labor and employment laws, supports all of the Department’s Strategic Goals by undertaking litigation to carry out the Secretary’s priority enforcement initiatives; defending the actions taken by the Secretary and the program agencies of the Department; providing technical comments and legal review of legislation, regulations Executive Orders, and other matters affecting Departmental programs; and providing legal advice to the Secretary, Departmental and agency officials.

In FY 2009, the request for the Office of the Solicitor includes a total program increase of \$10.1 million. Of this, \$8.3 million is for the restoration of funds for inflationary increases not provided under P.L. 110-161; \$1.4 million for additional staff related to the work of the Employment Standards Administration, Mine Safety and Health Administration, and in the Employee Benefits Security Administration and a program decrease of \$.3 million in the Black Lung Disability Trust Fund to reflect decreased workload.

International Labor Affairs

	<u>2007</u>	<u>2008</u>	<u>2009 Request</u>
BA in Thousands	72,516	81,074	14,822
FTE	83	81	58

The International Labor Affairs Bureau (ILAB) supports the President’s foreign policy agenda in the areas: (1) international trade and labor, including mandates related to multilateral and bilateral trade agreements; (2) international child labor and forced labor, including reporting and program mandates; and (3) and representation in international organizations, including mandated representation before the International Labor Organization (ILO) and the labor components of other international bodies. ILAB was established by General Order No. 33, dated October 10, 1947, and the Bureau’s activities are authorized through the Trade Act of 1974; the North American Free Trade Agreement Implementation Act of 1993; the Trade Act of 2000, Trade Act of 2002; Executive Orders 11846, 13277 and 13126; Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005; and Secretary’s Order 18-2006.

ILAB works with other federal agencies to promote democracy and a more free and open global economy. As part of its goal of promoting democracy and free markets around the world, the Administration supports efforts to increase adherence to core international labor standards, including the elimination of child labor, forced labor and human trafficking. ILAB has played a major role in support of this effort through its reporting, its representation of U.S. interests before international organizations, its advance of labor-related priorities of the President’s free trade agenda and its technical assistance with United States Government International agencies.

The 2009 Budget returns ILAB to its original mission of research, advocacy, and technical assistance by eliminating its directly appropriated grant making activities. Between 1996 and 2001, ILAB’s funding rose by 1,500 percent, when the agency embarked on an expansive grant-making mission to combat international child labor, develop and disseminate AIDS prevention information in the international workplace, support core labor standards development, and

provide bilateral technical assistance. Foreign assistance is more appropriately financed and managed through State, USAID, and other international agencies.

The Budget also eliminates the \$40 million earmark that was included in the 2008 Omnibus for the International Labor Organization, which receives funding from other federal agencies. In FY 2009, ILAB will continue to focus on administering over \$280 million in projects that were launched in previous years. ILAB's budget also includes \$1.5 million to child and forced labor-related activities authorized under the Trafficking Victims Protection Reauthorization Act.

Administration and Management

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	32,865	32,291	34,370
FTE	111	111	111

OASAM develops Departmental policy, administrative programs, systems, and procedures in the areas of information resources; budget formulation and resource analysis; performance planning; procurement; human resources; equal opportunity; safety and health; homeland security and emergency management; and administrative services. OASAM manages the Frances Perkins Building (FPB) headquarters in conjunction with the General Services Administration (GSA), and manages the rental of regional and field office space through the arrangement of GSA leases. OASAM also provides support for all programs in the DOL regions through activities of the Departmental Budget Center (DBC) and Human Resources Center (HRC).

In FY 2007 OASAM includes an increase of \$1.1 million for the restoration of funds for inflationary increases not provided under P.L. 110-161.

Adjudication

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	45,363	44,186	47,374
FTE	256	212	269

Through the Office of Administrative Law Judges, Benefits Review Board, Employees' Compensation Appeals Board, and the Administrative Review Board, the Adjudication activity reviews and determines several thousand appeals each year under workers' compensation and employee protection statutes. Appellants include injured federal and longshore workers, disabled coal industry employees, and whistleblowers under environmental protection laws. Adjudication components make legal interpretations, establish legal precedents, and set standards within jurisdictional areas for the entire nation.

In FY 2009 Adjudication includes an increase of \$2.0 million for the restoration of inflationary increases not provided under P.L. 110-161.

Women's Bureau

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	9,666	9,660	10,237
FTE	52	52	60

The Women's Bureau (WB) was established by Congress in 1920 and continues its responsibility to carry out Public Law 66-259 to "...formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment." The Bureau works to promote an environment that is responsive to the demands of the 21st Century Workforce by developing and implementing projects addressing issues of importance to working women, providing information about women in the labor force to stakeholders and customers, and advising and assisting in the development of DOL policies and programs.

In FY 2009 WB includes an increase of \$.2 million for the restoration for inflationary costs not provided under P.L. 110-161.

Civil Rights

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	6,445	6,332	7,038
FTE	33	33	42

The CRC ensures compliance with Federal civil rights laws and their implementing regulations, which cover DOL employees and applicants for employment, DOL conducted programs, and programs and activities receiving or benefiting from DOL financial assistance. Core activities of the CRC include: administering DOL's equal employment opportunity (EEO) program consistent with the U.S. Equal Employment Opportunity Commission's (EEOC) directives; overseeing the implementation of DOL employee rights policies; investigating complaints alleging discrimination on the basis of disability in DOL conducted programs and activities; providing compliance assistance to DOL employees on their responsibilities under applicable equal employment opportunity laws and regulations; conducting equal opportunity compliance reviews of DOL financial assistance recipients; investigating discrimination complaints filed against DOL financial assistance recipients as well as certain complaints alleging discrimination on the basis of disability by State and local governments; and providing equal opportunity compliance assistance and training to DOL financial assistance recipients.

In FY 2009 Civil Rights Center includes an increase of \$.4 million for the restoration of funds for inflationary costs not provided under P.L. 110-161.

Chief Financial Officer

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	5,336	5,243	5,775
FTE	21	20	28

The OCFO oversees all financial management activities relating to the Department's programs and operations. The OCFO was created as a result of the Chief Financial Officers Act of 1990. The OCFO supports the President's Management Agenda through effective stewardship of DOL's financial resources. It is OCFO's mission to foster effective stewardship of public funds, safeguard fiscal integrity through effective internal controls, and provide timely, accurate, and useful financial information to decision makers.

The Department of Labor (DOL) has achieved an unqualified audit opinion on its Annual Financial Statements since 1997. DOL has also received the Association of Government Accountants' Certificate of Excellence and Accountability.

In FY 2009 the Office of the Chief Financial Officer includes an increase of \$.3 million for the restoration of funds for inflationary costs not provided under P.L. 110-161.

Information Technology Systems

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	29,462	19,651	29,846
FTE	0	0	0

The Departmental information technology (IT) crosscut was established in FY 2001 to fund Department-wide technology initiatives. These initiatives include Enterprise-wide Solutions, e-Government, and IT Infrastructure. By unifying its entire IT infrastructure and streamlining processes, DOL will improve organizational performance and customer service through collaboration, communication, effective information management and deployment of IT resources, while reducing and eliminating duplicate and/or redundant IT infrastructure components. The IT crosscut is formulated through a zero based budget process in which each project must annually justify its funding request.

