

FY 2019

CONGRESSIONAL BUDGET JUSTIFICATION

DEPARTMENTAL MANAGEMENT

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DEPARTMENTAL MANAGEMENT

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DEPARTMENTAL MANAGEMENT

APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, \$260,729,000, together with not to exceed \$306,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts and other arrangements, and manage grants that were awarded prior to December 31, 2018: Provided further, That \$7,985,000 shall be used for program evaluation and shall be available for obligation through September 30, 2020 : Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: Provided further, That grants made for the purpose of evaluation shall be awarded through fair and open competition: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

Note.—A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution.

DEPARTMENTAL MANAGEMENT

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	1,137	\$334,536	1,075	\$332,263	1,039	\$260,729
Reimbursements	76	\$40,309	73	\$39,513	73	\$33,950
Trust Funds - Black Lung	140	\$31,994	141	\$30,595	150	\$31,994
Trust Funds - Unemployment Trust Fund	2	\$308	2	\$306	2	\$306
Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$2,207	0	-\$2,019	0	\$0
Transfers for Program Evaluation and ILAB	0	\$13,332	0	\$13,303	0	\$0
Unobligated Balance Carried Forward	0	\$54,875	0	\$43,289	0	\$0
<i>Subtotal</i>	<i>1,355</i>	<i>\$473,147</i>	<i>1,291</i>	<i>\$457,250</i>	<i>1,264</i>	<i>\$326,979</i>
B. Gross Budget Authority	1,355	\$473,147	1,291	\$457,250	1,264	\$326,979
Reimbursements	-76	-\$40,309	-73	-\$39,513	-73	-\$33,950
Transfers for Program Evaluation and ILAB	0	-\$13,332	0	-\$13,303	0	\$0
Unobligated Balance Carried Forward	0	-\$54,875	0	-\$43,289	0	\$0
<i>Subtotal</i>	<i>1,279</i>	<i>\$364,631</i>	<i>1,218</i>	<i>\$361,145</i>	<i>1,191</i>	<i>\$293,029</i>
C. Budget Authority Before Committee	1,279	\$364,631	1,218	\$361,145	1,191	\$293,029
Reimbursements	76	\$40,309	73	\$39,513	73	\$33,950
Unobligated Balance Carried Forward	0	\$54,875	0	\$43,289	0	\$0
<i>Subtotal</i>	<i>1,355</i>	<i>\$459,815</i>	<i>1,291</i>	<i>\$443,947</i>	<i>1,264</i>	<i>\$326,979</i>
D. Total Budgetary Resources	1,355	\$459,815	1,291	\$443,947	1,264	\$326,979
Direct FTE Lapse and Unobligated Balance Expiring	11	-\$43,673	0	\$0	0	\$0
Reimbursable FTE Lapse and Unobligated Balance Expiring	5	-\$13,424	0	\$0	0	\$0
E. Total, Estimated Obligations	1,371	\$402,718	1,291	\$443,947	1,264	\$326,979

DEPARTMENTAL MANAGEMENT

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2018 Full Year C.R.	FY 2019 Request	Net Change
Budget Authority			
General Funds	\$332,263	\$260,729	-\$71,534
Trust Funds	\$28,882	\$32,300	+\$3,418
Total	\$361,145	\$293,029	-\$68,116
 Full Time Equivalents			
General Funds	1,075	1,039	-36
Trust Funds	143	152	9
Total	1,218	1,191	-27

FY 2019 Change

Explanation of Change	FY 2018 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	0	\$0	0	\$0	0	\$0	0	\$0
Personnel benefits	0	\$47,570	0	\$0	0	\$0	0	\$0
One day more of pay	0	\$0	0	\$82	0	\$681	0	\$763
Federal Employees' Compensation Act (FECA)	0	\$0	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$12	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$0	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$146	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$0	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$13	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$0	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$205	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$0	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$0	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$46,281	0	\$0	0	\$0	0	\$0
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$2,398	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$1,295	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$562	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$1	0	\$0	0	\$0	0	\$0

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Explanation of Change	FY 2019 Change							
	FY 2018 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Operation and maintenance of equipment	0	\$2,162	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$1,460	0	\$0	0	\$0	0	\$0
Equipment	0	\$832	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$61,400	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$0	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	0	+\$164,337	0	+\$82	0	+\$681	0	+\$763
B. Programs:								
Legal Services - Addressing New Administration Directives and Initiatives	0	\$0	0	\$0	20	\$3,849	20	\$3,849
Adjudication - Processing of Mandatory Workload	0	\$0	9	\$2,882	0	\$0	9	\$2,882
Adjudicatory Boards Program Increase	62	\$13,149	0	\$0	0	\$700	0	\$700
Women's Bureau Regional Closures	0	\$0	0	\$0	0	\$600	0	\$600
Legal Services - Processing of Mandatory Workload	0	\$0	0	\$536	0	\$0	0	\$536
Programs Subtotal			9	+\$3,418	20	+\$5,149	29	+\$8,567
Total Increase	0	+\$164,337	9	+\$3,500	20	+\$5,830	29	+\$9,330
Decreases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	1,218	\$159,383	0	\$0	0	-\$51	0	-\$51
Federal Employees' Compensation Act (FECA)	0	\$216	0	\$0	0	-\$4	0	-\$4
Travel and transportation of persons	0	\$2,692	0	-\$20	0	-\$412	0	-\$432
Rental payments to GSA	0	\$17,956	0	\$0	0	-\$15	0	-\$15
Communications, utilities, and miscellaneous charges	0	\$821	0	\$0	0	-\$50	0	-\$50
Advisory and assistance services	0	\$9,124	0	-\$62	0	-\$99	0	-\$161
Other services from non-Federal sources	0	\$6,616	0	\$0	0	-\$50	0	-\$50
Built-Ins Subtotal	1,218	+\$196,808	0	-\$82	0	-\$681	0	-\$763
B. Programs:								
ILAB Technical Assistance	0	\$0	0	\$0	0	-\$59,240	0	-\$59,240
Women's Bureau Program Reduction	0	\$0	0	\$0	-25	-\$9,520	-25	-\$9,520
ILAB Staff Reduction	0	\$0	0	\$0	-31	-\$7,800	-31	-\$7,800
DOL Human Resources Offices Consolidation	0	\$0	0	\$0	0	-\$123	0	-\$123
Programs Subtotal			0	\$0	-56	-\$76,683	-56	-\$76,683
Total Decrease	1,218	+\$196,808	0	-\$82	-56	-\$77,364	-56	-\$77,446
Total Change	1,218	+\$361,145	9	+\$3,418	-36	-\$71,534	-27	-\$68,116

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request		Diff. FY19 Request / FY18 Full Year C.R	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Program Direction and Support	97	29,633	70	30,045	70	30,045	0	0
General Funds	97	29,633	70	30,045	70	30,045	0	0
Legal Services	624	132,979	580	128,811	600	133,073	20	4,262
General Funds	590	124,762	546	120,918	566	124,644	20	3,726
Unemployment Trust Funds	2	308	2	306	2	306	0	0
Black Lung Disability Trust Funds	32	7,909	32	7,587	32	8,123	0	536
International Labor Services	115	86,125	111	85,540	80	18,500	-31	-67,040
General Funds	115	86,125	111	85,540	80	18,500	-31	-67,040
Administration and Management	92	23,971	83	23,808	83	23,808	0	0
General Funds	92	23,971	83	23,808	83	23,808	0	0
Adjudication	259	55,678	259	55,751	268	59,333	9	3,582
General Funds	150	33,800	150	34,762	150	35,462	0	700
Black Lung Disability Trust Funds	109	21,878	109	20,989	118	23,871	9	2,882
Women's Bureau	45	11,330	40	12,445	15	3,525	-25	-8,920
General Funds	45	11,330	40	12,445	15	3,525	-25	-8,920
Civil Rights	30	6,880	29	6,833	29	6,833	0	0
General Funds	30	6,880	29	6,833	29	6,833	0	0

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SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY

(Dollars in Thousands)

	FY 2017 Enacted		FY 2018 Full Year C.R.		FY 2019 Request		Diff. FY19 Request / FY18 Full Year C.R	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Chief Financial Officer	28	9,995	36	9,927	36	9,927	0	0
General Funds	28	9,995	36	9,927	36	9,927	0	0
Departmental Program Evaluation	0	8,040	10	7,985	10	7,985	0	0
General Funds	0	8,040	10	7,985	10	7,985	0	0
Total	1,290	364,631	1,218	361,145	1,191	293,029	-27	-68,116
General Funds	1,147	334,536	1,075	332,263	1,039	260,729	-36	-71,534
Unemployment Trust Funds	2	308	2	306	2	306	0	0
Black Lung Disability Trust Funds	141	29,787	141	28,576	150	31,994	9	3,418

NOTE: 2017 reflects actual FTE.

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BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
	Full-Time Equivalent				
	Full-time Permanent	1,289	1,218	1,191	-27
	Reimbursable	79	73	73	0
	Total	1,368	1,291	1,264	-27
	Average ES Salary	\$168,573	\$179,669	\$183,262	\$3,593
	Average GM/GS Grade	13/7	13/8	13/8	0
	Average GM/GS Salary	\$109,067	\$116,208	\$118,532	\$2,324
	Average Salary of Ungraded Positions	167,723	171,420	174,848	3,428
11.1	Full-time permanent	157,130	156,176	154,516	-1,660
11.3	Other than full-time permanent	1,933	927	799	-128
11.5	Other personnel compensation	2,641	2,275	2,165	-110
11.8	Special personal services payments	6	5	5	0
11.9	Total personnel compensation	161,710	159,383	157,485	-1,898
12.1	Civilian personnel benefits	47,918	47,786	47,088	-698
13.0	Benefits for former personnel	5	12	12	0
21.0	Travel and transportation of persons	3,456	2,692	1,566	-1,126
22.0	Transportation of things	36	146	125	-21
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	17,651	17,956	17,410	-546
23.2	Rental payments to others	17	13	13	0
23.3	Communications, utilities, and miscellaneous charges	2,820	821	771	-50
24.0	Printing and reproduction	207	205	157	-48
25.1	Advisory and assistance services	8,438	9,124	8,463	-661
25.2	Other services from non-Federal sources	5,595	6,616	7,524	908
25.3	Other goods and services from Federal sources 1/	46,061	49,974	47,415	-2,559
25.4	Operation and maintenance of facilities	600	1	7	6
25.5	Research and development contracts	311	562	0	-562
25.7	Operation and maintenance of equipment	5,013	2,162	2,234	72
26.0	Supplies and materials	1,943	1,460	1,409	-51
31.0	Equipment	1,996	832	1,348	516
41.0	Grants, subsidies, and contributions	60,819	61,400	0	-61,400
42.0	Insurance claims and indemnities	35	0	2	2
51.1	Benefits	0	0	0	0
	Total	364,631	361,145	293,029	-68,116
	1/Other goods and services from Federal sources				
	Working Capital Fund	46,031	46,281	44,455	-1,826
	DHS Services	9	2,398	2,342	-56
	Services by Other Government Departments	15	1,136	462	-674
	GSA Services	6	2	2	0

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AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
	Bureau of International Labor Affairs (ILAB)				
Pub. L. 101-179	Support for East European Democracy (SEED) Act of 1989	22 U.S.C. 5401 et seq.			
Pub. L. 102-511	(ILAB) FREEDOM Support Act	22 U.S.C.A. 5801 et seq.			
Pub. L. 103-82	(ILAB) Canada-Mexico-United States: North America Agreement on Labor Cooperation (NAALC)				
Pub. L. 106-200	(ILAB) Trade and Development Act of 2000	19 U.S.C. 2464			
Pub. L. 106-554	(ILAB) DOL appropriation provided for funding to be used for ...Departmental bilateral and multilateral foreign technical assistance...	Stat. 2763			
Pub. L. 66-259	Women's Bureau Act to establish the Women's Bureau	29 U.S.C. 11-14			
Pub. L. 103-353	Veterans' Employment and Training Services (VETS)	38 U.S.C. 4100- 4110A and 4321- 4327			
Pub. L. 105-339	VETS Opportunity Act of 1998 Protects veterans' preference in government hiring	5 U.S.C. 3330a.			
Pub. L. 103-353	Uniformed Services Employment and Reemployment Rights Acts of 1994. Protects members of the uniformed services from discrimination in hiring and re- employment after service in the military.	38 U.S.C. 4301- 4333			
	Office of the 21 st Century Workforce	E.O. 13218			
	OALJ – Black Lung Appeals Program Title IV, Federal Mine Safety & Health Act of 1977, as amended.	33 U.S.C. Section 901 et seq.			
	OALJ – Longshore Appeals Program Longshore & Harbor Workers Act	33 U.S.C. Section 901 et seq.			
	OALJ – Traditional Program & Board of Alien Labor Certification Appeals	Over 80 labor- related statutes & regulations. See OALJ website www.oalj.dol.gov			
	Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program	30 U.S.C. Section 901 et seq.			

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Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program	33 U.S.C. Section 901 et seq.
Employees’ Compensation Appeals Board. Review appeals of claims under Federal Employees’ Compensation Act	5 U.S.C. Section 8101 et seq.
Pub. L. 99-570 Anti-Drug Act of 1986	

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2009					
Base Appropriation...1/	\$263,483			\$314,198	1,195
2010					
Base Appropriation	\$355,154	\$375,245	\$382,245	\$356,006	1,241
2011					
Base Appropriation...2/	\$428,624	\$387,927	\$411,982	\$354,627	1,257
2012					
Base Appropriation...3/	\$371,554	\$268,733	\$347,009	\$346,353	1,282
2013					
Base Appropriation...4/	\$348,927			\$328,237	1,255
2014					
Base Appropriation...5/ 6/	\$347,856			\$336,929	1,259
2015					
Base Appropriation...6/	\$346,189			\$337,929	1,250
2016					
Base Appropriation...6/ 7/	\$375,985	\$284,229	\$258,727	\$334,373	1,239
2017					
Base Appropriation...6/ 7/	\$387,925			\$334,844	1,279
2018					
Base Appropriation...8/	\$290,453	\$247,911			
2019					
Base Appropriation	\$261,035				1,191

1/ This bill was only reported out of Subcommittee.

2/ Reflects a \$29,172,000 reduction pursuant to P.L. 112-10.

3/ Reflects a .189% across the board reduction pursuant to P.L. 112-74

4/ Reflects a 0.2% across the board rescission pursuant to P.L. 113-6 and the sequestration reduction pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

5/ Reflects the full appropriation pursuant to P.L. 113-76 without enacted rescissions.

6/ Reflects sequestration reduction to mandatory accounts pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

7/ Budget estimates to Congress and Appropriations do not reflect transfers from the Employment and Training Administration for the purposes of program evaluation.

