

## DEPARTMENT OF LABOR

### EMPLOYMENT AND TRAINING ADMINISTRATION

#### Federal Funds

#### TRAINING AND EMPLOYMENT SERVICES

#### [(INCLUDING RESCISSIONS)]

For necessary expenses of the Workforce Investment Act of 1998 [“WIA”), the Denali Commission Act of 1998, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992] (*the “Act”*), including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the [WIA; \$3,608,349,000] Act, \$3,060,923,000, plus reimbursements, is available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, [\$2,994,510,000] \$2,495,456,000 as follows:

(A) [\$864,199,000] \$712,000,000 for adult employment and training activities, [of which \$152,199,000 shall be available for the period July 1, 2008 to June 30, 2009, and of which \$712,000,000] which shall be available for the period October 1, [2008] 2009 through June 30, [2009] 2010;

(B) [\$940,500,000] \$840,500,000 for youth activities, which shall be available for the period April 1, [2008] 2009 through June 30, [2009] 2010; and

(C) [\$1,189,811,000] \$942,956,000 for dislocated worker employment and training activities, of which [\$341,811,000] \$94,956,000 shall be available for the period July 1, [2008] 2009 through June 30, [2009] 2010, and of which \$848,000,000 shall be available for the period October 1, [2008] 2009 through June 30, [2009] 2010:

*Provided*, That notwithstanding the transfer limitation under section 133(b)(4) of the [WIA] Act, up to [30] 40 percent of such funds may be transferred by a local board if approved by the Governor; *Provided further*, That notwithstanding sections 127(c) and 132(c) of the Act, for program year 2008 the Secretary shall reallocate from States for the youth, adult and dislocated worker formula fund programs under title I of the Act, the amounts by which the unexpended balance in a State for such program at the end of program year 2007 exceeds 30 percent of the total amount available for such program in such State for program year 2007 (including funds appropriated herein and funds appropriated for previous years that were available during program year 2007), to those States that did not have such unexpended balances for such program at the end of such year, and such reallocations shall be made using the formula applicable to such program for program year 2008 except that such formula shall only be applied to those States receiving reallocations for such program under this proviso: *Provided further*, That notwithstanding sections 128(c) and 133(c) of the Act, for program year 2008 the Governor may reallocate from local workforce investment areas, for the youth, adult, and dislocated worker formula fund programs under title I of the Act, the amounts by which the unexpended balance in a local workforce investment area for any such program at the end of program year 2007 exceeds 30 percent of the total amount available for such program in such workforce investment area for such year (including the local funds appropriated for previous program years that were available during program year 2007), to those local workforce investment areas that did not have such unexpended balances for such program at the end of such year, and such reallocations shall be made using the formula applicable to such program for program year 2008 except that such formula shall only be applied to those local workforce investment areas receiving reallocations for such program under this proviso;

(2) \$125,000,000 to carry out the Community-Based Job Training Grants;

(3) for federally administered programs, [\$477,873,000] \$375,867,000 as follows:

(A) [\$282,092,000] \$280,867,000 for the dislocated workers assistance national reserve, [of which \$6,300,000 shall be available on October 1, 2007,] of which [\$63,792,000] \$68,867,000 shall be available for the period July 1, [2008] 2009 through June 30, [2009] 2010, and of which \$212,000,000 shall be available for the period October 1, [2008] 2009 through June 30, [2009] 2010: *Provided*, That up to \$125,000,000 may be made available for Community-Based Job Training grants from funds reserved under section 132(a)(2)(A) of the WIA and shall be used to carry out such grants under section 171(d) of such Act, except that the 10 percent limitation otherwise applicable to the amount of funds that may be used to carry out section 171(d) shall not be applicable to funds used for Community-Based Job Training grants: *Provided further*, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for State-wide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That \$2,600,000 shall be for a non-competitive grant to the National Center on Education and the Economy, which shall be awarded not later than 30 days after the date of enactment of this Act: *Provided further*, That \$1,500,000 shall be for a non-competitive grant to the AFL-CIO Working for America Institute, which shall be awarded not later than 30 days after the date of enactment of this Act: *Provided further*, That \$2,200,000 shall be for a non-competitive grant to the AFL-CIO Appalachian Council, Incorporated, for Job Corps career transition services, which shall be awarded not later than 30 days after the date of enactment of this Act] 2010;