The FY 2009 request includes \$29.8 million for information technology investments. The larger investments include; \$3.0 million for DOL Consolidated Enterprise Architecture Program Mgt., \$1.2 million for Enterprise Services Office (DOL Net Network Transition, \$1.1 million for Departmental e-Budgeting System, \$6.1 million for HR LoB Investments, \$2.1 million for HSPD-12 (Logical and Physical Access Controls), \$2.5 for E-Judication, \$4.0 million for DOL Document Management/Records Management (DM/RM), \$2.3 million for Infrastructure Pool (Logging PII Extracts and Mobile Computing), \$2.3 million for DOL Infrastructure Optimization (formerly UDTI) and \$2.2 million for E-Government (Federal-wide initiatives).

Management Crosscut Activities

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
BA in Thousands	1,108	491	758
FTE	0	0	0

The Departmental Management Crosscut supports Department-wide initiatives that improve management capability. The fund is used to support the President's Management Agenda initiatives and strengthen organizational performance. Like the IT Crosscut, the Management Crosscut is formulated through a zero-based budget process.

In FY 2009 Departmental Management Crosscut includes a program increase of \$.8 million of which \$.3 million is to support Competitive Sourcing and \$.5 million is for the MBA Fellows Program.

I. Office of Job Corps

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
Operations	1,470,357	1,459,408	1,425,325
Construction	107,920	110,947	110,000
Administration	28,578	28,079	29,374
Total Budget Authority	1,606,855	1,598,434	1,564,699
Total FTE	0	188	188

Job Corps is an intensive education and vocational training program that helps eligible disadvantaged youth ages 16 to 24 become more employable, responsible, and productive citizens. Students receive hands-on career training in more than 100 occupational areas, participate in on-the-job training at real work sites, and have an opportunity to earn a high school diploma or GED. The program operates in a group setting at 122 centers, both residential and non-residential, in 48 states, the District of Columbia and the Commonwealth of Puerto Rico. The authorizing statute for this program is the Workforce Investment Act of 1998 (P.L. 105-220, Title 1, Subtitle C, Section 141).

To be eligible for Job Corps, a youth must be economically disadvantaged and one or more of the following: 1) basic skills deficient, 2) a school dropout, 3) homeless, 4) a runaway, or a foster child, 5) a parent, or, 6) an individual who requires additional education, vocational training or intensive counseling, and related assistance in order to participate successfully in regular schoolwork or to secure and hold employment. In PY 2006, Job Corps enrolled 64,800 youth in 43,156 slots, and the average cost per slot was \$25,162. Also in Program Year 2006, 76.5 percent of Job Corps enrollees were high school dropouts, and 32.8 percent came from families on public assistance. To date, over 2 million students have graduated from the Job Corps program. Approximately 83 percent of Job Corps graduates go on to careers in the private sector, enlist in the military, or move on to higher education or advanced training programs.

The Operations activity funds student training expenses at the DOL Contractor and Federal Agency (Interior and Agriculture) centers, including meals and lodging for students, student medical care, basic education, vocational training, social skills training, and program administration. The Construction, Rehabilitation, and Acquisition (CRA) activity provides funding for the remediation of conditions that threaten life or safety, the abatement of environmentally unsafe conditions, energy saving investments, telecommunication wiring upgrades, engineering support services, emergency repairs, building rehabilitation and replacement projects, the construction of new Job Corps Centers, and the completion of construction projects begun in prior years.

The FY 2009 Request of \$1,564,699,000 reflects \$1,425,325,000 for Operations, \$110,000,000 for Construction, Rehabilitation and Acquisition (CRA) and \$29,374,000 for Federal Administration. Of the total request, approximately \$59 million (including a requested program increase of \$10 million) is for the construction of two new Job Corps Centers— in Manchester, New Hampshire and Ottumwa, Iowa.

J. Office of Disability Employment Policy

	<u>2007</u>	<u>2008</u>	2009 <u>Request a/</u>
Office of Disability Employment Policy	27,162	26,678	12,441
Total Budget Authority	27,162	26,678	12,441
Total FTE	51	49	40

a/ The 2009 ODEP budget request includes a \$550 thousand comparative transfer to the Bureau of Labor Statistics. For comparability purposes, this is reflected in the 2007 Comparable and 2008 Estimate levels as well.

Congress authorized ODEP in the Department's FY 2001 appropriation. ODEP develops policy to reduce barriers to employment for people with disabilities. According to the U. S. Census Bureau, about 40 million Americans have a disability. Of those aged 21 to 64, only slightly more than one-third were employed.

Increasing the workforce participation of people with disabilities requires the removal of barriers found on both the supply and demand sides of the labor market. ODEP works closely with its stakeholders to develop policy that expands access to systems (such as employment and training, education, vocational rehabilitation). ODEP also addresses employer needs for the recruiting, hiring and retaining of people with disabilities, and develops policy to increase the availability and accessibility of employment-related supports (such as health care, transportation and technology). The Office of Disability Employment Policy has awarded competitive grants, cooperative agreements, and contracts, and has initiated effective partnerships with Federal agencies and employers through Memoranda of Understanding and Alliance Agreements to further its mission to develop and foster the implementation of policy to increase employment opportunities for adults and youth with disabilities.

The purpose of the National Technical Assistance Center will be to build the capacity of workforce development, economic development, and educational service delivery systems to ensure that youth with disabilities graduate from high school and either enter employment or continue their education. A consortium led by the Center for Workforce Development will develop and promote quality collaborations and service coordination among agencies, programs, and service providers at the national, state, and local levels.

The 2009 Budget returns ODEP to its core mission of policy analysis, technical assistance, and dissemination of effective practices to increase the employment opportunities for people with disabilities. In 2009 ODEP will focus its efforts on developing and implementing disability employment policy to increase the recruitment, retention and promotion of people with disabilities, and will eliminate grantmaking activities that are duplicative of activities in other Federal agencies. Staff will also be reduced to reflect the termination of ODEP's grantmaking functions.

K. Veterans Employment and Training

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
State Grants	160,791	161,894	168,894
Homeless Veterans' Reintegration Program	21,809	23,620	25,620
Veteran's Workforce Investment Program	7,435	7,351	7,351
National Veterans' Employment and Training Service Institute	1,967	1,949	1,949
Federal Administration	31,187	33,282	34,625
Total Budget Authority	223,189	228,096	238,439
Total FTE	229	234	234

The Veterans' Employment and Training Service (VETS) provides veterans and transitioning service members with the resources and services to succeed in the civilian workforce by maximizing their employment opportunities, protecting their employment rights and meeting labor market demands with qualified veterans. VETS was established by Secretary's Order No. 5-81 in December 1981, and the agency's programs are authorized through 38 U.S.C. 4100-4110 A, 4212, 4214 and 4321-4327; as amended, and P.L. 103-353; Stewart B. McKinney Homeless Assistance Act and 38 U.S.C. 4111; and the Workforce Investment Act of 1998, Section 168. In addition, VETS administers and enforces the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

VETS helps veterans obtain positive employment outcomes through services provided at One-Stop Career Centers and other locations. State Grants are provided by formula to State Workforce Agencies (SWA) to support approximately 2,100 Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representative (LVER) staff, and also for Transition Assistance Program (TAP) Employment Workshops and services. Under the Jobs for Veterans Act of 2002 (JVA) funding formula, fund allocation is determined by the number of veterans residing in the State that are seeking employment compared to the total number of veterans seeking employment in the State. In FY 2007, the State Grant program served 850,800 veterans. VETS anticipates an increased number of separations from active duty during FY 2008 and 2009. The program increase of \$7.0 million will allow VETS to meet the increased demand for TAP employment workshops in FY 2009.