8/ A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

DEPARTMENTAL MANAGEMENT

OVERVIEW

Introduction

The Departmental Management (DM) Salaries and Expenses (S&E) appropriation provides policy, regulatory, legal, and administrative services to every agency within the Department. The DM S&E appropriation is composed of the following nine budget activities: Program Direction and Support; Legal Services; International Labor Affairs; Administration and Management; Adjudication; Women's Bureau; Civil Rights; Chief Financial Officer; and Departmental Program Evaluation. Three of the nine activities (Program Direction and Support; Administration and Management; and Adjudication) include a consolidation of several smaller operating programs.

Program Direction and Support

The Program Direction and Support (PDS) activity provides leadership and direction for the various DOL agencies. As part of its responsibilities, PDS oversees a program of analysis and general research on issues affecting America's workforce and evaluates the effectiveness of Departmental programs. PDS includes funding for the following organizations: Office of the Secretary; Office of the Deputy Secretary; Office of the Assistant Secretary for Policy; Office of Congressional and Intergovernmental Affairs; Office of Public Affairs; Office of Public Engagement; and the Center for Faith-based and Neighborhood Partnerships.

Office of the Solicitor

The Office of the Solicitor (SOL) provides legal services to the Secretary and to the client agencies within DOL. Its central purposes are law enforcement, legal advice, and compliance assistance. Unlike many of the general counsels' offices in the federal government, SOL has independent litigating authority under a number of Federal statutes. Approximately half of the attorneys in SOL are in regional offices outside Washington, D.C., and their responsibilities deal primarily with litigation in Federal district courts and before administrative law judges. SOL also provides legal advice to the Secretary and other agency heads on a wide variety of matters arising under the nearly 200 laws the Department enforces.

Bureau of International Labor Affairs

The Bureau of International Labor Affairs (ILAB) promotes a fair global playing field for workers and businesses in the United States by enforcing trade commitments; strengthening labor standards; and combating international child labor, forced labor, and human trafficking. ILAB combines trade and labor monitoring and enforcement, policy engagement, research, and technical cooperation to carry out the international responsibilities of the Department of Labor.

Administration and Management

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department of Labor to perform its mission. OASAM

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provides leadership and support for departmental business operations and procurement; information technology; human resources and civil rights; security and emergency management; and strategic planning.

Adjudication

The Adjudication activity includes the Office of Administrative Law Judges (OALJ), the Benefits Review Board (BRB), the Employees' Compensation Appeals Board (ECAB), and the Administrative Review Board (ARB). They review and determine several thousand appeals each year, make legal interpretations, and establish legal precedents that set standards for the entire nation.

Women's Bureau

Women in the workforce are vital to the Nation's economic security. The Women's Bureau develops policies and standards and conducts inquiries to safeguard the interests of working women, to advocate for their equality and economic security for themselves and their families, and to promote quality work environments.

Civil Rights Center

The Civil Rights Center's (CRC) mission is to ensure compliance with Federal civil rights laws and regulations that cover DOL employees, applicants for employment, DOL conducted programs, and programs and activities receiving or benefiting from DOL financial assistance.

Office of the Chief Financial Officer

The Office of Chief Financial Officer (OCFO) is responsible for the financial and budgetary leadership of DOL. Its mission is to foster effective stewardship of public funds; to safeguard fiscal integrity; and to deliver timely, accurate, and reliable financial information.

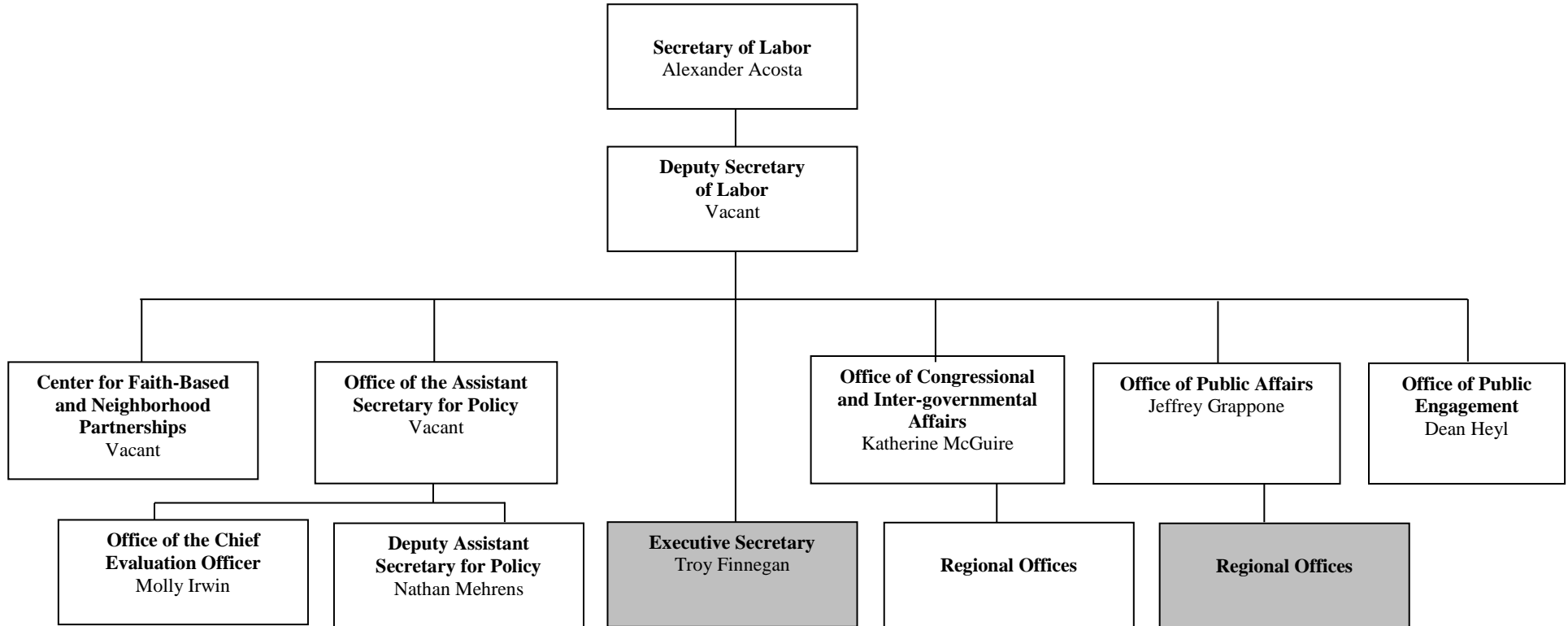
Departmental Program Evaluation

The Departmental Program Evaluation activity designates and centralizes specific program evaluation funds that can be used in collaboration with various Department of Labor agencies for individual program evaluations to identify what is working, what is not working, and improvements that would help ensure resources are spent effectively Department-wide.