(B) [\$53,696,000] \$45,000,000 for Native American programs, which shall be available for the period July 1, [2008] 2009 through June 30, [2009] 2010; and

[(C) \$81,085,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including \$75,610,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$4,975,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$500,000 for other discretionary purposes, which shall be available for the period July 1, 2008 through June 30, 2009: *Provided*, That, notwithstanding any other provision of law or related regulation, the Department shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$1,000,000 for carrying out the Women in Apprenticeship and Nontraditional Occupations Act, which shall be available for the period July 1, 2008 through June 30, 2009; and]

[(E) \$60,000,000] (C) \$50,000,000 for YouthBuild activities as described in section 173A of the [WIA, which shall be available for the period April 1, 2008 through June 30, 2009] Act; and

[(3)] (4) for national activities, [\$135,966,000, which shall be available for the period July 1, 2008 through July 30, 2009] \$64,600,000 as follows:

(A) [\$49,370,000 for Pilots, Demonstrations, and Research, of which \$5,000,000 shall be for grants to address the employment and training needs of young parents (notwithstanding the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA): *Provided*, That funding provided to carry out projects under section 171 of the WIA that are identified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), shall not be subject to the requirements of sections 171(b)(2)(B) and 171(c)(4)(D) of the WIA, the joint funding requirements of sections 171(b)(2)(A)

TRAINING AND EMPLOYMENT SERVICES—Continued  
[(INCLUDING RESCISSIONS)]—Continued

and 171(c)(4)(A) of the WIA, or any time limit requirements of sections 171(b)(2)(C) and 171(c)(4)(B) of the WIA] \$39,600,000 for ex-offender activities under the authority of section 171 of the Act, notwithstanding the requirements of sections 171(b)(2)(B) or 171(c)(4)(D), which shall be available for the period July 1, 2009 through June 30, 2010;

(B) [\$74,800,000 for ex-offender activities, under the authority of section 171 of the Act, notwithstanding the requirements of section 171(b)(2)(B) or 171(c)(4)(D), of which not less than \$55,000,000 shall be for youthful offender activities: *Provided*, That \$50,000,000 shall be available from program year 2007 and program year 2008 funds for competitive grants to local educational agencies or community-based organizations to develop and implement mentoring strategies that integrate educational and employment interventions designed to prevent youth violence in schools identified as persistently dangerous under section 9532 of the Elementary and Secondary Education Act] \$16,000,000 for Pilots, Demonstrations, and Research, which shall be available for the period July 1, 2009 through June 30, 2010; and

(C) [\$4,921,000] \$9,000,000 for Evaluation [under section 172 of the WIA; and], which shall be available for the period July 1, 2009 through June 30, 2010

[(D) \$6,875,000 for the Denali Commission, which shall be available for the period July 1, 2008 through June 30, 2009]. [Of the amounts made available under this heading in Public Law 107-116 to carry out the activities of the National Skills Standards Board, \$44,000 are rescinded.

Of the unexpended balances remaining from funds appropriated to the Department of Labor under this heading for fiscal years 2005 and 2006 to carry out the Youth, Adult and Dislocated Worker formula programs under the Workforce Investment Act, \$250,000,000 are rescinded: *Provided*, That the Secretary of Labor may, upon the request of a State, apply any portion of the State's share of this rescission to funds otherwise available to the State for such programs during program year 2007: *Provided further*, That notwithstanding any provision of such Act, the Secretary may waive such requirements as may be necessary to carry out the instructions relating to this rescission in House Report 110-424.] (*Department of Labor Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 16-0174-0-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Adult employment and training activities .....	864	850	712
00.03 Dislocated worker employment and training activities .....	1,377	1,321	1,223
00.05 Youth activities .....	943	983	891
00.08 Ex-offender activities .....	74	73	40
00.10 Native Americans .....	55	53	45
00.11 Migrant and seasonal farmworkers .....	80	80	
00.13 National programs .....	39	60	25
00.14 Community-Based Job Training Grants .....	125	125	125
00.15 High Growth Job Training Initiative .....	111	125	125
09.01 Reimbursable program .....	43	24	24
10.00 Total new obligations .....	3,711	3,694	3,210
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	303	320	52
22.00 New budget authority (gross) .....	3,730	3,444	3,210
22.35 Adjustment to unobligated balance carried forward, start of year (-) .....		-18	
23.90 Total budgetary resources available for obligation .....	4,033	3,746	3,262
23.95 Total new obligations .....	-3,711	-3,694	-3,210
23.98 Unobligated balance expiring or withdrawn .....	-2		
24.40 Unobligated balance carried forward, end of year .....	320	52	52
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	1,785	1,836	1,289
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-32	
40.36 Unobligated balance permanently reduced .....	-4		
40.36 Unobligated balance permanently reduced .....		-250	
43.00 Appropriation (total discretionary) .....	1,781	1,554	1,289