VETS protects the reemployment and employment rights of veterans and members of the National Guard and Reserve Forces under the provisions of USERRA so that they can serve on active duty without harm to their employment status. In FY 2007, VETS resolved 1,500 USERRA complaints, and contacted 122,514 veterans in connection with their rights under USERRA. The agency also endeavors to ensure compliance with veterans' preference requirements for Federal employment. In FY 2007, VETS opened 496 veterans' preference cases.

The National Veterans' Employment and Training Service Institute (NVTI) was established in 1986 and authorized in 1988 by P.L. 100-323. NVTI develops and delivers competency-based training to the State DVOP and LVER veteran service providers. The purpose of NVTI is to guarantee the universality of services for veterans by ensuring that all direct client service providers have been properly trained on their job, thereby, increasing their productivity and

knowledge of services available to veterans. NVTI is currently administered by VETS staff through a contract with the University of Colorado at Denver (UCD). The training provided by NVTI is evaluated for effectiveness through post-training follow-up with participants and their supervisors to determine the impact of the training. In FY 2007, NVTI provided training to 2,000 participants.

The Homeless Veterans' Reintegration Program (HVRP) was the first nationwide Federal program focused on placing homeless veterans into jobs. The program was authorized under Section 738 of the Stewart B. McKinney Homeless Assistance Act (MHAA) of July 1987, and amended by Section 5 of the Homeless Veterans Comprehensive Assistance Act (HVCAA) of 2001. HVCAA provides that "the Secretary . . . shall conduct, directly or through grant or contract, such programs as the Secretary determines appropriate to provide job training, counseling, and placement services (including job readiness and literacy and skills training) to expedite the reintegration of homeless veterans into the labor force." VETS administers the program through a competitive grant process. Eligible organizations may apply to DOL/VETS for grant dollars to fund program activities that carry out the mission of assisting homeless veterans to re-enter the labor force. Through these competitive grant awards, the Homeless Veterans' Reintegration Program (HVRP) provided employment and training services to 13,890 homeless veterans in FY 2007 at an average cost of \$1,560. The program increase of \$2.0 million will allow VETS to serve an additional 1,280 homeless veterans, and also enable VETS to support the President's initiative to end chronic homelessness among veterans.

The Veterans' Workforce Investment Program (VWIP) activity supports efforts to ensure veterans' lifelong learning and skills development, under 29 U.S.C. 2913 (Veterans' Workforce Investment Programs - Sec. 168, Workforce Investment Act, P.L. 105-220) in programs designed to serve current eligible and targeted veteran subgroups with severe employability barriers. VWIP is a program year, competitive grant program where funds are awarded to veterans and eligible persons with emphasis on Special Disabled veterans, and veterans with other barriers to employment. About 4,425 participants received employment and training services through this program, which provides competitive grants to various eligible organizations. Awards are approved annually by a Department of Labor Grant officer for the Assistant Secretary for Veterans' Employment and Training, and are based on reviews and recommendations by Regional Administrators for VETS.

L. Office of the Inspector General

	<u>2007</u>	<u>2008</u>	<u>2009</u> <u>Request</u>
OIG Program Activity	67,214	68,848	76,326
Trust Funds	5,552	5,542	5,815
Subtotal Office of Inspector General	72,766	74,390	82,141
Office of Inspector General, OIG Program Activity, BLDTF (Mandatory)	346	335	325
Total Budget Authority	73,112	74,725	82,466
Total FTE	415	440	445

The Office of Inspector General (OIG) is an independent agency within the Department of Labor (DOL) and was created by the Inspector General Act of 1978. The OIG is responsible for conducting audits and investigations of DOL programs and operations; identifying actual and potential problems or abuses; developing and making recommendations for corrective action; and informing the Secretary and the Congress of problems or concerns. The OIG is also responsible for carrying out a criminal investigations program to eliminate the influence of organized crime and labor racketeering on employee benefit plans, labor-management relations, and internal union affairs.

In FY 2009, the level of \$82,466,000 includes \$1 million in funding for a labor racketeering initiative in the areas of: foreign labor certification-related immigration fraud, Gulf Coast reconstruction and construction contracts, and Unemployment Insurance fraud. The FY 2009 request also includes an increase of \$4,268,000 for the restoration of funds for inflationary costs and reductions not provided under P.L. 110-161.

In FY 2007, the OIG issued 95 audits. In addition the OIG questioned \$45,000,000 in costs and recommended that \$1,200,000 funds be put to better use. With respect to investigative work, the OIG completed approximately 512 program fraud and labor racketeering investigations. The OIG's work led to 594 indictments, 455 convictions and over \$514,000,000 in investigative monetary accomplishments.

M. Working Capital Fund

	<u>2007 a/</u>	<u>2008 a/</u>	<u>2009 Request</u>
Financial and Administrative Services	110,389	110,780	137,286
Field Services	38,799	39,647	40,499
Human Resources	13,008	15,292	16,147
Telecommunications	25,785	25,785	25,785
Investment in Reinvention Fund	557	557	557
Non-DOL Reimbursables	573	573	573
Total Budget Authority	189,111	192,634	220,847
Total FTE	607	621	621

a/ FY 2007 and 2008 a comparative transfer is reflected in the amount of \$1.7 million for DOLNET.

The Working Capital Fund (WCF) was established by Public Law 85-67 and amended by Public Laws 86-703 and 91-204 to provide authority, without fiscal year limitation, for expenses necessary to provide certain services and activities on a centralized basis. As an intra-governmental revolving fund, the WCF is authorized to finance a cycle of operations in which expenditures generate receipts that are available for continuous use without annual appropriation by Congress. The Working Capital fund is comprised into five budget activities including Financial and Administrative Services, Field Services, Human Resource Services, Telecommunications, and the Investment in Reinvention Fund (IRF). Some of the essential administrative functions that are financed through the WCF are Frances Perkins Building operations, payroll operations, procurement, and invoice payment services. These centralized services are performed at rates that will return all expenses of operations in full, including reserves for accrued leave and depreciation of property and equipment. The Investment in Reinvention Fund (IRF) which was established in the DOL Appropriations Act of 1996 is intended to provide a self-sustaining source of financing to DOL agencies for investment in projects designed to produce measurable improvements in agency efficiency and achieve cost savings. Public Law 105-78 amended the WCF authorization in 1997 to authorize an annual transfer of up to \$3.0 million from unobligated balances in the Department's salaries and expenses account to the unobligated balances of the WCF.