DEPARTMENTAL MANAGEMENT

ORGANIZATION CHARTS

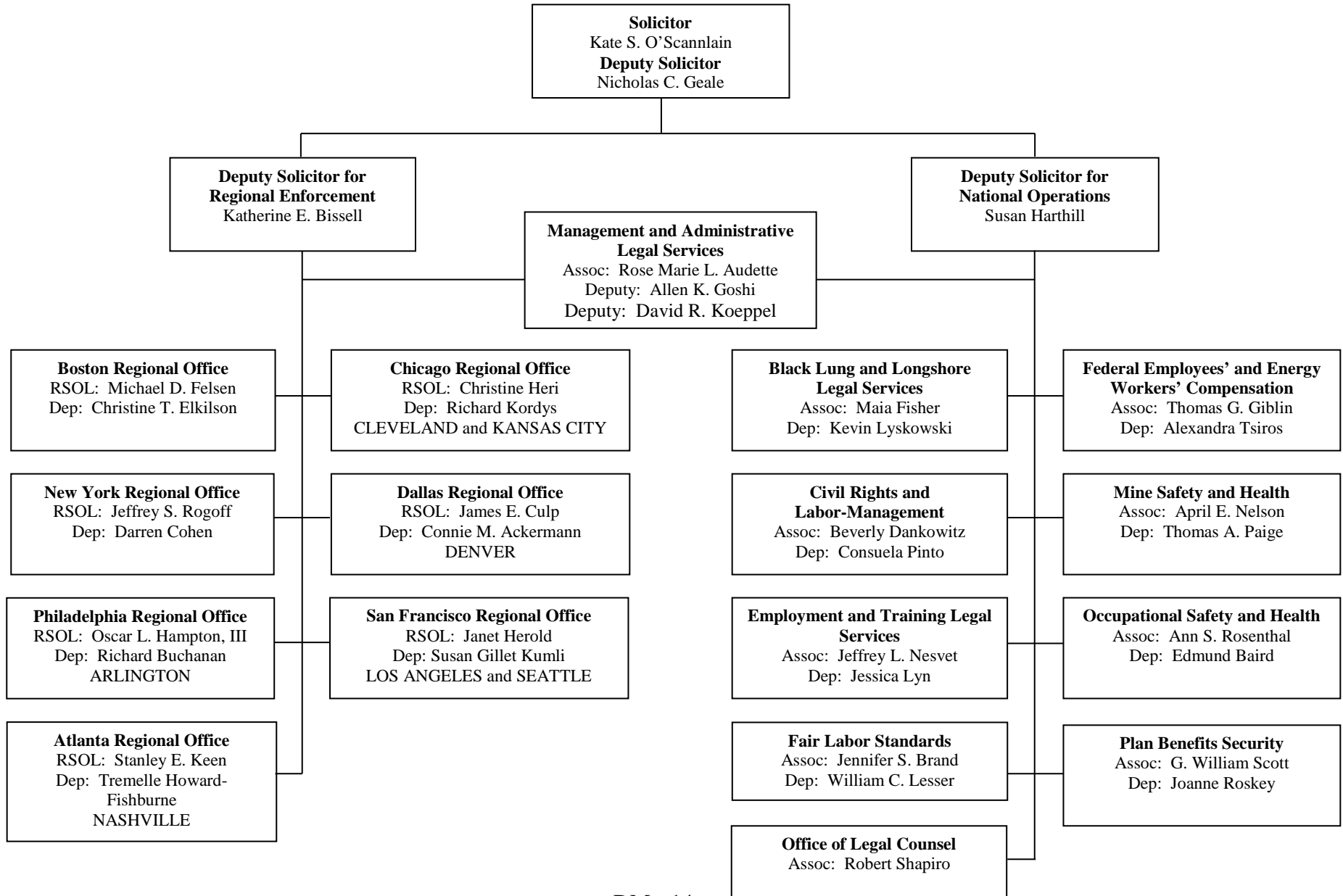
PROGRAM DIRECTION AND SUPPORT



Shaded box indicates funding through the Working Capital Fund

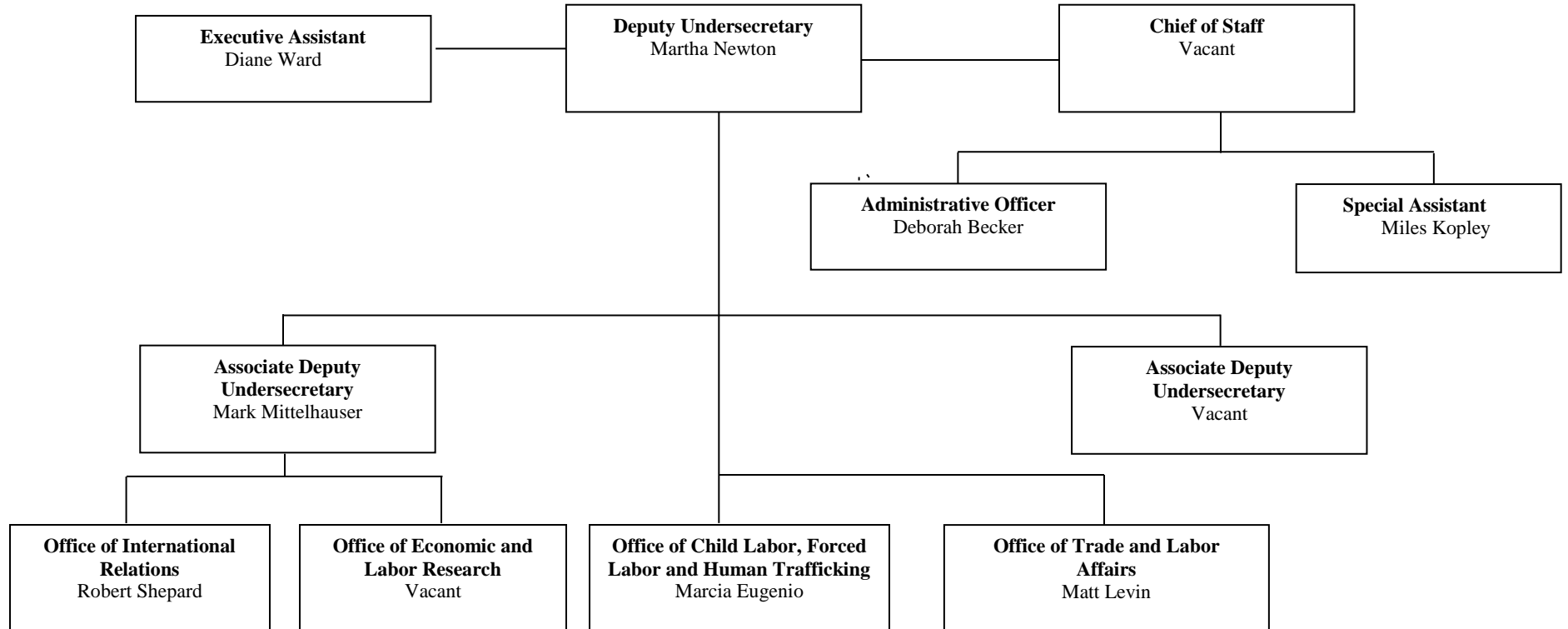
DEPARTMENTAL MANAGEMENT

OFFICE OF THE SOLICITOR



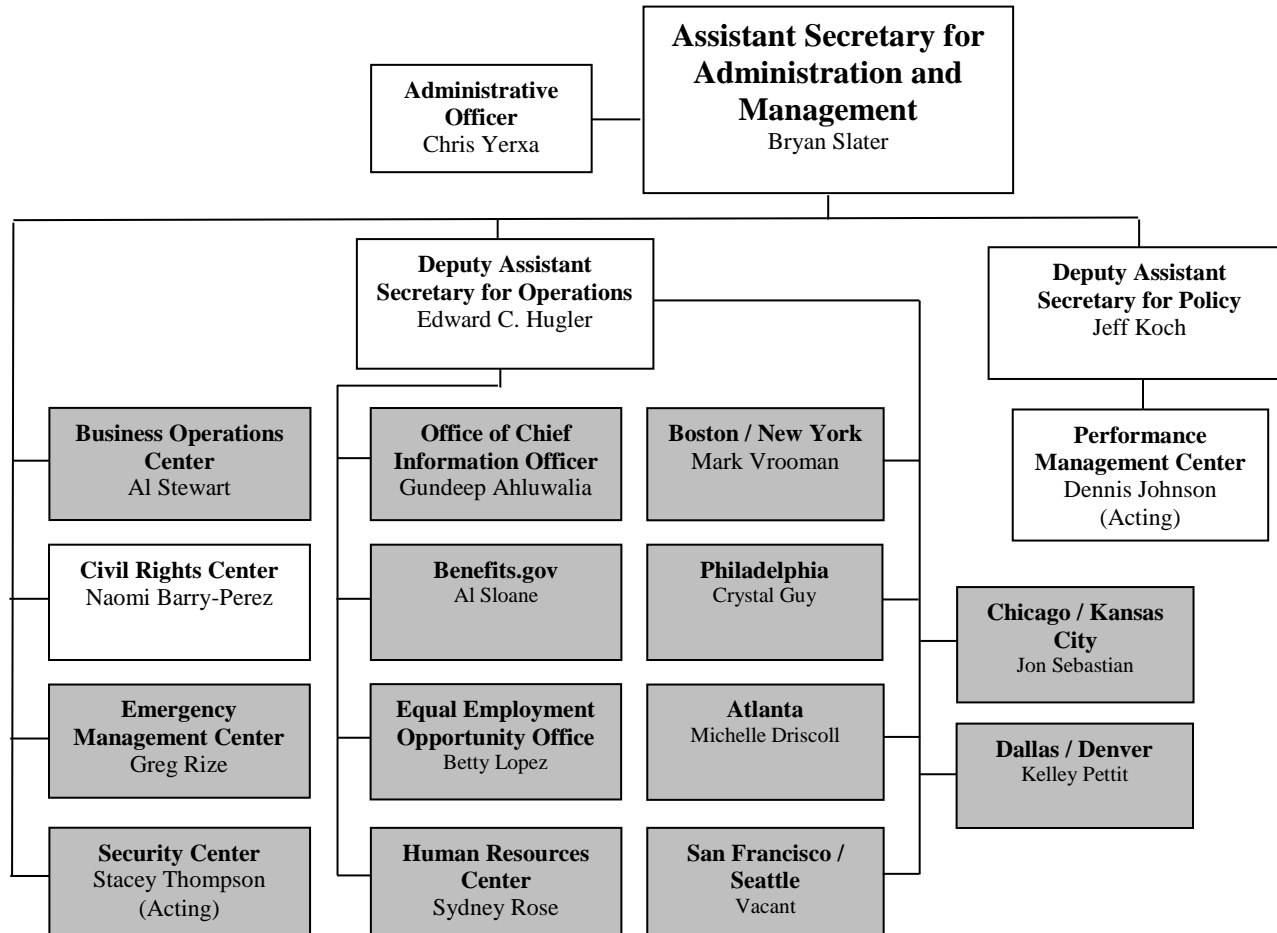
DEPARTMENTAL MANAGEMENT

INTERNATIONAL LABOR AFFAIRS BUREAU



DEPARTMENTAL MANAGEMENT

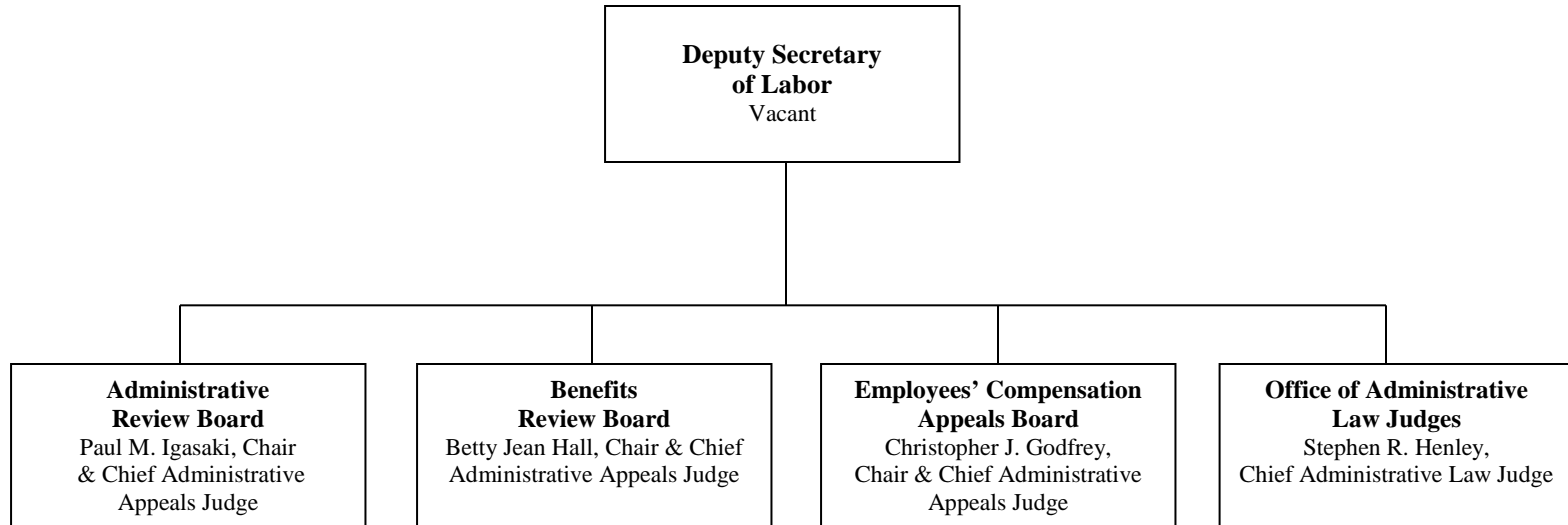
OFFICE OF ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT



Shaded box indicates funding through the Working Capital Fund

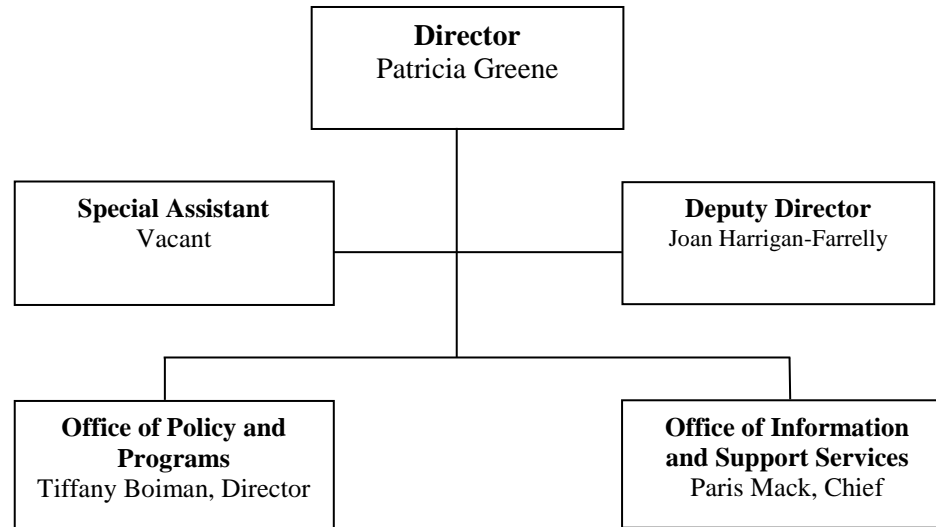
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ADJUDICATION



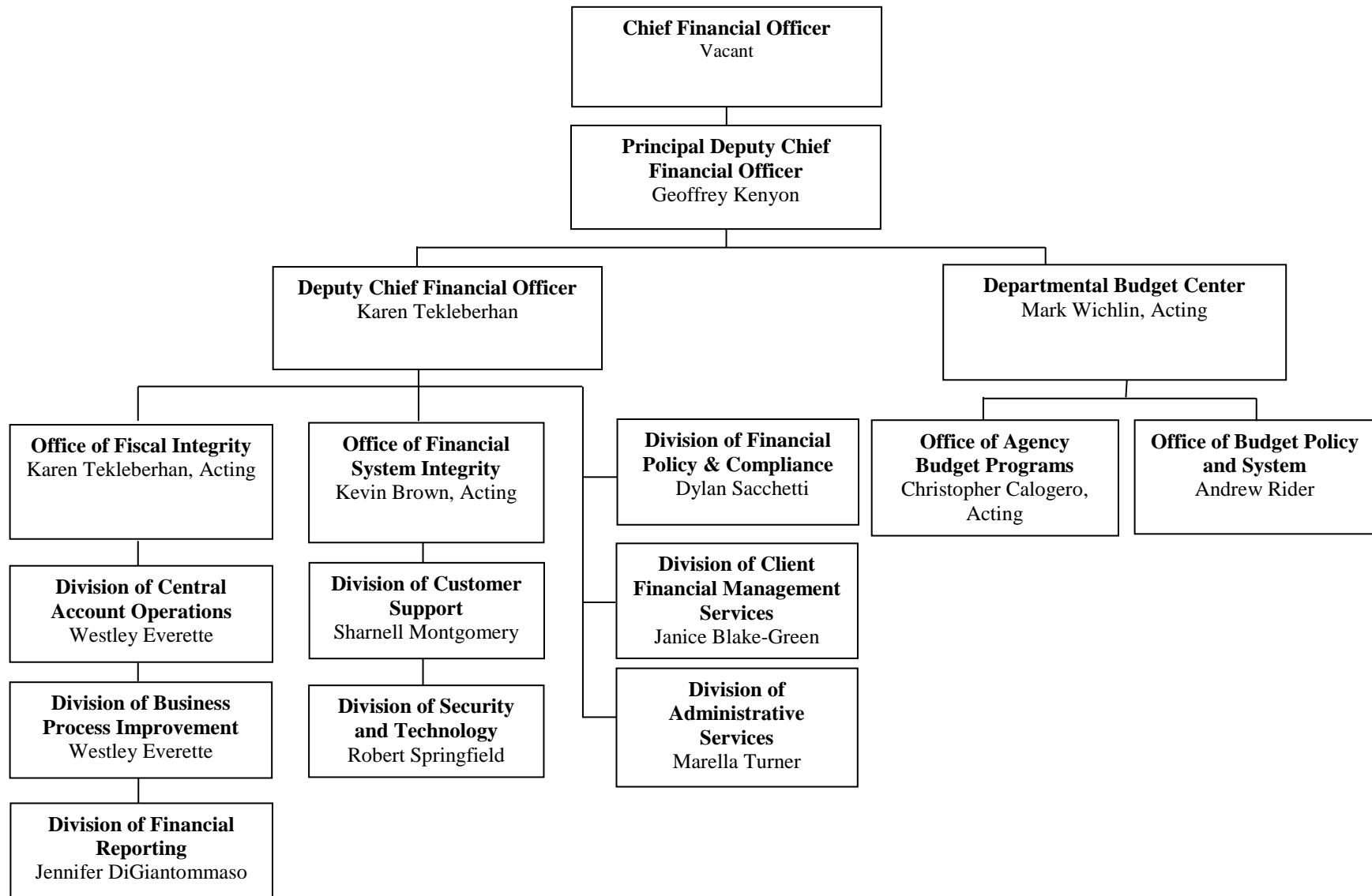
DEPARTMENTAL MANAGEMENT

WOMEN'S BUREAU



DEPARTMENTAL MANAGEMENT

OFFICE OF THE CHIEF FINANCIAL OFFICER



PROGRAM DIRECTION AND SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	29,633	30,045	30,045	0
FTE	97	70	70	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 88.

Introduction

The Program Direction and Support activity provides funding for the offices that offer centralized leadership and direction for the Department.

In addition to the Office of the Secretary of Labor and the Office of the Deputy Secretary of Labor, the Program Direction and Support activity includes the following offices:

Office of Public Affairs: The Office of Public Affairs (OPA) directs and coordinates the public affairs programs and activities of the U.S. Department of Labor. OPA is the chief adviser on public affairs to the Secretary, Deputy Secretary, agency heads, and departmental staff in developing communication strategies, public affairs, and media relations goals and objectives.

Center for Faith-Based & Neighborhood Partnerships: The Center for Faith-based and Neighborhood Partnerships at the U.S. Department of Labor builds partnerships with faith-based groups, community organization, and neighborhood leaders to better serve disadvantaged and underserved workers and job seekers.

Office of Congressional and Intergovernmental Affairs: The Office of Congressional and Intergovernmental Affairs is the principal representative on the Department's legislative program and coordinates legislative proposals with staff of other Federal agencies.

Office of the Assistant Secretary for Policy: The Office of the Assistant Secretary for Policy (OASP) serves as a source of independent policy analysis and advice for the Secretary, Deputy Secretary, and the Department. The work of OASP staff may be divided into six areas:

- **Policy and Data Analysis:** OASP undertakes broad analytical studies of issues, identifies gaps in policy and data, and initiates policy planning and formulation to fill these gaps.
- **Evaluation:** The Chief Evaluation Office (CEO) coordinates DOL's evaluation agenda and carries out consultative statistical and data analytical projects. CEO FTEs are funded in the Departmental Program Evaluation activity, where evaluation performance is reported.
- **Regulatory Policy and Reform Officer:** OASP serves as the Department's Regulatory Policy Officer, has responsibilities as the Regulatory Reform Officer, and chairs the Department's Regulatory Reform Task Force.

PROGRAM DIRECTION AND SUPPORT

- **Data Capacity:** OASP hosts the DOL Data Board, a DOL interagency working group, to promote data capacity and establish a new data governance model advancing DOL’s management of data as a strategic asset and service. The move towards data-informed policymaking across the government has led to an increased need for a modern data infrastructure and strengthened data capacity.
- **Coordination:** OASP engages agencies within the Department to coordinate and integrate policy initiatives with Secretarial and Administration objectives. OASP staff coordinates the Government Accountability (GAO) review process, leads cross-agency initiatives, supports the implementation of agency-led policy initiatives, and offers policy feedback on and coordinates agency input into Secretarial communications.
- **Liaison and Outreach:** OASP acts as a liaison with nongovernmental organizations, the academic community, think tanks, and others to exchange expert views on matters relevant to labor policy and to ensure that broad public opinion informs the policy formulation process.