55.00 Advance appropriation .....	1,772	1,772	1,772
55.33 Appropriation permanently reduced (P.L. 110-161) .....		-31	
55.90 Advance appropriation (total discretionary) .....	1,772	1,741	1,772
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	43	24	24
Mandatory:			
60.20 Appropriation (special fund) .....	134	125	125
70.00 Total new budget authority (gross) .....	3,730	3,444	3,210
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	3,125	3,172	3,338
73.10 Total new obligations .....	3,711	3,694	3,210
73.20 Total outlays (gross) .....	-3,621	-3,528	-3,628
73.40 Adjustments in expired accounts (net) .....	-43		
74.40 Obligated balance, end of year .....	3,172	3,338	2,920
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	1,247	1,007	1,209
86.93 Outlays from discretionary balances .....	2,285	2,400	2,305
86.97 Outlays from new mandatory authority .....		1	1
86.98 Outlays from mandatory balances .....	89	120	113
87.00 Total outlays (gross) .....	3,621	3,528	3,628
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-43	-24	-24
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	3,687	3,420	3,186
90.00 Outlays .....	3,578	3,504	3,604

Summary of Budget Authority and Outlays

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority .....	3,687	3,420	3,186
Outlays .....	3,578	3,504	3,604
Legislative proposal, not subject to PAYGO:			
Budget Authority .....			50
Outlays .....			50
Total:			
Budget Authority .....	3,687	3,420	3,236
Outlays .....	3,578	3,504	3,654

Enacted in 1998, the Workforce Investment Act (WIA) is the primary authorization for this appropriation account. WIA authorization expired on September 30, 2003. The Act is intended to revitalize the Nation's job training system to provide workers with the information, advice, job search assistance, and training they need to get and keep good jobs, and to provide employers with skilled workers. Funds appropriated for this account generally are available on a July to June program year basis, and substantial advance appropriation amounts are provided.

*Adult employment and training activities.*—Grants to provide financial assistance to States and territories to design and operate training and employment assistance programs for adults, including low-income individuals and public assistance recipients.

*Dislocated worker employment and training activities.*—Grants to provide reemployment services and retraining assistance to individuals dislocated from their employment.

*Youth activities.*—Grants to support a wide range of activities and services to prepare low-income youth for academic and employment success, including summer jobs. The program links academic and occupational learning with youth development activities.

*Reintegration of Ex-Offenders.*—Supports activities to help individuals exiting prison make a successful transition to community life and long-term employment. The 2008 Budget merged the Prisoner Re-entry and Responsible Reintegration of Youthful Offenders programs into a single program that would provide mentoring and job training to promote the

successful return of adult and juvenile ex-offenders into mainstream society.

**Native Americans.**—Grants to Indian tribes and other Native American groups to provide training, work experience, and other employment-related services to Native Americans.

**National programs.**—Provides program support for WIA activities and nationally administered programs for segments of the population that have special disadvantages in the labor market.

**Community-Based Job Training Grants.**—A competitive grant program for building training capacity and training workers through community and technical colleges.

**Job Corps.**—Funding for the Job Corps program, formerly provided in this account, is now shown in the Office of Job Corps account for all years.