The FY 2009 budget request includes \$20.4 million for program increases associated with information technology requirements (\$4.7 million), OMB security directives (\$2.2 million), financial integrity (\$2.4 million), and the Department's Core Financial Management System (\$11.1 million). The Department has dropped its request for a direct appropriation for its CFMS and instead will collect these funds from agency appropriations.

Summary of Discretionary Funds, FY 2001-2009

UNITED STATES DEPARTMENT OF LABOR Summary of Discretionary Funds, Fiscal Years 2001-2009											
	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006	Fiscal Year 2007	Fiscal Year 2008 3/	Fiscal Year 2009 Request 3/	Change from FY2001 - FY2009 Request	
Program (dollars in thousands)										Amount	Percent
Employment and Training											
Training and Employment Services											
Adult Employment and Training Activities	950,000	950,000	889,949	898,891	890,922	857,079	864,199	849,101	-	-950,000	-100%
Dislocated Worker Employment and Training Activities	1,412,540	1,549,000	1,448,001	1,454,419	1,467,584	1,337,553	1,471,903	1,446,189	-	-1,412,540	-100%
Youth Activities	1,127,965	1,127,965	994,459	995,059	986,288	940,500	940,500	924,069	-	-1,127,965	-100%
Youth Opportunity Grants	250,000	225,100	44,211	-	-	-	-	-	-	-250,000	-100%
Job Corps	1,399,148	1,458,732	1,504,603	1,541,151	1,546,333	1,557,270	1,578,277	1,570,355	1,564,699	165,551	12%
Responsible Reintegration for Young Offenders	55,000	55,000	54,643	49,705	49,600	49,104	49,104	-	-	-55,000	-100%
Prisoner Re-entry	-	-	-	-	19,840	19,642	19,642	-	-	0	0%
Reintegration of Ex-Offenders	-	-	-	-	-	-	-	73,493	39,600	39,600	0%
Youth Build	-	-	-	-	-	-	49,500	58,952	50,000	50,000	0%
Native Americans	55,000	57,000	55,636	54,676	54,238	53,696	53,696	52,758	45,000	-10,000	-18%
Migrants and Seasonal Farmworkers	76,770	79,751	76,823	76,370	75,759	79,252	79,752	79,668	-	-76,770	-100%
Community Based Job Training Grants	-	-	-	-	124,000	-	-	-	125,000	125,000	0%
Career Advancement Accounts	-	-	-	-	-	-	-	-	2,826,000	2,826,000	0%
National Programs	126,030	159,766	90,923	79,604	103,505	46,411	27,976	61,080	25,000	-101,030	-80%
Subtotal, Training and Employment Services	5,452,453	5,662,314	5,159,248	5,149,875	5,318,069	4,940,507	5,134,549	5,115,666	4,675,299	-777,154	-14%
Older Workers	440,200	445,100	442,306	438,650	436,678	432,311	483,611	521,625	350,000	-90,200	-20%
Workers Compensation	-	175,000	-	-	-	-	-	-	-	0	0%
State Unemployment Insurance and Employment Services	3,449,994	3,698,556	3,607,380	3,647,133	3,636,709	3,399,737	3,340,350	3,265,884	2,733,237	-716,757	-21%
Program Administration	158,863	161,031	174,510	177,349	170,101	198,000	199,708	200,402	144,011	-14,852	-9%
Subtotal, Employment and Training Administration	9,501,510	10,142,001	9,383,444	9,413,007	9,561,557	8,970,555	9,158,218	9,103,577	7,902,547	-1,598,963	-17%
Worker Protection											
Employee Benefits Security Administration	107,633	110,752	116,283	124,040	131,213	133,551	141,573	139,313	147,871	40,238	37%
Pension Benefit Guaranty Corporation 1/	11,652	11,690	12,965	20,553	-	-	-	-	-	-11,652	-100%
Employment Standards Administration	362,716	370,048	381,114	392,015	400,848	411,064	420,872	420,925	468,660	105,944	29%
Occupational Safety and Health Administration	425,386	443,897	450,310	457,540	464,156	472,427	486,925	486,000	501,674	76,288	18%
Mine Safety and Health Administration	246,306	253,143	272,955	268,858	279,135	277,685	301,570	333,925	332,061	85,755	35%
Solicitor	74,694	77,410	77,483	80,726	80,080	80,451	85,796	87,245	100,859	26,165	35%
Subtotal, Worker Protection	1,228,387	1,266,940	1,311,110	1,343,733	1,355,432	1,375,178	1,436,735	1,467,407	1,551,125	322,738	26%
Bureau of International Labor Affairs	147,982	147,341	147,053	109,862	93,248	72,516	72,516	81,074	14,822	-133,160	-90%
Bureau of Labor Statistics	450,887	474,613	492,234	518,496	529,004	537,098	548,123	544,251	592,806	141,919	31%
Other Salaries and Expenses											
Departmental Management, Other	157,680	158,581	163,306	159,731	147,356	144,613	140,608	123,555	147,802	-9,878	-6%
Office of Disability Employment Policy	-	37,766	47,178	47,024	47,164	27,655	27,712	27,228	12,441	12,441	0%
Office of Inspector General	54,683	56,873	61,851	65,339	68,995	71,101	72,766	74,390	82,141	27,458	50%
Subtotal, Other Salaries and Expenses	212,363	253,220	272,335	272,094	263,515	243,369	241,085	225,173	242,384	30,021	14%
Veterans' Employment and Training	211,656	212,516	212,820	218,646	222,832	222,091	223,189	228,097	238,439	26,783	13%
Working Capital Fund 2/	-	-	-	13,768	9,920	6,168	6,168	-	-	0	0%
Total, Department of Labor Discretionary Funds	11,752,785	12,496,631	11,818,996	11,889,606	12,035,509	11,426,974	11,686,034	11,649,579	10,542,123	-1,210,662	-10%

1/ Beginning in FY 2005, PBGC's funding is all mandatory.
2/ Represents direct discretionary funding for LEAP.
3/ Excludes rescissions of prior year unobligated balances.

PART Rating of DOL Programs

PART Ratings for DOL Programs Assessed to Date					
(\$ million)					
Program	Year(s) Assesd	Rating*	FY 2008**	FY 2009 Request**	Change from 2008
Bureau of Labor Statistics	2002/2003	Effective	\$544	\$595	\$51
Subtotal: 1 Program Effective			\$544	\$595	\$51
Federal Employees Compensation Act	2002	Moderately Effective	\$289	\$256	(\$33)
Black Lung Benefits Program	2003	Moderately Effective	\$1,345	\$1,324	(\$21)
Unemployment Insurance Administration State Grants	2003	Moderately Effective	\$2,489	\$2,664	\$175
H-1B Work Visa for Specialty Occupations - Labor Condition Application Program	2004	Moderately Effective	\$13	\$13	\$0
Veterans' Employment and Training State Grants	2005	Moderately Effective	\$182	\$189	\$7
Department of Labor, Office of the Solicitor	2006	Moderately Effective	\$87	\$101	\$14
Homeless Veterans Reintegration Program	2006	Moderately Effective	\$31	\$34	\$3
Wage and Hour Enforcement and Compliance Program	2006	Moderately Effective	\$176	\$193	\$17
Employee Benefits Security Administration	2002/2004	Moderately Effective	\$139	\$148	\$9
Pension Benefit Guaranty Corporation	2004/2007	Moderately Effective	\$427	\$445	\$18
Subtotal: 10 Programs Moderatly Effective			\$5,178	\$5,367	\$189
Workforce Investment Act - Dislocated Worker Assistance	2002/2003	Adequate	\$1,197	\$973	(\$224)
Mine Safety and Health Administration	2003	Adequate	\$334	\$332	(\$2)
Office of Federal Contract Compliance	2002/2004	Adequate	\$81	\$89	\$8
Employment Service	2004	Adequate	\$758	\$19	(\$739)
International Child Labor Program and Office of Foreign Relations	2004	Adequate	\$81	\$15	(\$66)
Permanent Labor Certification Program	2004	Adequate	\$31	\$65	\$34
Workforce Investment Act - Native American Programs	2004	Adequate	\$56	\$48	(\$8)
Longshore and Harbor Workers' Compensation Program	2005	Adequate	\$160	\$162	\$2