Office of Public Engagement: The Office of Public Engagement maintains a program of public information and communications to inform the public of the services and protection afforded by Departmental agencies.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$31,010	127
2015	\$31,010	136
2016	\$31,010	136
2017	\$30,250	88
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

The FY 2019 budget request for the Program Direction and Support (PDS) activity is \$30,045,000 and 70 FTE. Funding at this level will provide for continued support of leadership on key DOL initiatives and mandates. Reduced FTE use in FY 2017 reflects the move of FTE reporting for CEO staff to the Departmental Program Evaluation budget activity and strategic human resources planning that includes decisions not to backfill less critical positions.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

PROGRAM DIRECTION AND SUPPORT

FY 2017

In FY 2017, the OASP managed the Department of Labor's overall regulatory program and deregulatory efforts, including the creation and implementation of the Department's Regulatory Reform Task Force under Executive Order 13777, in its review to identify those regulatory actions that place an undue burden on employers with minimal impact on worker protections. The Office also managed and ensured the Department's compliance with Executive Order 13771, which mandated certain requirements for regulatory agencies, including a requirement that for every one regulatory action that two deregulatory actions be accomplished, and that no new net costs be imposed on the regulated community.

PROGRAM DIRECTION AND SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	12,553	15,348	15,363	15
11.3	Other than full-time permanent	288	372	372	0
11.5	Other personnel compensation	144	172	172	0
11.9	Total personnel compensation	12,985	15,892	15,907	15
12.1	Civilian personnel benefits	3,781	4,555	4,540	-15
13.0	Benefits for former personnel	0	12	12	0
21.0	Travel and transportation of persons	450	541	541	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	2,430	1,657	1,657	0
23.3	Communications, utilities, and miscellaneous charges	213	224	224	0
24.0	Printing and reproduction	34	81	81	0
25.1	Advisory and assistance services	1,008	1,387	1,387	0
25.2	Other services from non-Federal sources	281	505	505	0
25.3	Other goods and services from Federal sources 1/	6,131	4,608	4,608	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	2,157	53	53	0
26.0	Supplies and materials	130	161	161	0
31.0	Equipment	33	369	369	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	29,633	30,045	30,045	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	6,131	3,982	3,982	0
	DHS Services	0	626	626	0

PROGRAM DIRECTION AND SUPPORT

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	-\$51
Personnel benefits	0
One day more of pay	66
Federal Employees' Compensation Act (FECA)	-15
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$30,045	70
Program Increase	\$0	0
Program Decrease	\$0	0

LEGAL SERVICES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	132,979	128,811	133,073	4,262
FTE	624	580	600	20

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 626.

Introduction

The Office of the Solicitor of Labor (SOL) is the legal enforcement and support arm of the Department of Labor. Its mission is to meet the legal service demands of the entire Department, including providing the legal support necessary to enable the Secretary of Labor to further goals that support the President’s strategic vision to improve opportunities and quality of life for the American people. SOL provides its legal services through National Office Divisions that are generally devoted to the major laws under the Department’s jurisdiction and Regional Offices that undertake front-line enforcement initiatives, including trial-level litigation to protect and improve the working conditions and security of America’s working women and men.

SOL plays a critical role in advancing the Department’s mission through enforcement of worker safety and protection laws and implementation of the Secretary’s regulatory and program agendas. SOL works closely with other DOL agencies to develop and implement specific policies and mission critical programs. Additionally, SOL helps improve the effectiveness of training programs for American workers and advises the Secretary and Departmental leadership on a full range of legal issues. As a result, SOL shares the goals of each of its clients. SOL’s services to its client agencies fall into four primary categories: pre-litigation, litigation, opinion and advice, and assistance in development of regulations. SOL contributes to the accomplishment of all of the Department’s enforcement, strategic, and outcome goals by:

- undertaking litigation to carry out the Secretary’s priority enforcement initiatives, and to defend the Secretary’s vision and the program agencies of the Department;
- assisting in the development, drafting, and legal review of legislation, regulations, Executive Orders, and other matters affecting Departmental programs; and
- providing legal opinions/advice to the Secretary and to Departmental and agency officials.

SOL ensures that all DOL actions are based on sound legal advice that is:

- Timely;
- Understandable;
- Able to identify and mitigate legal risk;
- Effective; and
- In line with clients’ goals and priorities.

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The priorities in SOL's Congressional Budget Justification (CBJ) submission for FY 2019 mirror the Department's budget and program priorities, and seek the funding necessary to enable SOL to provide timely and effective advice and litigation services, in support of worker wages, benefits, safety, and rights, thus contributing to a sound economy and economic growth.

Because the estimated annualized FY 2018 Continuing Resolution (CR) level for SOL would sharply reduce SOL funding and affordable FTE level, this budget submission seeks a program increase from the FY 2018 annualized CR level to restore SOL's funding level to the FY 2017 Revised Enacted in order to provide the Department with a sufficient level of legal services to address the Administration's priorities and support the work of the Department across its many programs, and in order to provide SOL with resilient capacity to provide continuing legal services on demand in support of new Administration directives and initiatives.

Five-Year Budget Activity History¹

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$125,444	650
2015	\$126,444	627
2016	\$125,308	616
2017	\$122,053	626
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

¹ This table reflects direct discretionary funding sources and FTE.

FY 2019

In FY 2019, SOL is requesting \$133,073,000 and 600 FTE. This funding and FTE cover General, Unemployment Trust Fund (UTF), and Black Lung Disability Trust Fund (BLDTF) funding. Reimbursement funding and FTE are not included in the above request.

The request includes an increase of \$536,000 and no FTE in BLDTF to address workload increases in adjudication before Administrative Law Judges and the Benefits Review Board, in order to ensure the Black Lung Benefits program continues to be properly administered in addressing the needs of American workers. SOL represents the Director, Office of Workers' Compensation Programs (OWCP), in all black lung cases before the Office of Administrative Law Judges (OALJ), the Benefits Review Board (BRB), and the U.S. Courts of Appeals. Because of an increase in black lung claims filings and increasing OALJ adjudication rates aimed at reducing case backlog, the number of black lung cases before the OALJ and BRB requiring SOL representation has multiplied over the last several years. And, because of novel administrative law issues pending in the federal courts, SOL expends more resources per case than it ever has before. Likewise, OWCP program integrity, timeliness, and modernization efforts have and will continue to require significant SOL legal support. Absent additional resources, SOL will be unable to support black lung program improvements or meet its litigation obligations.

LEGAL SERVICES

This request also includes a program increase of \$3,849,000 and 20 FTE to provide SOL with capacity to provide continuing legal services on demand in support of new Administration directives and initiatives. These priorities have taken the shape of executive orders and other presidential directives that have necessitated additional and varying levels of un-programmed and non-routine opinion advice, regulatory, compliance, and litigation work to effectively integrate these efforts into existing policy and enforcement programs and activities. Such supplementary workload includes expanding America's access to health insurance options and high quality health care through small business health plans/"association health plans" (AHPs) and other healthcare initiatives, enhancing immigration enforcement to advance the "Buy American, Hire American" vision, expanding compliance assistance work, and regulatory burden reduction efforts for the regulated community, as well as responding promptly to realize the President's highest priorities across Departmental areas as they emerge.

The FY 2019 request includes a program decrease of \$123,000 and no FTE to reflect the Department's estimate of cost savings that would accrue from consolidation of human resources functions, as described in the Working Capital Fund budget.

Absent these resources, SOL would not be as able to provide support for the workload generated by new Administration directives and initiatives, or to keep pace with the demands for legal services to support ongoing programs and activities which span the full breadth of DOL programs, enforcement, and compliance assistance activities. Furthermore, SOL would have to reduce available legal services consistent with the approximately 3.4% of additional resources requested, resulting in fewer matters opened, increases in the number of matters pending and decreases in the ability to close matters. Ultimately this would result in slower or deferred provision of legal services given the limited specialty and professional resources that are required to meet client demands for legal support as they engage in new and innovative efforts to help America's working men and women and job creators.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-56). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

At the FY 2017 Revised Enacted funding level, SOL received \$132,979,000 and used 624 FTE. SOL used this funding to carry out its responsibility of providing comprehensive legal services to the Department to advance the Department's mission, the programs and priorities of the Secretary and each of our client agencies. SOL worked closely with its client agencies to support priority initiatives such as regulatory reform efforts, departmental management and administration, as well as enforcement and benefit program opinion and advice, pre-litigation, and litigation support.

LEGAL SERVICES

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
Legal Services					
Pre Litigation:					
PRE-01	Matters Opened	3,500[p]	3,295	3,100[p]	3,200[p]
PRE-02	Matters Concluded	3,100[p]	3,080	2,900[p]	3,000[p]
PRE-04	Matters Pending	2,752[p]	3,003	3,100[p]	3,050[p]
Litigation:					
LIT-01	Matters Opened	8,600[p]	8,499	7,900[p]	8,200[p]
LIT-02	Matters Concluded	9,900[p]	10,851	10,100[p]	10,400[p]
LIT-04	Matters Pending	11,905[p]	10,818	10,900[p]	10,850[p]
Opinion/Advice:					
OA-01	Matters Opened	9,000[p]	8,319	7,700[p]	8,000[p]
OA-02	Matters Concluded	8,100[p]	7,825	7,300[p]	7,500[p]
OA-04	Matters Pending	20,332[p]	21,313	21,550[p]	21,400[p]
Regulations:					
REG-01	Matters Opened	84[p]	63	94[p]	94[p]
REG-02	Matters Concluded	90[p]	65	100[p]	100[p]

LEGAL SERVICES

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
REG-04	Matters Pending	122[p]	106	122[p]	122[p]

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

LEGAL SERVICES

Detailed Workload and Performance Narrative

SOL's workload performance measures involve a simple count of the number of Matters that SOL opens and concludes and the number of pending Matters each quarter in each of four categories of Matters (Pre-litigation, Litigation, Opinion/Advice, and Regulation). SOL considers a Matter a collection of related activities that contribute to a specific investigation, litigation, regulation, or opinion/advice. These performance measures help SOL track its production on a quarterly and annual basis, and provide a contextual basis for SOL to compare its production over time, and help SOL track the demand for and provision of legal services to specific DOL client agencies.

SOL's FY 2019 workload performance targets are best estimates based on FY 2017 year-end results, and projected results for FY 2018 based on the FY 2018 annualized Continuing Resolution level. The FY 2019 projections are further informed by analysis of SOL's Matter data as a reflection of SOL's client agencies' requests for legal services. It should be noted that simple Matter counts do not capture variations in the level of effort and resource investment SOL may need to make for a given Matter, especially with respect to highly complex litigation or regulation Matters.

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BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	78,921	73,370	76,440	3,070
11.3	Other than full-time permanent	199	0	0	0
11.5	Other personnel compensation	1,350	1,169	1,169	0
11.8	Special personal services payments	6	5	5	0
11.9	Total personnel compensation	80,476	74,544	77,614	3,070
12.1	Civilian personnel benefits	23,557	22,006	22,836	830
13.0	Benefits for former personnel	5	0	0	0
21.0	Travel and transportation of persons	811	425	64	-361
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	6,446	8,612	8,612	0
23.2	Rental payments to others	5	0	0	0
23.3	Communications, utilities, and miscellaneous charges	1,895	0	0	0
24.0	Printing and reproduction	50	20	24	4
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	1,463	2,002	2,500	498
25.3	Other goods and services from Federal sources 1/	16,274	19,375	19,375	0
25.4	Operation and maintenance of facilities	0	1	7	6
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	466	1,070	1,162	92
26.0	Supplies and materials	920	545	617	72
31.0	Equipment	596	211	260	49
42.0	Insurance claims and indemnities	15	0	2	2
	Total	132,979	128,811	133,073	4,262
	1/Other goods and services from Federal sources				
	Working Capital Fund	16,274	18,789	18,789	0
	DHS Services	0	586	586	0

LEGAL SERVICES

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	399
Federal Employees' Compensation Act (FECA)	22
Benefits for former personnel	0
Travel and transportation of persons	-421
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$4,262**

Direct FTE **20**

	Estimate	FTE
Base	\$128,811	580
Program Increase	\$4,385	20
Program Decrease	-\$123	0

INTERNATIONAL LABOR SERVICES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	86,125	85,540	18,500	-67,040
FTE	115	111	80	-31

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 116.

Introduction

ILAB promotes a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking.

When other countries fail to enforce their labor laws, do not abide by their trade-related labor commitments, or allow exported goods to be produced through child labor, forced labor, or in other exploitative labor conditions, they gain an unfair competitive advantage that can harm workers and businesses in the United States. ILAB's work supports U.S. workers and others around the world by:

- **Monitoring and Enforcing Labor Provisions of U.S. Trade Agreements and Preference Programs.** ILAB negotiates, monitors, and enforces the labor provisions of trade agreements and trade preference programs as part of its work to ensure that trade partners do not reduce workers' protections in order to gain an unfair trade advantage or attract investment. In addition, ILAB works with interagency partners, as well as workers and businesses, to improve compliance with labor standards. These efforts are bolstered by research to strengthen labor law enforcement and compliance with the labor requirements of U.S. trade agreements and preference programs and to understand the precise effects trade has on labor markets as well as to document the benefits and costs that trade and international investment flows and policies have on workers and employers in the United States.
- **Strengthening Global Labor Standards to Promote a Level Playing Field for U.S. Workers and Businesses.** ILAB represents U.S. interests on labor and employment issues at the International Labor Organization (ILO), G-20, G-7, OECD, and other multilateral institutions. In this capacity, ILAB leads engagement on U.S. positions to improve labor standards, support stronger and more inclusive global growth, and shape policy priorities among major trading partners. ILAB couples these efforts with effective bilateral diplomacy with strategic countries to help level the playing field for U.S. workers and companies while helping to bolster markets for American goods and services. In these efforts, ILAB also draws lessons from research identifying global best practices in labor market policy and works closely with DOL's domestic agencies and other U.S. government partners to use these lessons to further policies that support quality job creation in the United States.

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- **Combating Exploitative Child Labor, Forced Labor, and Human Trafficking.** ILAB conducts research and produces reporting, as mandated by Congress and Executive Order, on child labor, forced labor, and human trafficking, including the *Findings on the Worst Forms of Child Labor*; *List of Goods Produced by Child Labor or Forced Labor*; and *List of Goods Produced by Forced or Indentured Child Labor*. ILAB works with governments, workers, and companies to eliminate these labor abuses and help keep products made under exploitative labor conditions out of the U.S. market.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$91,125	105
2015	\$91,125	106
2016	\$86,125	112
2017	\$86,125	116
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

The FY 2019 request for ILAB is \$18,500,000 and 80 FTE. This funding level includes a program decrease of \$59,240,000 to eliminate new grants and a program decrease of \$7,800,000 to reduce staff levels. This reduction reflects the workload decrease associated with the elimination of new grants as well as ILAB's refocusing of its efforts and resources on ensuring that U.S. trade agreements are fair for U.S. workers by monitoring and enforcing the labor provisions of Free Trade Agreements (FTAs) and trade preference programs. ILAB will be more strategic in its representation of U.S. labor and employment priorities at the ILO, G20, and bilateral engagement. ILAB will continue to work to hold U.S. trade partners to their labor related commitments to ensure a fair global playing field for workers and businesses around the world and promote quality job creation in the United States.