Object Classification (in millions of dollars)			
Identification code 16-0174-0-1-504	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.2 Other services .....	27	27	27
25.3 Other purchases of goods and services from Government accounts .....	7	7	7
41.0 Grants, subsidies, and contributions .....	3,634	3,636	3,152
99.0 Direct obligations .....	3,668	3,670	3,186
99.0 Reimbursable obligations .....	43	24	24
99.9 Total new obligations .....	3,711	3,694	3,210

**TRAINING AND EMPLOYMENT SERVICES**  
(Legislative proposal, not subject to PAYGO)

Program and Financing (in millions of dollars)			
Identification code 16-0174-2-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Adult employment and training activities .....			- 712
00.03 Dislocated worker employment and training activities .....			- 1,223
00.05 Youth activities .....			- 841
00.06 Career Advancement Accounts .....			2,826
10.00 Total new obligations (object class 41.0) .....			50
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			50
23.95 Total new obligations .....			- 50
24.40 Unobligated balance carried forward, end of year .....			
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....			50
55.00 Advance appropriation .....			
70.00 Total new budget authority (gross) .....			50
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....			50
73.20 Total outlays (gross) .....			- 50
74.40 Obligated balance, end of year .....			
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....			50
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			50
90.00 Outlays .....			50

The Administration will propose legislation to reform the Workforce Investment Act (WIA). The legislation will seek to increase State flexibility to administer the programs, require that a greater percentage of resources be directed to training services for workers instead of administrative overhead, increase individual choice by offering "Career Advancement Accounts," streamline the performance accountability system, and increase the funds available for training by re-

quiring State matching funds. The proposal will consolidate the Adult, Dislocated Worker, Youth Activities, Employment Service State grants, Work Opportunity Tax Credit, and labor market information grants into a single State grant to facilitate coordination and eliminate duplication in the provision of services.

**COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS**

To carry out title V of the Older Americans Act of 1965, **[\$530,900,000] as amended, \$350,000,000**, which shall be available for the period July 1, **[2008] 2009** through June 30, **[2009] 2010**. (Department of Labor Appropriations Act, 2008.)

Program and Financing (in millions of dollars)			
Identification code 16-0175-0-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 National programs .....	375	391	273
00.02 State programs .....	109	131	77
10.00 Total new obligations (object class 41.0) .....	484	522	350
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	484	522	350
23.95 Total new obligations .....	- 484	- 522	- 350
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	484	531	350
40.33 Appropriation permanently reduced (P.L. 110-161) .....		- 9	
43.00 Appropriation (total discretionary) .....	484	522	350
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	389	434	439
73.10 Total new obligations .....	484	522	350
73.20 Total outlays (gross) .....	- 437	- 517	- 489
73.40 Adjustments in expired accounts (net) .....	- 2		
74.40 Obligated balance, end of year .....	434	439	300
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	78	99	67
86.93 Outlays from discretionary balances .....	359	418	422
87.00 Total outlays (gross) .....	437	517	489
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	484	522	350
90.00 Outlays .....	437	517	489

This program provides part-time work experience in community service activities to unemployed, low-income persons aged 55 and over. The program was deemed "Ineffective" by a Performance Assessment Rating Tool assessment, due to inadequate competition in the grants process, lack of data on program performance and impact, and duplication with other Federal programs. While the Older Americans Act Amendments of 2006 (P.L. 109-365) reauthorized and made some improvements in Title V of the Older Americans Act, the program still suffers from inadequate competition and low levels of performance in getting participants into unsubsidized employment. The Department of Labor conducted a one-time competition of its national grants (which represent a little more than three-quarters of program funding) in 2006, but the Older Americans Act Amendments prohibited competition beyond the current pool of national grantees until 2010. In program year 2006, the program fell short of its targets for placement in employment, placing less than one-third.

**FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES**

For payments during fiscal year **[2008] 2009** of trade adjustment benefit payments and allowances under part I of subchapter B of