PART Ratings for DOL Programs Assessed to Date

(\$ million)

Program	Year(s) Assessed	Rating*	FY 2008**	FY 2009 Request**	Change from 2008
Office of Labor-Management Standards	2005	Adequate	\$45	\$58	\$13
Work Incentive Grants	2005	Adequate	\$14	\$0	(\$14)
Workforce Investment Act - Adult Employment and Training	2005	Adequate	\$663	\$728	(\$135)
Occupational Safety and Health Administration	2002/2007	Adequate	\$486	\$502	\$16
Job Corps	2004/2007	Adequate	\$1,598	\$1,565	(\$33)
Dislocated Worker National Emergency Grants	2007	Adequate	\$159	\$283	\$124
Energy Employees Occupational Illness Compensation Program	2007	Adequate	\$1,109	\$1,050	(\$59)
Subtotal: 15 Programs Adequate			\$6,972	\$5,889	(\$1,083)
Community Service Employment for Older Americans	2002/2003	Ineffective	\$523	\$351	(\$172)
Workforce Investment Act - Youth Activities	2002/2003	Ineffective	\$938	\$857	(\$81)
Workforce Investment Act - Migrant and Seasonal Farmworkers	2003	Ineffective	\$81	\$0	(\$81)
Trade Adjustment Assistance	2002/2003/2007	Ineffective	\$897	\$921	\$24
Subtotal: 4 Programs Ineffective			\$2,439	\$2,129	(\$310)
Prevailing Wage Determination Program (Davis Bacon)	2003	RND	\$10	\$10	-
Department of Labor - Women's Bureau	2005	RND	\$10	\$10	-
Job Training Apprenticeship	2005	RND	\$21	\$23	\$2
Office of Disability Employment Policy	2006	RND	\$27	\$12	(\$15)
Youthbuild	2006	RND	\$60	\$51	(\$9)
Subtotal: 5 Programs Results Not Demonstrated			\$128	\$106	(\$22)
Total: 35 Programs Rated			\$15,261	\$14,086	(\$1,175)
* Most recent rating for programs that were reassessed					
** Funding levels include program administration costs					