ILAB's mission is to promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. When other countries fail to enforce their labor laws, do not abide by their trade-related labor commitments, or allow exported goods to be produced through child labor, forced labor, or in other exploitative labor conditions, they gain an unfair competitive advantage that can harm workers and businesses in the United States. These efforts support the Department of Labor's Strategic Goal to promote safe jobs and fair workplaces for all Americans.

Monitoring and Enforcing Labor Provisions of U.S. Trade Agreements and Preference Programs

With the resources requested, ILAB will focus on monitoring and enforcing the labor provisions of the 19 U.S. FTAs that include such provisions. It will also conduct targeted monitoring and

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enforcement of the labor provisions of trade preference programs with over 125 countries under the Generalized System of Preferences and the African Growth and Opportunity Act. To accomplish this objective, ILAB will use a three-pronged strategy:

- (1) Conduct rigorous monitoring and research: proactively identify the most critical and high-priority labor concerns in trade partner countries, assess and affirmatively target those concerns, and develop the means to address them;
- (2) Increase efficiencies in receiving and reviewing trade complaints: develop streamlined processes for receiving, reviewing, and analyzing public complaints that allege a trade partner is not complying with its labor-related trade obligations, as well as for publishing reports that analyze the facts underlying the complaint and determine whether subsequent U.S. government trade enforcement actions are warranted; and
- (3) Identify and leverage a range of enforcement and engagement tools to replace the technical assistance projects: creatively use a variety of tools to enforce labor provisions of free trade agreements and other trade benefit programs, including trade and diplomatic leverage, policy engagement, involvement in international and multilateral organizations, and direct capacity building, among others.

ILAB will continue to act as the principal liaison with U.S. trading partners for the administration of FTA labor subcommittees and labor cooperation mechanisms. ILAB will also work to negotiate strong, enforceable, and clear labor provisions in any trade agreements negotiated or renegotiated in FY 2019 and conduct research on labor rights and the expected employment impact in the United States, per the terms of current Trade Promotion Authority.

ILAB will work closely with the State Department and the Office of the U.S. Trade Representative in relevant countries to assure reliable on-the-ground assessments of labor conditions.

Strengthening Global Labor Standards to Promote a Level Playing Field for U.S. Workers and Businesses

In FY 2019, ILAB will continue to use its leadership and expertise on international labor issues to promote U.S. labor and employment policies that benefit workers and businesses in the United States and around the world. ILAB will be more strategic in its focus on promoting and defending U.S. Government's interests and policies in international fora, such as the International Labor Organization, G20, G7, and OECD, and ensuring that U.S. priorities are reflected in the international organizations' policies and programs. Similarly, ILAB will pursue more strategic dialogue and informational exchanges between the Department of Labor and foreign governments to influence policies and enable senior DOL officials to share with, and learn from, practices, policies and programs used in other countries. ILAB will promote the Administration's perspective under the Japanese Presidency of the G20 in 2019 and at meetings of the Inter-American Conference of Ministers of Labor and Asia-Pacific Economic Cooperation.

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Combating Exploitative Child Labor, Forced Labor, and Human Trafficking

ILAB will continue efforts to combat exploitative child labor, forced labor, and human trafficking. ILAB will focus on countries that are key trading partners with the United States to help prevent goods made under exploitative conditions from being imported into the U.S. market. ILAB will seek statutory changes from Congress to be able to report less frequently on international progress in combatting the worst forms of child labor, including child trafficking, through its annual *Findings on the Worst Forms of Child Labor* and will also eliminate the stand-alone reporting for E.O. 13126 - *List of Goods Produced by Forced or Indentured Child Labor* and incorporate this information in other ILAB reports. This will enable ILAB to maintain the accuracy and reliability of information reported in ILAB's flagship reports, while supporting policy engagement efforts to assist governments in addressing suggested actions identified through its reporting. ILAB will continue to work with countries and businesses to address the child labor or forced labor that lead to inclusion of a good on ILAB's Trafficking Victims Protection Reauthorization Act (TVPRA) list. ILAB will provide them with a systematic framework to demonstrate the steps that can be taken to support removal of a good from ILAB's list through the collection of information and development of effective systems. ILAB will increase coordination with the Department of Homeland Security's Customs and Border Protection (CBP) and Immigration and Customs Enforcement, the Department of Justice, and the Department of Treasury to support implementation of the changes outlined in the Trade Facilitation and Trade Enforcement Act of 2015 as well as disruption of criminal networks that profit from modern-day slavery. This collaboration will include active participation in CBP Customs Commercial Operations Advisory Committee's Forced Labor Working Group and other interagency engagements on these issues.

Effective Oversight of Existing Technical Assistance Grants

In FY 2019, ILAB will continue to oversee and steadily close out grants in its portfolio. ILAB will ensure that: (1) project funds are spent according to U.S. government and DOL requirements; (2) projects achieve desired outcomes; and (3) lessons are learned and incorporated into existing projects. ILAB will use results and findings from implementation evaluations and previously funded impact evaluations to inform and improve the implementation of its current projects and to make this information available to the public for broader use.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

The Bureau of International Labor Affairs supported the Department's efforts to promote safe jobs and fair workplaces for all Americans. It led the Department's efforts internationally to

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promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards and combating international child labor, forced labor, and human trafficking.

INTERNATIONAL LABOR SERVICES

Detailed Workload Performance Narrative

In support of its FY 2019 budget request, ILAB will implement new performance measures to demonstrate the effectiveness of the following priority strategies: monitoring and enforcing labor provisions of U.S. trade agreements and preference programs; strengthening global labor standards to promote a level playing field for U.S. workers and businesses; and combating abusive child labor, forced labor, and human trafficking.

During FY 2018, ILAB will rigorously review and update its measures and their definitions to ensure they align with ILAB strategic focus and Administration priorities. By the end of FY 2018, ILAB will have piloted these measures and collected baseline data, which will help in setting targets for FY 2019 and beyond.

In FY 2019, ILAB will work to:

- Improve access to education, training, or other appropriate services for individuals engaged in or at high risk of entering forced labor or child labor.
- Increase the capacity of countries to address child labor, forced labor, trafficking in persons, and other violations of workers' rights.
- Improve key foreign government enforcement of labor laws or other labor-related trade commitments to the United States.

All of these activities contribute to assessing the effectiveness of all three ILAB priority strategies, as implementation of the strategies are not mutually exclusive but often occur in tandem as ILAB uses multiple avenues and tools in order to achieve its goal.

The successful achievement of ILAB's strategic goal does not rely solely on ILAB's performance. External factors outside ILAB's control will influence the agency's achievement of its outcome measures (*e.g.*, while ILAB may provide direct technical assistance to a country in drafting a new labor code, adoption of the labor code ultimately depends on the country's legislators, not ILAB).

The FY 2019 budget request also includes two output measures that help evaluate whether ILAB has successfully carried out its activities:

- ILAB-P01: Number of countries in which labor-related trade commitments are systematically monitored and analyzed.
- ILAB-06: Number of countries in which child labor and forced labor are systematically monitored and analyzed.

In FY 2019, ILAB will continue to be responsible for Congressionally-mandated and other required reporting functions related to trade, child labor, and forced labor. However, ILAB will seek statutory changes from Congress to be able to report less frequently on international progress in combating the worst forms of child labor, including child trafficking, through its *Findings on the Worst Forms of Child Labor* and will also eliminate the stand-alone reporting for E.O. 13126 - *List of Goods Produced by Forced or Indentured Child Labor* and incorporate this information in other ILAB reports. This will enable ILAB to maintain the accuracy and reliability of information reported in ILAB's flagship reports, while supporting policy

INTERNATIONAL LABOR SERVICES

engagement efforts to assist governments in addressing suggested actions identified through its reporting.

The number of countries systematically monitored for child and forced labor in FY 2019 will focus on those countries featured in the annual *Findings on the Worst Forms of Child Labor* as the biennial *List of Goods Made with Child Labor and Forced Labor* is not scheduled for update in FY 2019. The precise number of countries included in the report fluctuates depending on GSP status in a given year.

In FY 2019, ILAB will continue to oversee and steadily close out grants in its portfolio.

INTERNATIONAL LABOR SERVICES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	12,995	13,701	9,401	-4,300
11.3	Other than full-time permanent	163	280	138	-142
11.5	Other personnel compensation	184	247	184	-63
11.9	Total personnel compensation	13,342	14,228	9,723	-4,505
12.1	Civilian personnel benefits	4,253	4,612	3,114	-1,498
21.0	Travel and transportation of persons	1,300	953	308	-645
22.0	Transportation of things	36	36	15	-21
23.1	Rental payments to GSA	1,211	1,297	1,316	19
23.3	Communications, utilities, and miscellaneous charges	100	0	0	0
24.0	Printing and reproduction	50	62	10	-52
25.1	Advisory and assistance services	200	0	0	0
25.2	Other services from non-Federal sources	101	139	20	-119
25.3	Other goods and services from Federal sources 1/	5,098	5,149	3,980	-1,169
25.4	Operation and maintenance of facilities	455	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	14	0	0	0
26.0	Supplies and materials	80	85	10	-75
31.0	Equipment	60	79	4	-75
41.0	Grants, subsidies, and contributions	59,825	58,900	0	-58,900
	Total	86,125	85,540	18,500	-67,040
	1/Other goods and services from Federal sources				
	Working Capital Fund	5,098	4,722	3,952	-770
	DHS Services	0	31	31	0
	Services by Other Government Departments	0	342	-57	-399

INTERNATIONAL LABOR SERVICES

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	48
Federal Employees' Compensation Act (FECA)	-37
Travel and transportation of persons	-11
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0

Built-Ins Subtotal **\$0**

Net Program **-\$67,040**

Direct FTE **-31**

	Estimate	FTE
Base	\$85,540	111
Program Increase	\$0	0
Program Decrease	-\$67,040	-31

ADMINISTRATION AND MANAGEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	23,971	23,808	23,808	0
FTE	92	83	83	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 93.

Introduction

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department to carry out its core missions. The Administration and Management activity develops policies, standards, procedures, systems, and materials for the administrative management of the department, including business operations and procurement; information technology (IT); human resource management; and strategic planning and performance.

Four Administration and Management business units receive funding from this appropriation and are designed as centers of excellence with unique mission responsibilities. OASAM emphasizes integrated performance along with seamless and transparent information sharing across business units. The four business units include:

- Performance Management Center (PMC)
- Human Resources Center (HRC)
- Office of the Chief Information Officer (OCIO)
- Business Operations Center (BOC)

HRC, OCIO, and BOC also receive funding for certain activities funded through the Working Capital Fund (WCF). In addition, OASAM Field Services, Emergency Management Center and the Security Center receive full funding of their activities through the WCF. These activities are detailed in the WCF justification. OASAM civil rights activities are detailed in the Civil Rights budget activity narrative in the Departmental Management justification.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$28,413	112
2015	\$28,413	112
2016	\$28,413	111
2017	\$28,834	93
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

ADMINISTRATION AND MANAGEMENT

FY 2019

The FY 2019 budget request for the OASAM activity is \$23,808,000 and 83 FTE. In FY 2019, OASAM will implement an enterprise-wide shared services model for DOL core administration functions, including procurement, space management, human resources, information technology, and personnel and physical security. A shared services model for the delivery of core administrative services will provide greater efficiency and improved quality, while allowing program agencies to focus on mission and programs. Policy development and management for these initiatives are funded in the OASAM budget activity; the implementation of the shared services model will be funded in the Working Capital Fund.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

The FY 2017 revised enacted funding level for OASAM was \$23,971,000. In FY 2017, OASAM provided support to program agencies in fulfilling their missions, led continued IT modernization efforts, implemented strategic human capital improvements, and provided support for continuous process improvement efforts.

ADMINISTRATION AND MANAGEMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	10,800	11,795	11,830	35
11.3	Other than full-time permanent	11	0	14	14
11.5	Other personnel compensation	140	182	182	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	10,951	11,977	12,026	49
12.1	Civilian personnel benefits	3,427	3,667	3,668	1
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	224	103	103	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	1,526	944	944	0
23.3	Communications, utilities, and miscellaneous charges	128	94	44	-50
24.0	Printing and reproduction	4	0	0	0
25.1	Advisory and assistance services	11	0	0	0
25.2	Other services from non-Federal sources	1,184	1,670	1,670	0
25.3	Other goods and services from Federal sources 1/	4,656	5,157	5,157	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	1,530	36	36	0
26.0	Supplies and materials	260	160	160	0
31.0	Equipment	70	0	0	0
	Total	23,971	23,808	23,808	0
	1/Other goods and services from Federal sources				
	Services by Other Government Departments	0	25	25	0
	Working Capital Fund	4,656	5,063	5,063	0
	DHS Services	0	69	69	0

ADMINISTRATION AND MANAGEMENT

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	49
Federal Employees' Compensation Act (FECA)	1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	-50
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$23,808	83
Program Increase	\$0	0
Program Decrease	\$0	0

ADJUDICATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	55,678	55,751	59,333	3,582
FTE	259	259	268	9

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 253.

Introduction

The Adjudication activity is part of the Department’s overarching Worker Protection effort. Adjudication funds two major components: (1) the Office of the Administrative Law Judges (OALJ) and (2) the Adjudicatory Boards, consisting of the Administrative Review Board (ARB), the Benefits Review Board (BRB), and the Employees’ Compensation Appeals Board (ECAB).

Office of Administrative Law Judges (OALJ)

The Office of Administrative Law Judges (OALJ) presides over formal hearings concerning many labor-related matters. The office's mission is to render fair and equitable decisions under the governing law, the facts of each case, and the procedures mandated by the Administrative Procedure Act under which OALJ has established its own rules of practice and procedures. The Department's administrative law judges hear and decide cases arising from over 80 labor-related statutes and regulations, including such diverse subjects as:

- Whistleblower complaints involving corporate fraud, nuclear, environmental, pipeline safety, aviation, commercial trucking, railways, and other statutes.
- Minimum wage disputes.
- Enforcement actions involving the working conditions of migrant farm laborers.
- Disputes involving child labor violations.
- Civil fraud in federal programs.

Hearings concerning Black Lung benefits and Longshore Workers' compensation constitute the largest part of the office's work in addition to the significantly increased Permanent Labor Certification (PERM) Immigration case backlog.

Designated judges also serve as members of the Board of Alien Labor Certification Appeals (BALCA) which adjudicates the PERM Immigration cases. In addition to formal adjudication, OALJ implements alternative dispute resolution through its settlement judge process.