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES—Continued

chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, **[\$888,700,000]** \$958,800,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, **[2008]** 2009. (Department of Labor Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 16-0326-0-1-999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
Direct program:			
00.01 Trade Adjustment Assistance benefits .....	566	643	675
00.02 Trade Adjustment Assistance training .....	260	260	260
00.05 Wage insurance demonstration .....	24	27	23
09.01 Disaster Unemployment Assistance .....	7	40	40
10.00 Total new obligations .....	857	970	998
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	863	970	999
23.95 Total new obligations .....	-857	-970	-998
23.98 Unobligated balance expiring or withdrawn .....	-6		
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation .....	838	889	959
Spending authority from offsetting collections:			
69.00 Offsetting collections (DUA) .....	7	40	40
69.00 Offsetting collections (Advances funds) .....	18	41	
69.90 Spending authority from offsetting collections (total mandatory) .....	25	81	40
70.00 Total new budget authority (gross) .....	863	970	999
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	414	457	512
73.10 Total new obligations .....	857	970	998
73.20 Total outlays (gross) .....	-783	-915	-951
73.40 Adjustments in expired accounts (net) .....	-31		
74.40 Obligated balance, end of year .....	457	512	559
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	642	774	801
86.98 Outlays from mandatory balances .....	141	141	150
87.00 Total outlays (gross) .....	783	915	951
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-24	-81	-40
Against gross budget authority only:			
88.96 Portion of offsetting collections (cash) credited to expired accounts .....	-1		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	838	889	959
90.00 Outlays .....	759	834	911

Summary of Budget Authority and Outlays

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority .....	838	889	959
Outlays .....	759	834	911
Legislative proposal, subject to PAYGO:			
Budget Authority .....			6
Outlays .....			6
Total:			
Budget Authority .....	838	889	965
Outlays .....	759	834	917

This account funds the Trade Adjustment Assistance (TAA) program, which provides weekly cash benefits, training, and job search and relocation allowances to certain workers dis-

placed by international trade. The account also funds the Alternative Trade Adjustment Assistance (ATAA) demonstration program of wage insurance for older workers.

The authorization for the TAA for Workers program expired December 31, 2007, but the fiscal year 2008 consolidated appropriations act provided funding at a level sufficient to keep the program operating through September 2008. This appropriation has the effect of continuing the full operation of the program, including issuing certifications of eligibility for new groups of workers after December 31, 2007, through fiscal year 2008. The Administration supports continuation of the TAA for Workers program. The budget request for this account provides sufficient funds to continue the TAA for Workers program through fiscal year 2009, including issuing certifications for new workers, and to cover the phase-out costs of the ATAA demonstration program.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

(Legislative proposal, subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 16-0326-4-1-999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
Direct program:			
00.01 Trade Adjustment Assistance benefits .....			-16
00.05 Wage insurance demonstration .....			-23
00.06 Wage supplement .....			45
10.00 Total new obligations (object class 41.0) .....			6
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			6
23.95 Total new obligations .....			-6
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation .....			6
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....			6
73.20 Total outlays (gross) .....			-6
74.40 Obligated balance, end of year .....			
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....			6
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			6
90.00 Outlays .....			6

While the benefits of trade are broadly spread across our economy, some American workers are adversely affected by new competition in certain industries. The Administration recognizes that the Federal Government has a responsibility to help workers who have been adversely impacted by trade to obtain the retraining and interim benefits they need. Trade Adjustment Assistance (TAA) is an important part of our Nation's efforts to target these workers with reemployment services that will help them transition to good jobs with good wages.

The Administration strongly supports TAA reauthorization that includes needed reforms to help workers adversely affected by trade access the training and reemployment services they need to return to work quickly. These reforms include the following principles. Trade impacted workers must have: (1) increased individual choice to "earn and learn" through the TAA program; (2) improved access to education and training; (3) access to education and training prior to a trade-impacted layoff; and (4) access to services through a streamlined and efficient workforce investment system.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, **[\$90,517,000]** \$48,880,000, together with not to exceed **[\$3,233,436,000]** \$2,616,064,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) **[\$2,497,770,000]** \$2,583,145,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including \$10,000,000 to conduct in-person reemployment and eligibility assessments in one-stop career centers of claimants of unemployment compensation), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under sections 8501–8523 of title 5, United States Code, and the administration of trade readjustment allowances and alternative trade adjustment assistance under the Trade Act of 1974, and shall be available for obligation by the States through December 31, **[2008]** 2009, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, **[2010]** 2011, and funds used for unemployment insurance workloads experienced by the States through September 30, **[2008]** 2009 shall be available for Federal obligation through December 31, **[2008]** 2009.

(2) **[\$9,900,000]** \$12,893,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system.

(3) \$693,000,000 from the Trust Fund, together with \$22,883,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2008 through June 30, 2009.]

(4) **[\$32,766,000]** (3) \$20,026,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, [the administration of activities, including foreign labor certifications, under the Immigration and Nationality Act,] and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed \$1,228,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980.