All Purpose Table

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
EMPLOYMENT AND TRAINING ADMINISTRATION						
<i>Training and Employment Services:</i>						
1. Grants to States:						
(a) Adult Employment and Training						
Annual appropriation	D	152,199	149,540	0	-149,540	-100%
Applied rescission for prior year advance	D	0	-12,439	0	12,439	-100%
Advance for succeeding fiscal year	D	712,000	712,000	0	-712,000	-100%
Subtotal		864,199	849,101	0	-849,101	-100%
(b) Youth Activities						
Annual appropriation	D	940,500	924,069	0	-924,069	-100%
(c) Dislocated Worker Employment						
Annual appropriation	D	341,811	335,840	0	-335,840	-100%
Applied rescission for prior year advance	D	0	-14,815	0	14,815	-100%
Advance for succeeding fiscal year	D	848,000	848,000	0	-848,000	-100%
Subtotal		1,189,811	1,169,025	0	-1,169,025	-100%
(d) Career Advancement Accounts						
Annual appropriation	D	0	0	1,054,000	1,054,000	0%
Advance for succeeding fiscal year	D	0	0	1,772,000	1,772,000	0%
Subtotal		0	0	2,826,000	2,826,000	0%
Subtotal, Grants to States		2,994,510	2,942,196	2,826,000	-116,196	-4%
Annual appropriation		1,434,510	1,382,196	1,054,000	-328,196	-24%
Advance for succeeding fiscal year		1,560,000	1,560,000	1,772,000	212,000	14%
2. Federally Administered Programs:						
(a) Dislocated Worker Assistance National Reserve:						
Annual appropriation	D	70,092	68,867	0	-68,867	-100%
Applied rescission for prior year advance	D	0	-3,704	0	3,704	-100%
Advance for succeeding fiscal year	D	212,000	212,000	0	-212,000	-100%
Subtotal		282,092	277,164	0	-277,164	-100%
Community-based Job Training Grants	D					0%
Skills Training Grants	M	134,199	125,000	125,000	0	0%
Subtotal, Dislocated Worker Assistance		416,291	402,164	125,000	-277,164	-69%
(b) Native Americans						
Annual appropriation	D	53,696	52,758	45,000	-7,758	-15%
(c) Migrant and Seasonal Farmworkers						
Annual appropriation	D	79,752	79,668	0	-79,668	-100%
(d) Women in apprenticeship						
Annual appropriation	D	1,000	983	0	-983	-100%
(e) YouthBuild						
Annual appropriation	D	49,500	58,952	50,000	-8,952	-15%
Subtotal, Federally Administered Programs		466,040	469,525	95,000	-374,525	-430%
Mandatory		134,199	125,000	125,000	0	0%
Discretionary		466,040	469,525	95,000	-374,525	-80%
Annual appropriation		254,040	257,525	95,000	-162,525	-330%
Advance for succeeding fiscal year		212,000	212,000	0	-212,000	-100%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
EMPLOYMENT AND TRAINING ADMINISTRATION						
3. National Activities:						
(a) Pilots, Demonstrations and Research	D	14,700	48,508	16,000	-32,508	-67%
(b) Responsible Reintegration of Youthful Offenders	D	49,104	0	0	0	0%
(c) Prisoner Re-entry	D	19,642	0	0	0	0%
(d) Reintegration of Ex-Offenders	D	0	73,493	39,600	-33,893	-46%
(e) Evaluation	D	4,921	4,835	9,000	4,165	86%
(f) Community-based Job Training Grants	D	0	0	125,000	125,000	0%
(g) Denali Commission	D	6,875	6,755	0	-6,755	-100%
(h) Other	D	480	0	0	0	0%
Subtotal, National Activities		95,722	133,591	189,600	56,009	42%
Total Appropriation, Training and Employment Services		3,690,471	3,545,311	3,110,600	-434,711	-12%
Mandatory		134,199	125,000	125,000	0	0%
Discretionary		3,556,272	3,545,311	3,110,600	-434,711	-12%
Annual appropriation		1,784,272	1,773,311	1,338,600	-434,711	-25%
Advance for succeeding fiscal year		1,772,000	1,772,000	1,772,000	0	0%
Outlays		3,553,300	3,504,000	3,653,677	149,677	4%
Mandatory		88,533	121,000	114,000	-7,000	-6%
Discretionary		3,464,766	3,383,000	3,539,677	156,677	5%
Community Service Employment for Older Americans:						
1. Grants	D	483,611	521,625	350,000	-171,625	-33%
Total Appropriation, Community Service Employment for Older Americans		483,611	521,625	350,000	-171,625	-33%
Outlays		436,863	517,000	489,000	-28,000	-5%
Workers Compensation:						
1. Workers Compensation	D	0	0	0	0	0%
Total Appropriation, Workers Compensation		0	0	0	0	0%
Outlays		2,615	22,000	25,000	3,000	14%
Federal Unemployment Benefits and Allowances						
1. Grants	M	837,600	888,700	964,800	76,100	9%
Total Appropriation, Federal Unemployment Benefits and Allowances		837,600	888,700	964,800	76,100	9%
Outlays		758,975	834,000	917,000	83,000	10%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
EMPLOYMENT AND TRAINING ADMINISTRATION						
<i>State Unemployment Insurance and Employment Service Operations:</i>						
1. Unemployment Trust Fund (UTF):						
(a) UTF Base	M	36,439,019	38,301,056	40,326,573	2,025,517	5%
(b) UTF Transfer	M	-3,593,019	-3,541,056	-2,974,573	566,483	-16%
Subtotal, UTF Residual		32,846,000	34,760,000	37,352,000	2,592,000	7%
2. Unemployment Compensation (UI):						
(a) State Operations (Trust funds)	D	2,497,770	2,454,134	2,623,145	169,011	7%
(b) National Activities (Trust funds)	D	9,900	9,727	12,893	3,166	33%
Subtotal, Unemployment Compensation		2,507,670	2,463,861	2,636,038	172,177	7%
3. Employment Service:						
(a) Allotments to States						
Federal Funds	D	22,883	22,483	0	-22,483	-100%
Trust Funds	D	693,000	680,893	0	-680,893	-100%
Subtotal, Employment Service		715,883	703,377	0	-703,377	-100%
(b) ES National Activities (Trust funds)	D	33,428	32,194	2,349	-29,845	-93%
Subtotal, Employment Service		749,311	735,570	2,349	-733,221	-100%
4. Foreign Labor Certification:						
(a) State Grants	D	0	0	18,473	18,473	0%
(b) Program Administration	D	0	0	59,497	59,497	0%
Subtotal, Foreign Labor Certification		0	0	77,970	77,970	0%
4. One-Stop Career Centers / Labor Market Information	D	63,855	52,059	16,880	-35,179	-68%
5. Work Incentives Grants	D	19,514	14,393	0	-14,393	-100%
Total Appropriation, State Unemployment Insurance and Employment Service Operations		36,186,350	3,265,884	2,733,237	-532,647	-16%
Mandatory		32,846,000	34,760,000	37,352,000	2,592,000	7%
Discretionary		3,340,350	3,265,884	2,733,237	-532,647	-16%
Federal Funds		106,252	88,936	94,850	5,914	7%
Trust Funds		3,234,098	3,176,948	2,638,387	-538,561	-17%
Outlays		36,371,106	38,263,729	41,171,150	2,907,421	8%
Mandatory		32,483,399	34,760,000	37,352,000	2,592,000	7%
Discretionary		3,887,707	3,503,729	3,819,150	315,421	9%
Federal Funds		223,666	301,829	649,100	347,271	115%
Trust Funds		3,664,041	3,201,900	3,170,050	-31,850	-1%
<i>Advances to the UI and Other Trust Funds:</i>						
1. Advances to the Unemployment Trust Fund						
	M	39,000	437,000	2,710,000	2,273,000	520%
Total Appropriation, Advances to the UI and Other Trust Funds		39,000	437,000	2,710,000	2,273,000	520%
Outlays		17,500	0	2,710,000	2,710,000	0%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
EMPLOYMENT AND TRAINING ADMINISTRATION						
<i>Program Administration:</i>						
1. Adult Employment and Training	D	43,442	42,683	48,544	5,861	14%
Trust Funds	D	7,846	7,709	8,655	946	12%
2. Youth Employment and Training	D	10,776	10,789	12,932	2,143	20%
3. Employment Security	D	6,354	6,243	3,705	-2,538	-41%
Trust Funds	D	72,113	75,655	37,023	-38,632	-51%
4. Apprenticeship Services	D	21,542	21,166	23,130	1,964	9%
5. Executive Direction	D	6,967	6,025	7,734	1,709	28%
Trust Funds	D	2,090	2,053	2,288	235	11%
6. H1B Fee Revenue	M	13,000	13,000	108,000	95,000	731%
Total Appropriation, Program Administration		184,130	185,323	252,011	66,688	36%
Mandatory		13,000	13,000	108,000	95,000	731%
Discretionary		171,130	172,323	144,011	-28,312	-16%
Federal Funds		89,081	86,906	96,045	9,139	11%
Trust Funds		82,049	85,417	47,966	-37,451	-44%
Outlays		126,457	189,369	252,966	63,597	34%
Mandatory		11,589	16,000	109,000	93,000	581%
Discretionary		114,867	173,369	143,966	-29,403	-17%
Total Appropriation, Employment and Training Administration		41,421,162	43,728,843	47,597,648	3,868,805	9%
Mandatory		33,869,799	36,223,700	41,259,800	5,036,100	14%
Discretionary		7,551,363	7,505,143	6,337,848	-1,167,295	-16%
Federal Funds		4,235,216	4,242,778	3,651,495	-591,283	-14%
Annual appropriation		2,463,216	2,470,778	1,879,495	-591,283	-24%
Advance for succeeding fiscal year		1,772,000	1,772,000	1,772,000	0	0%
Trust Funds		3,316,147	3,262,365	2,686,353	-576,012	-18%
Total Outlays		41,266,815	43,330,098	49,218,793	5,888,695	14%
Mandatory (includes Advances to the UI and Other Trust Funds)		33,359,997	35,731,000	41,202,000	5,471,000	15%
Discretionary		7,906,818	7,599,098	8,016,793	417,695	5%
EMPLOYEE BENEFITS SECURITY ADMINISTRATION						
1. Enforcement and Participant Assistance 1/	D	119,418	116,590	122,792	6,202	5%
2. Policy and Compliance Assistance	D	16,885	17,545	18,851	1,306	7%
3. Executive Leadership, Program Oversight and Administration	D	5,270	5,178	6,228	1,050	20%
Total Appropriation, Employee Benefits Security Administration		141,573	139,313	147,871	8,558	6%
Total Outlays		136,006	142,000	150,000	8,000	6%
1/ Does not include \$7 million transfer received from PBGC via supplemental appropriation (FY 2007).						
PENSION BENEFIT GUARANTY CORPORATION						
1. Pension insurance activities [non-add]	M	80,357	74,884	68,548	-6,336	-8%
2. Pension plan termination [non-add]	M	196,567	218,553	240,406	21,853	10%
3. Operational support [non-add]	M	128,466	133,209	135,768	2,559	2%