Over the past decade, OALJ has experienced increased workloads as Congress passed new whistleblower protection laws, such as the Aviation Investment and Reform Act, the Sarbanes-Oxley Act, Federal Rail Safety Act, the National Transit Systems Security Act, and the Pipeline Safety Improvement Act of 2002. Since FY 2008, regulatory changes and reallocation of enforcement priorities at the Employment and Training Administration have resulted in

ADJUDICATION

significant increases of administrative law judges hearings relating to H-2A and H-2B temporary labor certification applications. Moreover, appeals relating to Permanent Labor Certification (PERM) applications have not decreased due to the large backlog of cases referred to OALJ since FY 2010 totaling 15,272,419 new cases being appealed through FY 2016 as compared to less than 500 cases per year prior to FY 2010.

The Adjudicatory Boards

The Adjudicatory Boards (referred to collectively as the Boards) are quasi-judicial bodies that review and make decisions on several thousand appeals every year under a variety of workers' compensation benefit and protection laws and programs that are part of the Department's worker protection mission and that set nationwide standards and legal precedent.

The Administrative Review Board (ARB). The ARB issues final agency decisions in appeals of cases arising under more than 60 worker-protection statutes and executive orders as outlined in Secretary's Order No. 2-2012 dated November 16, 2012. Most of the ARB's cases arise from whistleblower complaints under securities fraud, environmental, nuclear, aviation, trucking, rail and other safety statutes filed with the OSHA Whistleblower Protection Program. The ARB also reviews certain civil rights enforcement actions arising under OFCCP's executive orders and statutes, and worker protection statutes such as the Child Labor and Migrant and Seasonal Worker Protection Acts. A growing number of appeals are also considered under the Davis-Bacon and Service Contract Acts and the H-1B non-immigrant visa provisions of the Immigration and Naturalization Act. In the past 10 years, the federal courts have upheld the ARB decisions in more than 96 percent of cases appealed.

The Benefits Review Board (BRB). The BRB was created by Congress in 1972 and decides appeals from the OALJ under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act, and the Defense Base Act.

The BRB has authority to resolve appeals under these statutes, filed by any party-in-interest, which raise a substantial question of law or fact, and it reviews the decisions of administrative law judges in order to determine whether the findings are supported by substantial evidence and are in accordance with law. The BRB's decisions may be appealed to the U.S. Courts of Appeals in the circuit where the injury arose, and from there to the U.S. Supreme Court. Historically, less than 15 percent of the BRB decisions are appealed to the federal circuit courts, and 85 percent of these are affirmed.

The BRB, by statute, consists of five Members appointed by the Secretary of Labor, one of whom is designated as Chair and Chief Administrative Appeals Judge. Consistent with its statutory mandate, the BRB's mission is to issue decisions on the appeals pending before it with expediency, consistency and impartiality.

The Employees' Compensation Appeals Board (ECAB). The ECAB was established by statute in 1946 to hear and make final decisions on appeals from determinations of the Office of Workers' Compensation Programs (OWCP) in claims of federal employees arising under the Federal Employees' Compensation Act (FECA). Any ill or injured federal employee adversely affected by an OWCP decision may request a review of that decision by the ECAB, either before or after

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a full evidentiary hearing before OWCP's Branch of Hearings and Review. The ECAB's exclusive jurisdiction extends to deciding questions of fact and law, as well as the exercise of discretion. Decisions are based on a de novo review of the supporting case record. The ECAB, through its written decisions, has the responsibility for definitively interpreting the FECA in the resolution of controversies raised on appeal and in such a manner as will fully protect the rights of all interested parties. The ECAB decisions are final, binding on OWCP, and not subject to judicial review.

Five-Year Budget Activity History²

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$29,420	155
2015	\$29,420	161
2016	\$32,000	158
2017	\$35,000	150
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

² This table reflects direct discretionary funding sources and FTE.

FY 2019

The FY 2019 budget request for the Adjudication activity is \$59,333,000 and 268 FTE. The request includes two program increases:

- \$2,882,000 in Black Lung Disability Trust Funds to meet workload needs: The Department has made significant progress in addressing the backlog in black lung cases, as performance data included in the request demonstrates, and the additional resources will allow Adjudication to continue to make progress. \$1,483,000 restores the Adjudication activity to pre-sequestration funding levels in order to maintain production, while \$1,399,000 provides resources for the Office of Administrative Law Judges to address increased case production from OWCP.
- \$700,000 in General Funds to address operational needs in the Boards: Due to the cumulative impact of increased inflationary costs, the Boards have had budgetary constraints. The Boards have successfully mitigated deficits in recent years, in part, through proactive measures including the postponement of hiring, but an additional \$700,000 is required to increase production and avoid the creation of case backlogs.

Administrative Law Judges: At the request level, OALJ will maintain a 20 month pendency rate in FY 2019, despite an increase in projected incoming cases. The additional funds will be used to stand up three additional adjudication teams to adjudicate additional cases, an increase of 9 FTE. The teams are composed of an Administrative Law Judge, one Law Clerk and one Legal Assistant/Paralegal. Absent these resources, OALJ's pendency rate would increase to at least 27 months.

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Adjudicatory Boards: At the request level, the Boards will continue their commitment to the careful review and consideration of appeals and the issuance of high quality decisions.

BRB will commit increased funding in FY 2019 towards mitigating the increasing pending appeals numbers for Black Lung and Longshore/LDA. In addition, increased funding will be used towards further enhancements to the Boards web-based eService and eFile portal. These digital systems enable the Boards to increase automation for the processing of appeals and improve individual attorney efficiency.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

Administrative Law Judges

During FY 2017, OALJ continued increasing the yearly number of cases adjudicated at the same time it consolidated production gains achieved during FY 2016. The total number of cases adjudicated increased by approximately 3.6 percent in FY 2017 in addition to an increase of 9.6 percent during FY 2016. In FY 2017, OALJ increased Permanent Alien Labor Certification (PERM) adjudications by 32 percent over FY 2016 levels and consolidated the 51 percent increase in Black lung case adjudications achieved in FY 2016.

The sustainability of agency production capacity is an agency top priority and a necessity to adjust to changes in the number and case types presented to OALJ. During FY 2017 Black Lung cases increased approximately 20 percent and Traditional cases increased 10 percent. During the same period PERM cases decreased by 61 percent, and Traditional immigration by 22 percent. It is important to point out that each case type requires a different level of effort to adjudicate.

OALJ hired and trained three new administrative Law Judges to replace three judges lost to retirement and transfer and continues its practice of enhancing production potential using time limited appointed law clerks and contract writers.

Adjudicatory Boards

Administrative Review Board (ARB): Although ARB received slightly fewer cases in FY 2017 than the previous year, substantially difficult and novel issues led to an increase in average case processing time above the target. Assuming a more standard case composition, the target is achievable.

Benefits Review Board (BRB): BRB exceeded annual production projections in Black Lung (BL) by 13 percent, and Longshore/LDA (LS/LDA) by 21 percent. Specifically, BRB BL

ADJUDICATION

received 548 new appeals and closed 508 appeals, resulting in 441 pending appeals. LS/LDA received 182 new appeals and closed 175, resulting in 109 pending appeals. The BRB had an overall affirmance rate of 90 percent for cases appealed to the Federal Circuit Courts of Appeals with BRB BL achieving an 83.3 percent affirmance rate and LS/LDA achieving a 97.9 percent affirmance rate. The BRB exceeded its timeliness goal in LS/LDA (10.5 months) by one month.

During FY 2017, the BRB advanced its digital efficiency efforts by developing an expanded digital records pilot to commence in FY 2018, and by taking steps to increase digital filings by the parties. The digital records pilot is the result of a successful partnership with OWCP and SOL which enhanced the functionality of the OWCP Imaging System (OIS) for cases appealed to the BRB. The BRB will begin to digitally image some appeals utilizing existing BRB employees, and will receive some appeals digitally imaged by OWCP. Once these files are imaged, BRB and SOL will perform their respective independent functions utilizing OIS, and BRB case related documents will be placed into OIS. To enable increased automation in the processing of appeals, BRB had implemented numerous enhancements to its web-based eService and eFile portal. This will both attract more digital filings by the parties and provide greater visibility into the latest status of appeals filed by the parties.

Employees' Compensation Appeals Board (ECAB): Appeals to ECAB come directly from the Office of Workers' Compensation Programs (OWCP). ECAB received 2,009 new appeals in FY 2017 which was 6 percent above their original projection of 1,900. At the request level, despite this high volume of appeals and reduced staffing at all levels, ECAB closed 1,723 appeals, resulting in 1,530 pending appeals with an average case processing time of 7.74 months. Through proactive efforts to increase case processing efficiencies, the variances from the projected 2017 targets were relatively minimal. Also, ECAB was able to close the large majority of pending representative fee petitions and ECAB's decisions and orders issued were of high quality as it received 45 percent fewer petitions for reconsideration than targeted. ECAB's e-filing/e-service capabilities expanded as it received 30 percent more appeals through e-filing than projected in FY 2017.

ADJUDICATION

WORKLOAD AND PERFORMANCE SUMMARY					
	FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request	
	Target	Result	Target	Target	
Adjudication					
Administrative Law Judges					
ALJ-BL-01	OALJ BLACK LUNG New Cases:	1,100[p]	1,432	1,500[p]	1,500[p]
ALJ-BL-02	OALJ BLACK LUNG Dispositions:	1,428	1,570	1,328	1,570
ALJ-BL-03	OALJ BLACK LUNG Pending Cases:	2,362[p]	2,552	2,724[p]	2,654[p]
ALJ-BL-04	OALJ BLACK LUNG Pending Months:	20	20	25	20
ALJ-IM-01	OALJ IMMIGRATION New Cases:	750[p]	335	750[p]	750[p]
ALJ-IM-02	OALJ IMMIGRATION Dispositions:	1,350	1,906	1,510	1,510
ALJ-IM-03	OALJ IMMIGRATION Pending Cases:	3,004[p]	2,033	1,273[p]	513[p]
ALJ-IM-04	OALJ IMMIGRATION Pending Months:	27	13	10	4
ALJ-TI-01	OALJ TRADITIONAL IMMIGRATION New Cases:	175[p]	165	150[p]	140[p]
ALJ-TI-02	OALJ TRADITIONAL IMMIGRATION Dispositions:	180	153	150	150
ALJ-TI-03	OALJ TRADITIONAL IMMIGRATION Pending Cases:	34[p]	51	51[p]	41[p]
ALJ-TI-04	OALJ TRADITIONAL IMMIGRATION Pending Months:	2	4	4	3
ALJ-T-01	OALJ TRADITIONAL New Cases:	450[p]	497	425[p]	425[p]
ALJ-T-02	OALJ TRADITIONAL Dispositions:	475	436	425	425

ADJUDICATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
ALJ-T-03	OALJ TRADITIONAL Pending Cases:	602[p]	688	688[p]	688[p]
ALJ-T-04	OALJ TRADITIONAL Pending Months:	15	19	19	19
ALJ-LS-01	OALJ LONGSHORE New Cases:	2,025[p]	1,914	2,025[p]	2,025[p]
ALJ-LS-02	OALJ LONGSHORE Dispositions:	2,050	2,126	2,015	2,015
ALJ-LS-03	OALJ LONGSHORE Pending Cases:	1,791[p]	1,604	1,614[p]	1,624[p]
ALJ-LS-04	OALJ LONGSHORE Pending Months:	10	9	10	10
ALJ-LDA-01	OALJ DEFENSE BASE ACT New Cases:	925[p]	1,001	925[p]	925[p]
ALJ-LDA-02	OALJ DEFENSE BASE ACT Dispositions:	900	983	900	900
ALJ-LDA-03	OALJ DEFENSE BASE ACT Pending Cases:	849[p]	842	867[p]	892[p]
ALJ-LDA-04	OALJ DEFENSE BASE ACT Pending Months:	11	10	12	12
Employees' Compensation Appeals Board					
ECAB-01	New Appeals	1,900[p]	2,009	1,900[p]	1,900[p]
ECAB-02	Closed Appeals	1,800	1,723	1,656	1,900
ECAB-03	Pending Appeals	1,341	1,530	1,774	1,774

ADJUDICATION

WORKLOAD AND PERFORMANCE SUMMARY				
	FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
	Target	Result	Target	Target
ECAB-05 Average Case Processing Time	7.00	7.74	8.00	8.00
Adjudication General Fund				
BRB-LS/LDA-01 New Appeals	156[p]	182	160[p]	176[p]
BRB-LS/LDA-02 Closed Appeals	145	175	157	176
BRB-LS/LDA-03 Pending Appeals	108	109	112	112
BRB-LS/LDA-05 Average Case Processing Time	10.50	9.44	11.00	11.00
BRB-LS/LDA-12 Affirmance Rate	85.00%	97.90%	85.00%	85.00%
Administrative Review Board				
ARB-01 New Appeals	105[p]	80	100[p]	100[p]
ARB-02 Closed Appeals	105	69	100	100
ARB-03 Pending Appeals	104	122	122	122
ARB-05 Average Case Processing Time	13.00	19.40	13.00	13.00
Adjudication Black Lung Fund				
BRB-BL-01 New Appeals	500[p]	548	465[p]	550[p]
BRB-BL-02 Closed Appeals	450	508	481	550
BRB-BL-03 Pending Appeals	439	441	425	425

ADJUDICATION

WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2017 Enacted		FY 2018 Full Year C.R.	FY 2019 Request
		Target	Result	Target	Target
BRB-BL-05	Average Case Processing Time	11.00	12.02	12.00	12.00
BRB-BL-12	Affirmance Rate	85.00%	83.30%	85.00%	85.00%

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

ADJUDICATION

Detailed Workload Performance Narrative

Administrative Law Judges

The FY 2019 request level will enable OALJ to continue progress in addressing the Black Lung pending case backlog. In FY 2019, OALJ will dispose of 1,570 Black Lung cases.

OALJ projects that the backlog of cases awaiting decision will increase from 2,552 cases at the end of FY 2017 to 2,724 Black Lung cases at the end of FY 2018 and then decline to 2,654 cases at the end of FY 2019.

OALJ will continue to reduce the projected Immigration backlogs in the Permanent Alien Labor Certification (PERM) program. OALJ projects a reduction in the pending cases from 2,033 cases at the end of FY 2017 to 513 cases at the end of FY 2019. For the Longshore program, during FY 2019, OALJ projects to dispose of 2,015 cases along with 900 Defense Base Act cases. The Traditional mix of cases is projected at 425 cases disposed.

Thus, in FY 2019, OALJ will continue to address a changing mix of adjudicatory responsibilities, with a rising number of Black Lung and immigration-related appeals, new types of whistleblower cases, and Defense Base Act hearings, plus Longshore and Immigration cases. OALJ will adjust to these changes by assigning cases throughout the country based on geographic location without regard to case type and continued efforts to make the higher production levels achieved sustainable by aggressively recruiting for Administrative Law Judges and adjudication team members.