(5) **[\$52,985,000]** (4) \$48,880,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, **[2008]** 2009 through June 30, **[2009]** 2010.

(6) \$14,649,000 from the General Fund is to provide for work incentive grants to the States and shall be available for the period July 1, 2008 through June 30, 2009]:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year **[2008]** 2009 is projected by the Department of Labor to exceed **[2,786,000]** 2,790,000, an additional \$28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Secretary of Labor may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87.

*In addition, \$40,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments in one-stop career centers of claimants of unemployment compensation: Provided, That not later than June 30, 2010, the Secretary shall submit an interim report to the Congress that includes available information on expenditures, number of individuals assessed, and outcomes from the assessments: Provided further, That not later than June 30, 2011, the Secretary of Labor shall submit to the Congress a final report containing comprehensive information on the estimated savings that result from the assessments of claimants and identification of best practices. (Department of Labor Appropriations Act, 2008.)*

Program and Financing (in millions of dollars)

Identification code 16–0179–0–1–999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 State UI administration .....	2,498	2,454	2,623
00.02 UI national activities .....	11	10	13
00.10 ES grants to States .....	729	704	.....
00.11 ES national activities .....	34	32	20
00.12 One-stop career centers .....	103	52	49
00.13 Work Incentive Grants .....	30	14	.....
09.01 Reimbursable program .....	1	10	10
10.00 Total new obligations .....	3,406	3,276	2,715
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year	127	80	80
22.00 New budget authority (gross) .....	3,351	3,276	2,715
22.10 Resources available from recoveries of prior year obligations .....	9	.....	.....
23.90 Total budgetary resources available for obligation	3,487	3,356	2,795
23.95 Total new obligations .....	–3,406	–3,276	–2,715
23.98 Unobligated balance expiring or withdrawn .....	–1	.....	.....
24.40 Unobligated balance carried forward, end of year	80	80	80
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	106	91	49
40.33 Appropriation permanently reduced (P.L. 110–161) .....	.....	–2	.....
40.36 Unobligated balance permanently reduced .....	–4	.....	.....
43.00 Appropriation (total discretionary) .....	102	89	49
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	2,841	3,187	2,666
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	408	.....	.....
58.90 Spending authority from offsetting collections (total discretionary) .....	3,249	3,187	2,666
70.00 Total new budget authority (gross) .....	3,351	3,276	2,715
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	163	84	–129
73.10 Total new obligations .....	3,406	3,276	2,715
73.20 Total outlays (gross) .....	–3,438	–3,489	–3,276
73.40 Adjustments in expired accounts (net) .....	–4	.....	.....
73.45 Recoveries of prior year obligations .....	–9	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	–408	.....	.....
74.10 Change in uncollected customer payments from Federal sources (expired) .....	374	.....	.....
74.40 Obligated balance, end of year .....	84	–129	–690
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	2,322	2,286	2,270
86.93 Outlays from discretionary balances .....	1,116	1,203	1,006
87.00 Total outlays (gross) .....	3,438	3,489	3,276
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	.....	–10	–10
88.00 Trust Fund sources .....	–3,214	–3,177	–2,656
88.90 Total, offsetting collections (cash) .....	–3,214	–3,187	–2,666
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	–408	.....	.....

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE  
OPERATIONS—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 16-0179-0-1-999	2007 actual	2008 est.	2009 est.
88.96 Portion of offsetting collections (cash) credited to expired accounts .....	373		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	102	89	49
90.00 Outlays .....	224	302	610

Summary of Budget Authority and Outlays

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority .....	102	89	49
Outlays .....	224	302	610
Legislative proposal, not subject to PAYGO:			
Budget Authority .....			-32
Outlays .....			-26
<b>Total:</b>			
Budget Authority .....	102	89	17
Outlays .....	224	302	584

**Unemployment compensation.**—State administration amounts provide administrative grants to State agencies which pay unemployment compensation to eligible workers and collect State unemployment taxes from employers. These agencies also pay unemployment benefits to former Federal personnel and ex-servicemembers as well as trade readjustment allowances to eligible individuals. State administration amounts also provide administrative grants to State agencies to improve the integrity and financial stability of the unemployment compensation program through a comprehensive performance management system, UI Performs. The purpose is to effect continuous improvement in State performance and related activities designed to assess and reduce errors and prevent fraud, waste, and abuse in the payment of unemployment compensation benefits and the collection of unemployment taxes. National activities relating to the Federal-State unemployment insurance programs are conducted through contracts or agreements with the State agencies or with non-State entities. A workload reserve is included in State administration to meet increases in the costs of administration resulting from increases in the number of claims filed and claims paid. The appropriation automatically provides additional funds whenever unemployment claims workload increases above budgeted levels.