Total Appropriation, Pension Benefit Guaranty Corporation [non-add]		405,391	426,647	444,722	18,075	4%
Total Outlays		457,148	332,000	-597,000	-929,000	-280%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
EMPLOYMENT STANDARDS ADMINISTRATION						
<i>Salary and Expenses:</i>						
1. Enforcement of Wage and Salary Standards	D	170,220	175,658	193,092	17,434	10%
2. Office of Labor-Management Standards	D	47,753	44,938	58,256	13,318	30%
3. Federal Contractor EEO Standards Enforcement	D	82,441	81,001	89,013	8,012	10%
4. Federal Programs for Workers' Compensation	D	100,889	100,086	108,031	7,945	8%
Trust Funds	D	2,042	2,022	2,179	157	8%
5. Program Direction and Support	D	17,526	17,220	18,089	869	5%
Total Appropriation, Salary and Expenses		420,872	420,925	468,660	47,735	11%
Federal Funds		418,830	418,903	466,481	47,578	11%
Trust Funds		2,042	2,022	2,179	157	8%
Outlays		403,192	422,593	464,458	41,865	10%
<i>Special Benefits:</i>						
1. Federal employees' compensation benefits	M	224,000	200,000	150,000	-50,000	-25%
2. Longshore and harbor workers' benefits	M	3,000	3,000	3,000	0	0%
Total Appropriation, Special Benefits		227,000	203,000	153,000	-50,000	-25%
Outlays		113,651	203,000	153,000	-50,000	-25%
<i>Special Benefits for Disabled Coal Miners:</i>						
1. Benefit payments	M	304,000	277,000	251,000	-26,000	-9%
2. Administration	M	5,373	5,221	5,130	-91	-2%
3. Less funds advanced in prior year	M	-74,000	-68,000	-62,000	6,000	-9%
Subtotal		235,373	214,221	194,130	-20,091	-9%
4. New advances, 1st quarter next fiscal year	M	68,000	62,000	56,000	-6,000	-10%
Total Appropriation, Special Benefits for Disabled Coal Miners		303,373	276,221	250,130	-26,091	-9%
Outlays		290,941	276,221	250,130	-26,091	-9%
<i>Energy Employees Occupational Illness Compensation Fund:</i>						
1. Part B, Program Benefits [non-add]	M	486,746	531,086	387,582	-143,504	-27%
2. Part B, Administrative Expenses	M	102,307	104,745	49,654	-55,091	-53%
3. Part E, Program Benefits [non-add]	M	437,424	399,112	554,905	155,793	39%
4. Part E, Administrative Expenses [non-add]	M	56,659	54,669	58,524	3,855	7%
Total Appropriation, Energy Employees Occupational Illness Compensation Fund		1,083,136	1,089,612	1,050,665	-38,947	-4%
Outlays		1,137,126	1,109,198	1,050,665	-58,533	-5%
EEOIC Benefits		954,443	930,198	942,487	12,289	1%
EEOIC Administrative Expenses		182,683	179,000	108,178	-70,822	-40%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
Black Lung Disability Trust Fund:						
1. Benefit payments and interest on advances	M	1,006,465	1,009,763	3,304,317	2,294,554	227%
2. Employment Standards Administration, Salaries and expenses	M	33,578	32,761	32,308	-453	-1%
3. Departmental Management, Salaries and expenses	M	25,255	24,785	24,694	-91	0%
4. Departmental Management, Inspector General	M	346	335	325	-10	-3%
Subtotal		1,065,644	1,067,644	3,361,644	2,294,000	215%
5. Treasury Department, Administrative Costs	M	356	356	356	0	0%
Total Appropriation, Black Lung Disability Trust Fund		1,066,000	1,068,000	3,362,000	2,294,000	215%
Outlays		1,064,406	1,068,000	3,362,306	2,294,306	215%
Panama Canal Commission:	M	6,300	6,200	6,200	0	0%
Outlays		6,059	6,000	6,200	200	3%
H-1B Fees:	M	46,000	-71,000	31,000	102,000	-144%
Outlays		5,854	31,000	31,000	0	0%
Special Workers' Compensation:	M	139,958	142,978	143,821	843	
Outlays		143,722	74,978	145,821	70,843	94%
Total Appropriation, Employment Standards Administration		3,292,639	3,135,936	5,465,476	2,329,540	74%
Mandatory		2,871,767	2,715,011	4,996,816	2,281,805	84%
Discretionary		420,872	420,925	468,660	47,735	11%
Federal Funds		418,830	418,903	466,481	47,578	11%
Trust Funds		2,042	2,022	2,179	157	8%
Total Outlays		3,164,950	3,190,990	5,463,580	2,272,590	71%
Mandatory		2,761,758	2,768,397	4,999,122	2,230,725	81%
Discretionary		403,192	422,593	464,458	41,865	10%
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION						
1. Safety and Health Standards	D	16,892	16,597	17,204	607	4%
2. Federal Enforcement	D	176,973	182,632	194,000	11,369	6%
3. State Programs	D	91,093	89,502	91,093	1,591	2%
4. Technical Support	D	22,392	21,681	22,632	951	4%
5. Compliance Assistance:						
(a) Federal Assistance	D	72,659	71,390	76,541	5,151	7%
(b) State Consultation Grants	D	53,357	52,425	54,531	2,106	4%
(c) Training Grants	D	10,116	9,443	0	-9,443	-100%
Subtotal, Compliance Assistance		136,132	133,258	131,072	-2,186	-2%
6. Safety and Health Statistics	D	32,274	31,523	34,128	2,605	8%
7. Executive Direction and Administration	D	11,169	10,809	11,545	736	7%
Total Appropriation, Occupational Safety and Health Administration		486,925	486,000	501,674	15,674	3%
Total Outlays		472,038	486,000	500,000	14,000	3%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
MINE SAFETY AND HEALTH ADMINISTRATION						
1. Coal Enforcement	D	120,396	154,670	144,982	(9,688)	-6%
2. Metal / Non-Metal Enforcement	D	72,506	71,420	82,427	11,007	15%
3. Standards Development	D	2,727	3,180	2,831	(349)	-11%
4. Assessments	D	6,556	6,134	5,948	(186)	-3%
5. Educational Policy and Development	D	35,326	36,605	36,366	(239)	-1%
6. Technical Support	D	29,237	29,476	29,117	(359)	-1%
7. Program evaluation and information resources	D	21,185	15,936	16,514	578	4%
8. Program Administration	D	13,637	16,504	13,876	(2,628)	-16%
Total Appropriation, Mine Safety and Health Administration		301,570	333,925	332,061	(1,864)	-1%
Total Outlays		297,706	331,000	332,000	1,000	0%
BUREAU OF LABOR STATISTICS						
1. Employment and Unemployment Statistics	D	170,272	166,443	183,906	17,463	10%
2. Labor Market Information (Trust funds)	D	77,067	75,721	78,264	2,543	3%
3. Prices and Cost of Living	D	177,847	177,966	198,464	20,478	12%
4. Compensation and Working Conditions	D	81,658	82,251	86,281	4,030	5%
5. Productivity and Technology	D	11,063	10,870	11,706	836	8%
6. Executive Direction and Staff Services	D	30,216	30,431	34,185	3,754	12%
Total Appropriation, Bureau of Labor Statistics		548,123	543,701	592,806	49,105	9%
Federal Funds		471,056	467,980	514,542	46,562	10%
Trust Funds		77,067	75,721	78,264	2,543	3%
Total Outlays		467,115	544,721	586,806	42,085	8%
DEPARTMENTAL MANAGEMENT						
<i>Salaries and Expenses:</i>						
1. Program Direction and Support	D	27,871	22,831	29,714	6,883	30%
2. Departmental IT Crosscut	D	29,462	19,651	29,846	10,195	52%
3. Departmental Management Crosscut	D	1,108	491	758	267	54%
4. Legal Services	D	85,488	86,942	100,532	13,590	16%
Trust Funds	D	308	303	327	24	8%
5. International Labor Affairs	D	72,516	81,074	14,822	(66,252)	-82%
6. Administration and Management	D	32,865	32,291	34,370	2,079	6%
7. Adjudication	D	27,855	27,056	30,064	3,008	11%
8. Women's Bureau	D	9,666	9,660	10,237	577	6%
9. Civil Rights Activities	D	6,445	6,332	7,038	706	11%
10. Chief Financial Officer	D	5,336	5,243	5,775	532	10%
Total Appropriation, Salaries and Expenses		298,920	291,874	263,483	(28,391)	-10%
Federal Funds		298,612	291,572	263,156	(28,416)	-10%
Trust Funds		308	303	327	24	8%
Outlays		345,922	287,303	281,327	(6,976)	-2%
<i>Office of Disability Employment Policy:</i>						
1. Salaries and expenses	D	27,712	27,228	12,441	(14,787)	-54%
Total Appropriation, Office of Disability Employment Policy		27,712	27,228	12,441	(14,787)	-54%
Outlays		31,645	23,000	25,000	2,000	9%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
Office of Job Corps:						
(a) Administration	D	28,578	28,079	29,374	1,295	5%
(b) Operations						
Annual appropriation	D	879,357	878,733	834,325	-44,408	-5%
Applied rescission for prior year advance	D	0	-10,325	0	10,325	-100%
Advance for succeeding year	D	591,000	591,000	591,000	0	0%
(c) Construction and Renovation						
Annual appropriation	D	7,920	12,694	10,000	-2,694	-21%
Applied rescission for prior year advance	D	0	-1,747	0	1,747	-100%
Advance for succeeding year	D	100,000	100,000	100,000	0	0%
Total Appropriation, Job Corps		1,606,855	1,598,434	1,564,699	-33,735	-2%
Annual appropriation		915,855	907,434	873,699	-33,735	-4%
Advance for succeeding fiscal year		691,000	691,000	691,000	0	0%
Outlays		1,604,559	1,490,000	1,559,000	69,000	5%
Veterans Employment and Training:						
1. State Administration, Grants (Trust funds)	D	160,791	161,894	168,894	7,000	4%
2. Federal Administration (Trust funds)	D	31,187	33,282	34,625	1,343	4%
3. National Veterans Training Institute (Trust funds)	D	1,967	1,949	1,949	0	0%
4. Homeless Veterans Program	D	21,809	23,620	25,620	2,000	8%
5. Veterans Workforce Investment Programs	D	7,435	7,351	7,351	0	0%
Total Appropriation, Veterans Employment and Training		223,189	228,097	238,439	10,342	5%
Federal Funds		29,244	30,971	32,971	2,000	6%
Trust Funds		193,945	197,126	205,468	8,342	4%
Outlays		29,248	221,125	232,814	11,689	5%
Office of the Inspector General:						
1. Program Activities	D	67,214	68,848	76,326	7,478	11%
Trust Funds	D	5,552	5,542	5,815	273	5%
Total Appropriation, Office of the Inspector General		72,766	74,390	82,141	7,751	10%
Federal Funds		67,214	68,848	76,326	7,478	11%
Trust Funds		5,552	5,542	5,815	273	5%
Outlays		67,398	74,542	79,815	5,273	7%