Adjudicatory Boards

Workload estimates for all three Adjudicatory Boards are based on Worker Protection claims. Actual incoming workload remains outside the control of the Boards and is affected by such factors as changes to workers' compensation laws, attorney/representative involvement in the appeals process, and increases and decreases in the workforce.

More than 90 percent of the Administrative Review Boards (ARB) appeals come from the Office of Administrative Law Judges (OALJ) as do virtually all new appeals to the Benefits Review Board (BRB). All appeals to the Employees' Compensation Appeals Board (ECAB) originate in the Federal Employees Compensation Division of the Office of Workers' Compensation Programs (OWCP). By the time the Boards receive an appeal, the original claim may be several years old. Any delay at the appellate level is likely to be viewed as a hardship by the parties.

The ARB expects 100 new appeals to be filed in FY 2019. The ARB's goal is to close 100 cases at the request level. Pending appeals are projected to remain flat at 122 cases. Average case processing time is not expected to change from FY 2018 as a projected 13 months, a significant decrease from average case processing time in FY 2017.

The BRB Black Lung (BL) new appeals are expected to increase to 550 appeals in FY 2019 as a result of the projected production by the OALJ. BRB BL production is directly related to OALJ BL production. Historically, 35 percent of OALJ BL decisions are appealed to BRB. Closed

ADJUDICATION

appeals will increase to 550 during FY 2019. Pending appeals will remain the same at 425, and the BRB BL is expecting average case processing times to remain at 12 months.

The BRB Longshore (LS/LDA) projects new appeals filed in FY 2019 to be 176 as volume is directly related to OALJ LS/LDA production. Historically, approximately 5-7 percent of OALJ LS/LDA decisions are appealed to the BRB. The BRB LS/LDA expects to increase closed appeals to 176 in FY 2019. Based on OALJ LS/LDA projections, pending appeals will remain at 112 pending appeals at the end of FY 2019. Average case processing time is expected to remain at 11 months.

New appeals to the ECAB are expected to be 1,900 in FY 2019. At the request level, ECAB will close 1,900 appeals so that the pending appeals will not increase beyond the number of pending appeals in FY 2018. Average case processing time will remain at 8 months.

ADJUDICATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	28,092	28,014	29,899	1,885
11.3	Other than full-time permanent	925	259	259	0
11.5	Other personnel compensation	607	287	287	0
11.9	Total personnel compensation	29,624	28,560	30,445	1,885
12.1	Civilian personnel benefits	8,553	8,544	9,234	690
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	485	515	515	0
22.0	Transportation of things	0	110	110	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	4,002	3,366	3,366	0
23.2	Rental payments to others	12	13	13	0
23.3	Communications, utilities, and miscellaneous charges	406	431	431	0
24.0	Printing and reproduction	2	13	13	0
25.1	Advisory and assistance services	257	441	297	-144
25.2	Other services from non-Federal sources	1,492	1,621	2,200	579
25.3	Other goods and services from Federal sources 1/	8,519	10,680	10,680	0
25.4	Operation and maintenance of facilities	2	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	808	973	973	0
26.0	Supplies and materials	367	351	351	0
31.0	Equipment	1,149	133	705	572
42.0	Insurance claims and indemnities	0	0	0	0
	Total	55,678	55,751	59,333	3,582
	1/Other goods and services from Federal sources				
	Working Capital Fund	8,519	9,644	9,644	0
	DHS Services	0	998	998	0
	Services by Other Government Departments	0	38	38	0

ADJUDICATION

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	145
Federal Employees' Compensation Act (FECA)	-1
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	-144
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$3,582**

Direct FTE **9**

	Estimate	FTE
Base	\$55,751	259
Program Increase	\$3,582	9
Program Decrease	\$0	0

WOMEN'S BUREAU

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	11,330	12,445	3,525	-8,920
FTE	45	40	15	-25

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 45.

Introduction

Public Law 66-259 authorized the Women’s Bureau (WB) 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.” WB provides leadership on policies and initiatives that impact the 74 million women in the U.S. labor force.

WB works to create parity for women in the labor force by conducting research and policy and data analysis; informing and promoting policy change; and increasing public awareness and education. Overall, the Women’s Bureau supports programs and policies that smooth labor market frictions by positioning women to manage their families while more fully contributing to the growing demand for labor, talent, and innovation in the U.S. labor force.

Some of the WB’s focal areas include the availability of apprenticeship programs, implementation of paid leave policies, availability of quality affordable childcare and caregiving, addressing licensing barriers to employment for military spouses, and stimulating the growth of women-owned businesses. WB will continue to promote the interest of working women by promoting women’s entrance and retention in a diverse set of occupations that offer higher wages and better benefits and where women are traditionally underrepresented, including science, technology, engineering, and math (STEM) jobs, and apprenticeship and pre-apprenticeship programs.

This work is conducted through a combination of research and analysis; development of reports and data tools; and dissemination of research and tools, while always measuring the process and outcomes. WB conducts quantitative and qualitative research, in conjunction with policy analysis, to influence the development of evidence-based policies and initiatives that promote the interests of working women. WB works in collaboration with DOL program agencies and other federal partners to provide policy guidance and input on programmatic changes to support the needs of women and their families. WB will continue to collaborate with national, state, and local organizations, governments, and employers, providing technical assistance, resources, and education.

WOMEN'S BUREAU

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$11,536	56
2015	\$11,536	54
2016	\$11,536	52
2017	\$12,530	45
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

With the FY 2019 request of \$3,525,000 and 15 FTE, the WB will undergo reforms to focus on a narrower set of high-priority policy issues, working in close coordination with the White House and other federal agencies. The FY 2019 request includes \$600,000 for transition costs associated with the closure of regional offices and a decrease of \$9,520,000 for streamlining programs and eliminating grants.

In FY 2019, the WB's highest priority activities will include:

- Continuing to work with the Chief Evaluation Office on its five-year NTO Demonstration Feasibility Study, which involves testing an approach intervention related to outreach to and recruitment of women into apprenticeship programs.
- Release a data repository and develop reports based on the *Child Care Costs and Women's Employment: Local Area Estimates* contract.
- Completing and releasing the findings from the American Time Use (ATUS) study on Leave and Job Flexibilities in collaboration with the Bureau of Labor Statistics.
- Delivering the Congressionally-requested pay equity study: *An Evaluation of the Gender Wage Gap using Survey and Administrative Data*.
- Collaborating with ETA and VETS to support ETA's grant work on state licensing and promote employment for military spouses.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-56). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

WOMEN'S BUREAU

FY 2017

In 2017, WB oversaw a research study quantifying the economic impact on women providing unpaid care for children, elders, and family members with disabilities. Additionally, WB published a comprehensive catalog of women's federal employment rights; updated its web-based map identifying state-level pregnancy discrimination and accommodation statutes and workplace lactation protections; and updated its online compendium of information on federal and state-level equal pay and pay transparency protections for workers. WB also developed a guide to the Workforce and Innovation Opportunity Act (WIOA) for individuals and organizations concerned with women's economic security. The guide details strategies for capitalizing on WIOA provisions to enhance low-income women's access to the education, training, and support services they need to become economically self-sufficient. The research conducted by the regional staff through their listening sessions on paid leave provided useful information on employer's opportunities and challenges with paid leave.

WB, in collaboration with the Employment and Training Administration, assisted in the hurricane relief efforts, specifically with Hurricane Harvey, by providing grants to the Texas Workforce Commission to connect impacted and displaced women with the workforce development system, supporting their efforts to return to the labor force as soon as possible. The project provided "on the ground support" necessary to identify, secure, coordinate, and provide comprehensive, direct and essential services to women in the affected areas.

WOMEN'S BUREAU

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	4,637	4,146	1,733	-2,413
11.3	Other than full-time permanent	56	0	0	0
11.5	Other personnel compensation	55	47	0	-47
11.9	Total personnel compensation	4,748	4,193	1,733	-2,460
12.1	Civilian personnel benefits	1,410	1,301	594	-707
21.0	Travel and transportation of persons	156	120	0	-120
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	770	800	250	-550
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	38	24	24	0
24.0	Printing and reproduction	15	10	10	0
25.1	Advisory and assistance services	50	500	0	-500
25.2	Other services from non-Federal sources	108	137	104	-33
25.3	Other goods and services from Federal sources 1/	2,488	2,200	810	-1,390
25.4	Operation and maintenance of facilities	135	0	0	0
25.5	Research and development contracts	311	562	0	-562
25.7	Operation and maintenance of equipment	11	20	0	-20
26.0	Supplies and materials	69	48	0	-48
31.0	Equipment	27	30	0	-30
41.0	Grants, subsidies, and contributions	994	2,500	0	-2,500
	Total	11,330	12,445	3,525	-8,920
	1/Other goods and services from Federal sources				
	Working Capital Fund	2,488	1,864	808	-1,056
	DHS Services	0	56	0	-56
	GSA Services	0	2	2	0
	Services by Other Government Departments	0	275	0	-275

WOMEN'S BUREAU

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	8
Federal Employees' Compensation Act (FECA)	25
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	-33
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0

Built-Ins Subtotal **\$0**

Net Program **-\$8,920**

Direct FTE **-25**

	Estimate	FTE
Base	\$12,445	40
Program Increase	\$600	0
Program Decrease	-\$9,520	-25

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BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	6,880	6,833	6,833	0
FTE	30	29	29	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 30.

Introduction

Operating under authority delegated pursuant to Secretary’s Orders, the Civil Rights Center (CRC) is the organizational unit within the Department of Labor (DOL) responsible for ensuring nondiscrimination and equal opportunity for two primary populations: 1) employees of, and applicants for employment with, DOL; and 2) nearly 60 million individuals served and employed by programs and activities across the nation that are related to labor and the workforce. CRC’s responsibility for the latter population is principally concentrated on the public workforce system, which delivers services primarily (although not exclusively) through the nationwide network of American Job Centers/One-Stop Career Centers.

CRC’s Office of Internal Enforcement (OIE) is responsible for processing discrimination complaints filed by DOL employees and applicants for employment with DOL and for managing the Department’s Reasonable Accommodation Resource Center and Centralized Accommodations Fund. OIE also coordinates enforcement of DOL compliance with the Architectural Barriers Act of 1968, develops and submits civil rights-related program plans and accomplishment reports, and provides training and technical assistance to DOL managers, supervisors, and employees about internal Equal Employment Opportunity (EEO) matters.

CRC’s Office of External Enforcement (OEE) assesses, investigates, and/or adjudicates complaints alleging discrimination and/or violations of equal opportunity requirements by recipients of financial assistance under Title I of the Workforce Investment Act (WIA), and, since July 1, 2015, Title I of the Workforce Innovation and Opportunity Act (WIOA); One-Stop partners listed in Section 121 of WIA and/or WIOA that offer programs or activities through the public workforce development system; for disability-related matters only, State and local governments and other public entities operating programs and activities related to labor and the workforce, regardless of whether they receive federal financial assistance; and any recipients of financial assistance from, or programs conducted by, DOL that are not included in the categories above. Public job referral and job training programs, as well as the Unemployment Insurance (UI) and Job Corps programs, are examples of the programs over which OEE has jurisdiction.

The Office of Compliance and Policy (OCAP) conducts compliance reviews of the same entities listed under OEE, including reviewing State Governors’ implementation of their nondiscrimination plans; develops regulations and guidance documents; reviews proposed legislation, draft regulations, guidance documents, and other materials developed by agencies

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within and outside of DOL; conducts other policy-related activities; and provides training and technical assistance for internal and external stakeholders.

For FY 2019, CRC requests a total of \$6,833,000 and 29 FTE. At this level of funding, CRC will be able to maintain its core functions. These functions include developing, administering, and enforcing Departmental policies, practices, and procedures under various laws, including Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which went into effect on July 1, 2015; Title VI and Title VII of the Civil Rights Act of 1964; Section 188 of the Workforce Investment Act of 1998 (WIA); Executive Orders 13160 and 13166; Sections 501, 504, and 508 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Equal Pay Act; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act; Secretary's Order 4-2000; and related statutes and Executive Orders. As applicable, these laws prohibit discrimination on various bases in programs and activities that receive Federal financial assistance, are federally operated, or are operated by public entities such as State and local governments. Certain of these laws also prohibit discrimination against, and assure equal opportunity for, all DOL employees and applicants for employment.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$6,880	36
2015	\$6,880	36
2016	\$6,880	37
2017	\$6,880	30
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

At the FY 2019 budget request of \$6,833,000, the Civil Rights Center (CRC) will be able to perform the core functions delegated to it under Secretary's Order 4-2000: developing, administering, and enforcing Departmental policies, practices, and procedures under various constitutional, statutory, and regulatory equal opportunity and nondiscrimination provisions, including, but not limited to, Title VI and Title VII of the Civil Rights Act of 1964; Section 188 of the Workforce Investment Act (WIA); Section 188 of the Workforce Innovation and Opportunity Act (WIOA); Sections 501, 504, and 508 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Equal Pay Act; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act; and related statutes, Executive Orders, and implementing regulations. Taken together, these laws: (1) prohibit discrimination in various Federally-assisted and Federally-conducted programs and activities; and (2) assure equal opportunity for DOL employees and applicants for employment.

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FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115–56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

The CRC FY 2017 enacted level was \$6,880,000, with 30 FTE. At this level, CRC was able to accomplish core program work, including streamlining case processing in the Office of Internal Enforcement, continuing efforts to streamline procedures in the Office of External Enforcement, and issuing the Final Rule implementing the nondiscrimination and equal opportunity provisions of WIOA.

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Workload and Performance Summary

Internal (Equal Employment Opportunity (EEO)) Program

CRC's Office of Internal Enforcement (OIE) administers DOL's internal Equal Employment Opportunity (EEO) complaint program and the Reasonable Accommodation Resource Center (RARC). Both programs serve DOL employees and applicants for employment with DOL. Funding at the requested level will support efforts designed to reduce EEO complaints within the Department and to investigate and adjudicate complaints in a timely and effective manner. CRC will focus on Alternative Dispute Resolution (ADR) and training for managers and employees that targets pertinent trends, but also reinforces DOL's commitment to equal employment opportunity and a harassment-free work environment. CRC will also provide guidance to management on avoiding practices that may result in liability for the Department.

In FY 2017, OIE continued to improve its case processing efficiency by implementing new practices and leveraging technology. In FY 2017, OIE completed 99.5 percent of EEO counseling sessions within regulatory timeframes, issued 100 percent of final agency decisions (FADs) within regulatory timeframes, and completed 98 percent of internal reports of investigation (ROIs) within regulatory timeframes. In FY 2018, CRC will begin to cross-train staff to focus on the full range of the EEO process. Cross training is expected to improve the overall processing times of EEO complaints and avoid the costs of expediting investigations. In FYs 2018 and 2019, OIE plans to complete at least 95 percent of EEO Counseling Sessions within regulatory timeframes, issue 80 percent of final agency decisions within regulatory timeframes, and issue 80 percent of investigations within regulatory timeframes.