The request for additional funding for in-person reemployment and eligibility assessments of claimants of unemployment compensation builds upon the success of a number of States in reducing improper payments and speeding reemployment using these assessments. Because most unemployment claims are now filed by telephone or Internet, in-person assessments conducted in the One-Stop Career Centers can help determine continued eligibility for benefits and adequacy of work search, verify the identity of beneficiaries where there is suspicion of possible identity theft, and provide referral to reemployment assistance to those who need additional help. The \$40 million requested for additional reemployment and eligibility assessments is estimated to provide benefit savings of \$155 million. It is important that this integrity initiative and other new enforcement investments be fully funded. The Administration is proposing to fund them as contingent appropriations. To ensure full funding of reemployment and eligibility assessments, the Administration proposes to employ a budget enforcement mechanism that allows for an adjustment by the Budget Committees to the section 302(a) allocation to the Appropriations Committees found in the concurrent resolution on the budget. In addition, the Administration will

seek to establish statutory spending limits, as defined by section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and to adjust them for this purpose. To ensure full funding of the increases, either of these adjustments would only be permissible if the base level for reemployment and eligibility assessments was funded at \$10 million and if the use of the funds was clearly restricted to the specified purpose. The maximum allowable adjustment to the 302(a) allocation and/or the statutory spending limit for this program would be \$40 million for 2009 (see chapter 15 in Analytical Perspectives).

UNEMPLOYMENT COMPENSATION PROGRAM STATISTICS

	2006 actual	2007 actual	2008 est.	2009 est.
Staff years .....	32,693	32,421	33,048	33,405
Basic workload (in thousands):				
Employer tax accounts .....	7,411	7,603	7,607	7,674
Employee wage items recorded .....	617,622	627,692	631,593	641,146
Initial claims taken .....	16,751	16,890	17,264	17,975
Weeks claimed .....	134,351	133,808	138,218	143,051
Nonmonetary determinations .....	7,300	7,466	7,742	7,889
Appeals .....	1,327	1,308	1,356	1,376
Covered employment .....	131,661	133,401	133,812	134,978

**Employment service.**—The public employment service is a nationwide system providing no-fee employment services to job-seekers and employers. State employment service activities are financed by State grants distributed under a demographically based funding formula. Employment service allotments are funded on a program year basis running from July 1 through June 30 of the following year. In 2009, the Administration proposes to terminate the Employment Service State grants program, which duplicates the services provided under the Workforce Investment Act (WIA) programs and uses a costly, separate delivery system.

Employment service activities serving national needs, including foreign labor certification, are conducted through specific reimbursable agreements between the States and the Federal Government under the Wagner-Peyser Act, as amended, and other legislation. Starting with fiscal year 2009, all funding for foreign labor certification activities will be requested in a new account, Foreign Labor Certification Administration. States also receive funding under this activity for administration of the Work Opportunity Tax Credit, as well for amortization payments for those States that had independent retirement plans prior to 1980 in their State employment service agencies.

**One-stop career centers.**—These funds are used to support the joint Federal-State efforts to improve the comprehensive One-Stop system created under WIA. This system provides workers and employers with quick and easy access to a wide array of enhanced career development and labor market information services.