Office, Account, Program and Activity In \$thousands	Category Code	FY 2007 Enacted	FY 2008 Enacted	FY 2009 President's Request	FY 2009 President's Request Compared to FY 2008 Enacted	
					Amount	Percent
Working Capital Fund:						
1. Working Capital Fund	D	6,168	0	0	0	0%
Mandatory Funds	M	3,000	3,000	3,000	0	0%
Total Appropriation, Working Capital Fund		9,168	3,000	3,000	0	0%
Mandatory		3,000	3,000	3,000	0	
Discretionary		6,168	0	0	0	
Outlays		2,158	-9,000	1,000	10,000	-111%
Mandatory		2,158	4,000	4,000	0	
Discretionary		0	-13,000	-3,000	10,000	
Total Appropriation, Departmental Management		2,235,609	2,220,024	2,161,203	-58,821	-3%
Mandatory		3,000	3,000	3,000	0	0%
Federal Funds		2,035,804	2,017,053	1,949,593	-67,460	-3%
Annual appropriation		1,344,804	1,326,053	1,258,593	-67,460	-5%
Advance for succeeding fiscal year		691,000	691,000	691,000	0	0%
Trust Funds		199,805	202,971	211,610	8,639	4%
Total Outlays		2,080,929	2,086,970	2,178,956	91,986	4%
Mandatory		2,158	4,000	4,000	0	0%
Discretionary		2,078,772	2,082,970	2,174,956	91,986	4%
GIFTS AND BEQUESTS						
1. Gifts and Bequests	D	155	155	155	0	0%
Total Gifts and Bequests		155	155	155	0	0%
Total Outlays		20	11	11	0	0%
RECEIPTS						
Unemployment Trust Fund	M	-8,000	-7,000	-13,000	-6,000	86%
Black Lung Disability Trust Fund	M		-2,000	-2,000	0	0%
Panama Canal Compensation	M	-6,000	-6,000	-6,000	0	0%
Other / Miscellaneous	M	-785,000	-778,000	-3,619,000	-2,841,000	365%
Total, Receipts		-799,000	-793,000	-3,640,000	-2,847,000	359%
Total Outlays		-798,629	-792,000	-3,641,000	-2,849,000	360%
TOTAL APPROPRIATION, DEPARTMENT OF LABOR		47,631,755	49,797,896	53,161,894	3,363,998	7%
Mandatory		35,945,566	38,148,711	42,619,616	4,470,905	12%
Discretionary		11,686,189	11,649,184	10,542,278	-1,106,906	-10%
Federal Funds		8,091,128	8,106,105	7,563,872	-542,233	-7%
Annual appropriation		6,319,128	6,334,105	5,791,872	-542,233	-9%
Advance for succeeding fiscal year		1,772,000	1,772,000	1,772,000	0	0%
Trust Funds		3,595,061	3,543,079	2,978,406	-564,673	-16%
TOTAL OUTLAYS, DEPARTMENT OF LABOR		47,544,100	49,651,790	54,192,146	4,540,356	9%
Mandatory (includes Advances to UTF and Pension Benefit Guaranty Corp)		35,782,432	38,043,397	41,967,122	3,923,725	10%
Discretionary		11,761,668	11,608,393	12,225,024	616,631	5%