During FY 2017, the CRC recruited, trained and appointed 40 collateral-duty EEO counselors to serve four-year terms to provide EEO counseling services, including ADR, for DOL employees and applicants for employment. Additionally, during 2017, OIE provided EEO training to DOL employees, managers and supervisors on topics such as the Federal EEO complaint process, reasonable accommodations, harassing conduct, and ADR so that interested parties are aware of their rights and responsibilities and how to avail themselves of applicable processes. These efforts resulted in an ADR success rate of 34%.

In FYs 2018 and 2019, CRC will continue to provide training and guidance to DOL employees, and other interested parties, on the ADR program. The training on ADR will ensure that DOL employees, managers, supervisors, and other interested parties receive consistent information on the Department's ADR program, while being made aware of the benefits of resolving matters raised in EEO complaints at an early stage. It is believed that these efforts will result in fewer formal complaints, saving the Department resources required to process formal EEO complaints. Additionally, OIE will review and revise training curricula/methods so that DOL employees are adequately informed of their rights and responsibilities.

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External Program

Office of External Enforcement

CRC's OEE processes, investigates, and adjudicates complaints alleging discrimination against customers, applicants, employees, or members of the general public, by any of the wide range of external and DOL-conducted programs and entities described in the Introduction. For the past several years, CRC has been "re-engineering" OEE, both to streamline procedures and to improve substantive quality. These efforts have resulted in the elimination of a significant backlog of cases, as well as a more-focused prioritization of cases.

In the first quarter of FY 2017, CRC published revised regulations that implement the nondiscrimination provisions of Section 188 of WIOA. All complaints claiming allegedly-discriminatory actions by entities covered by WIOA that take place after the effective date of the new regulations are being processed, investigated, and analyzed pursuant to those new regulations. OEE focused on training staff on both the revised requirements of the regulations and appropriate standards for investigating and issuing determinations on complaints. During FY 2017, OEE resolved 43 cases, either through settlement or issuance of a Final Determination, initiated 32 new investigations, and completed 35 investigations. OEE plans to initiate and complete 30 investigations and resolve 27 cases in FY 2018. In FY 2019, OEE plans to initiate and complete a similar number of investigations and case resolutions. To improve case processing, OEE will also explore various methods of electronic storage and sharing of investigative files.

Office of Compliance and Policy

The enactment of WIOA in FY 2014 required CRC to draft new implementing regulations for the WIOA nondiscrimination provisions, consuming significant OCAP resources. OCAP published the Final Rule in the Federal Register in December 2016. OCAP shifted resources away from compliance reviews (thus only conducting one review in FY 2017) to deliver training and compliance assistance for State and local recipient-level Equal Opportunity (EO) Officers and other stakeholders. Through in-person training and webinars, OCAP provided formal training to a total of 2,585 people on the requirements of the new regulations during FY 2017. OCAP also developed a Fact Sheet and a set of FAQs about the new regulations for CRC's website, and partnered with DOL's Employment and Training Administration (ETA) to develop a Training and Employment Notice announcing the publication of the regulations.

During the remainder of FY 2018, OCAP will continue to train stakeholders on the revised regulations and develop compliance assistance materials for those stakeholders. For FY 2018, OCAP is baselining its two measures: number of external compliance reviews completed, and number of stakeholders trained (through both in-person training and via webinars). In FY 2019, as stakeholders become more familiar with the requirements of the WIOA nondiscrimination regulations, OCAP will use baseline data to establish targets for the new measures, and will begin to shift its focus back to the conduct and resolution of compliance reviews.

CIVIL RIGHTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	3,350	3,499	3,516	17
11.3	Other than full-time permanent	19	16	16	0
11.5	Other personnel compensation	34	36	36	0
11.9	Total personnel compensation	3,403	3,551	3,568	17
12.1	Civilian personnel benefits	1,033	1,122	1,122	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	25	30	30	0
23.1	Rental payments to GSA	351	365	365	0
23.3	Communications, utilities, and miscellaneous charges	34	42	42	0
24.0	Printing and reproduction	40	5	5	0
25.2	Other services from non-Federal sources	412	317	300	-17
25.3	Other goods and services from Federal sources 1/	1,425	1,343	1,343	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	7	7	7	0
26.0	Supplies and materials	80	51	51	0
31.0	Equipment	50	0	0	0
42.0	Insurance claims and indemnities	20	0	0	0
51.1	Benefits	0	0	0	0
	Total	6,880	6,833	6,833	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,425	777	777	0
	DHS Services	0	10	10	0
	Services by Other Government Departments	0	456	456	0

CIVIL RIGHTS

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	17
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Other services from non-Federal sources	-17
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$6,833	29
Program Increase	\$0	0
Program Decrease	\$0	0

CHIEF FINANCIAL OFFICER

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	9,995	9,927	9,927	0
FTE	28	36	36	0

NOTE: FY 2017 reflects actual FTE. Authorized FTE for FY 2017 was 28.

Introduction

The Office of the Chief Financial Officer (OCFO) provides policy advice, technical assistance and related services concerning formulation, justification, execution, and submission of all Departmental budgets. The OCFO is also responsible for oversight of all financial management activities in the Department and supports overall Departmental management through effective and efficient stewardship of DOL's financial resources.

The OCFO provides comprehensive direction to all DOL program agencies on financial matters arising from legislative and regulatory mandates such as:

- The Chief Financial Officers (CFO) Act of 1990
- The Government Management Reform Act (GMRA) of 1994;
- The Federal Financial Management Improvement Act (FFMIA) of 1996;
- The Federal Managers' Financial Integrity Act (FMFIA) of 1982;
- Debt Collection Improvement Act of 1996;
- The Reports Consolidation Act of 2000;
- The Improper Payments Information Act (IPIA) of 2002;
- The Improper Payments Enforcement and Recovery Act (IPERA) of 2010;
- The Improper Payments Enforcement and Recovery Improvement Act (IPERA) of 2012 Budget and Accounting Act;
- Congressional Budget and Impoundment Control Act;
- Balanced Budget and Emergency Deficit Control Act, as amended; and
- Anti-deficiency Act

To fulfill its financial management duties and responsibilities, OCFO focuses on proactive assistance to agencies with an emphasis on validating corrective actions aimed at enhancing internal controls. OCFO's mission supports overall Departmental management through effective and efficient stewardship of DOL's financial resources.

The OCFO also receives funding from the Working Capital Fund.

CHIEF FINANCIAL OFFICER

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$5,061	18
2015	\$5,061	18
2016	\$5,061	17
2017	\$5,132	28
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

The FY 2019 budget request for the OCFO activity is \$9,927,000 and 36 FTE. In FY 2019, OCFO will support the Department's goal of optimizing the enterprise-wide shared services model for DOL core administration functions. OCFO will safeguard fiscal integrity and promote the effective and efficient use of resources.

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 (Division D of P.L. 115-56, as amended). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

The FY 2017 revised enacted funding level was \$9,995,000. In FY 2017, the Office of the Chief Financial Officer (OCFO) continued its core function of providing financial information and services that supported the Department and central governmental agencies, such as the Office of Management and Budget (OMB) and the Department of Treasury. The OCFO fostered effective stewardship of public funds, safeguarded fiscal integrity through effective internal controls, and provided timely, accurate, and useful financial information to decision makers. The funds continued to support preparation of quarterly financial statements, the Annual Financial Report, and implementation of corrective and preemptive action plans to ensure agency internal controls over financial reporting and systems were well documented, sufficiently tested, and properly assessed. In addition to core responsibilities, the OCFO continued to guide the Department's financial management system and provided oversight for the continued success of the Department's Digital Accountability and Transparency (DATA) Act implementation issues.

CHIEF FINANCIAL OFFICER

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	4,612	5,003	5,028	25
11.3	Other than full-time permanent	249	0	0	0
11.5	Other personnel compensation	120	125	125	0
11.9	Total personnel compensation	4,981	5,128	5,153	25
12.1	Civilian personnel benefits	1,520	1,563	1,564	1
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	5	5	5	0
23.1	Rental payments to GSA	915	915	900	-15
23.3	Communications, utilities, and miscellaneous charges	6	6	6	0
24.0	Printing and reproduction	12	14	14	0
25.1	Advisory and assistance services	471	537	526	-11
25.2	Other services from non-Federal sources	554	225	225	0
25.3	Other goods and services from Federal sources 1/	1,455	1,462	1,462	0
25.4	Operation and maintenance of facilities	8	0	0	0
25.7	Operation and maintenance of equipment	20	3	3	0
26.0	Supplies and materials	37	59	59	0
31.0	Equipment	11	10	10	0
	Total	9,995	9,927	9,927	0
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,440	1,440	1,440	0
	DHS Services	9	22	22	0
	GSA Services	6	0	0	0

CHIEF FINANCIAL OFFICER

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	25
Federal Employees' Compensation Act (FECA)	1
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	-15
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	-11
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$9,927	36
Program Increase	\$0	0
Program Decrease	\$0	0

DEPARTMENTAL PROGRAM EVALUATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
Activity Appropriation	8,040	7,985	7,985	0
FTE	0	10	10	0

Introduction

Departmental Program Evaluation (DPE) funds evaluations, including random assignment experimental and other rigorous non-experimental studies, to better understand the effectiveness and implementation of the DOL programs and strategies. The findings from evaluations inform policy, management, and resource allocation decisions. The Department-wide evaluation activities are overseen by a Chief Evaluation Officer (CEO) with staff skilled in evaluation design and statistical analysis. Evaluations are funded with the DM appropriation and through transferred funds. Transfer authority applies to accounts in the Employment and Training Administration, Employee Benefits Security Administration, Office of Workers' Compensation Programs, Wage and Hour Division, Office of Federal Contract Compliance Programs, Office of Labor Management Standards, Occupational Safety and Health Administration, Mine Safety and Health Administration, Office of Disability Employment Policy, Bureau of International Labor Affairs, Women's Bureau and Veterans Employment and Training.

The Department's research and evaluation agenda is developed from learning agendas prepared by each agency annually that lay out priority areas for which evaluations are needed. These priority areas and evaluations are aligned with the Department's priorities specified in the Strategic Plan. The Departmental plan is finalized based on feedback from the public, Congress, and stakeholders; and is made public each year.

The underlying goals of the Department's centralization of key evaluation activities are to: (1) build evaluation capacity and expertise in the Department; (2) ensure high standards in evaluations undertaken by, or funded by the Department of Labor; (3) facilitate the use of evaluation and research findings for performance management priorities; (4) ensure the independence of the evaluation and research functions; and (5) make sure that evaluation and research findings are available and accessible in a timely and user-friendly way, so they inform policymakers, program managers, and the public. To further these goals, the Department is also building partnerships with the academic community and other outside parties to leverage private-sector research expertise.

DEPARTMENTAL PROGRAM EVALUATION

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2014	\$8,040	0
2015	\$8,040	0
2016	\$8,040	0
2017	\$8,040	0
2018	\$0	0

NOTE: A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

FY 2019

The FY 2019 request for DPE is \$7,985,000 and 10 FTE. All evaluations funded through DPE are related to department priorities and agency statutory and operational objectives, using the most rigorous evaluation methods appropriate, and designed and coordinated by the Chief Evaluation Office in collaboration with operating agencies. The CEO plans to initiate at least 20 new evaluation studies in FY 2019. As in past years, these evaluations will support department priorities and agency statutory and operational objectives. The CEO will complete 100 percent of contracts for evaluations on time and within budget.

The budget includes a proposal to provide state agencies with responsibilities for Workforce Innovation and Opportunity Act (WIOA)—as designated by the governor—the authority to match with the National Directory for New Hires (NDNH) for program administration, including program oversight and evaluation of: WIOA, other employment and training programs funded and administered by the U.S. Department of Labor, and Vocational Rehabilitation and Adult Education funded and administered by the U.S. Department of Education. The proposal would also authorize data exchanges between state child support agencies, state agencies that administer workforce programs, and state agencies that administer Adult Education and Vocational Rehabilitation to improve coordination between the programs that each operate.

Access to NDNH will also be provided for units within agencies that conduct evaluation or other statistical activities (e.g., Department of Labor’s Chief Evaluation Office, Department of Education’s Institute of Education Sciences, and the Office of Planning, Research, and Evaluation in the Department of Health and Human Services’ Administration for Children and Families) for research, statistical, evaluation, or performance measurement purposes associated with assessing labor market outcomes. For example, the proposal would enable the Departments of Labor and Education to conduct program evaluations for the purposes of WIOA. Please see the Analytical Perspectives Chapter 6 entitled, “Building and Using Evidence to Improve Government Effectiveness,” of the President’s Budget for discussion of the full package of NDNH access proposals.

DEPARTMENTAL PROGRAM EVALUATION

FY 2018

A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-56). The amounts included for 2018 reflect the annualized level provided by the continuing resolution. The Department will provide an Operating Plan after a full-year appropriation bill is enacted.

FY 2017

The FY 2017 revised enacted funding level for DPE was \$8,040,000. In FY 2017, DPE initiated 21 contracted studies. DPE also received transfers totaling \$13.4 million from the Employment and Training Administration and the Office of Disability Employment Policy, pursuant to Division H, Title I, Section 107 of Public Law 115-113 which authorizes this transfer to DM for use by the CEO for departmental program evaluation.

DEPARTMENTAL PROGRAM EVALUATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2017 Enacted	FY 2018 Full Year C.R.	FY 2019 Request	Diff. FY19 Request / FY18 Full Year C.R.
11.1	Full-time permanent	1,170	1,300	1,306	6
11.3	Other than full-time permanent	23	0	0	0
11.5	Other personnel compensation	7	10	10	0
11.9	Total personnel compensation	1,200	1,310	1,316	6
12.1	Civilian personnel benefits	384	416	416	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	6,441	6,259	6,253	-6
25.2	Other services from non-Federal sources	0	0	0	0
25.3	Other goods and services from Federal sources 1/	15	0	0	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
31.0	Equipment	0	0	0	0
	Total	8,040	7,985	7,985	0
	1/Other goods and services from Federal sources				
	Services by Other Government Departments	15	0	0	0

DEPARTMENTAL PROGRAM EVALUATION

CHANGES IN FY 2019

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	6
Printing and reproduction	0
Advisory and assistance services	-6
Other services from non-Federal sources	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Equipment	0

Built-Ins Subtotal **\$0**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$7,985	10
Program Increase	\$0	0
Program Decrease	\$0	0