EMPLOYMENT SERVICE PROGRAM STATISTICS

	2005 actual	2006 actual	2007 est.	2008 est.
Total participants (thousands) .....	13,235	14,721	13,016	13,026
Entered employment (thousands) .....	6,194	5,904	5,219	5,223
Cost per participant .....	59	56	55	54

Object Classification (in millions of dollars)

Identification code 16-0179-0-1-999	2007 actual	2008 est.	2009 est.
Direct obligations:			
23.3 Communications, utilities, and miscellaneous charges .....	121	106	
41.0 Grants, subsidies, and contributions .....	3,284	3,160	2,705
99.0 Direct obligations .....	3,405	3,266	2,705
99.0 Reimbursable obligations .....	1	10	10
99.9 Total new obligations .....	3,406	3,276	2,715

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE  
OPERATIONS

(Legislative proposal, not subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 16-0179-2-1-999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.11 ES national activities			-18
00.12 One-stop career centers			-32
10.00 Total new obligations (object class 41.0)			-50
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross)			-50
23.95 Total new obligations			50
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation			-32
58.00 Spending authority from offsetting collections: Offsetting collections (cash)			-18
70.00 Total new budget authority (gross)			-50
<b>Change in obligated balances:</b>			
73.10 Total new obligations			-50
73.20 Total outlays (gross)			44
74.40 Obligated balance, end of year			-6
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority			-44
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources			18
<b>Net budget authority and outlays:</b>			
89.00 Budget authority			-32
90.00 Outlays			-26

The Administration will repropose legislation to reform the Workforce Investment Act (WIA). The legislation will seek to increase State flexibility to administer the programs, require that a greater percentage of resources be directed to training services for workers instead of administrative overhead, increase individual choice by offering "Career Advancement Accounts," streamline the performance accountability system, and increase the funds available for training by requiring State matching funds. The proposal will consolidate the Adult, Dislocated Worker, Youth Activities, Employment Service State grants, Work Opportunity Tax Credit, and labor market information grants into a single State grant to facilitate coordination and eliminate duplication in the provision of services. The new consolidated grant will be shown in the Training and Employment Services account.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, [2009, \$437,000,000] 2010, \$422,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, [2008] 2009, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary. (Department of Labor Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 16-0327-0-1-600	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Trade Adjustment Assistance	19	41	
10.00 Total new obligations (object class 41.0)	19	41	
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year		113	72
22.00 New budget authority (gross)	41		
23.90 Total budgetary resources available for obligation	132	113	72
23.95 Total new obligations	-19	-41	
24.40 Unobligated balance carried forward, end of year	113	72	72
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation	39		
69.00 Spending authority from offsetting collections: Offsetting collections (cash)	2		
70.00 Total new budget authority (gross)	41		
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year		-1	40
73.10 Total new obligations	19	41	
73.20 Total outlays (gross)	-20		
74.40 Obligated balance, end of year	-1	40	40
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority	20		
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources	-2		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority	39		
90.00 Outlays	18		

Summary of Budget Authority and Outlays

(in millions of dollars)	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority	39		
Outlays	18		
Legislative proposal, not subject to PAYGO:			
Budget Authority			2,710
Outlays			2,710
Total:			
Budget Authority	39		2,710
Outlays	18		2,710

This account provides repayable advances to the Black Lung Disability Trust Fund for making payments from that fund whenever its balances prove insufficient. The funding requested in this appropriation for 2009 is entirely for Black Lung. This spending authority is presented as authority to borrow in the Black Lung Disability Trust Fund.

This account may also provide advances to several other accounts to pay unemployment compensation to eligible individuals under various Federal and State unemployment compensation laws whenever the balances in those accounts prove insufficient or whenever legislation allows reimbursements to be made. Advances made to the Federal Employees Compensation Account in the Unemployment Trust Fund and to the Federal Unemployment Benefits and Allowances account are nonrepayable, as are certain reimbursements to the Extended Unemployment Compensation Account (EUCA), as allowed by law. All other advances made to the Federal Unemployment Account and to EUCA (both in the Unemployment Trust Fund) are repaid, with interest, to the general fund of the Treasury.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS  
(Legislative proposal, not subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 16-0327-2-1-600	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.02 Prepayment Premium .....			2,710
10.00 Total new obligations (object class 41.0) .....			2,710
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			2,710
23.95 Total new obligations .....			-2,710
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation .....			2,710
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....			2,710
73.20 Total outlays (gross) .....			-2,710
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....			2,710
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			2,710
90.00 Outlays .....			2,710

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, **[\$88,451,000]** \$96,045,000, together with not to exceed **[\$86,936,000]** \$47,966,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund. (*Department of Labor Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 16-0172-0-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Adult services .....	51	50	57
00.02 Youth services .....	11	11	13
00.03 Workforce security .....	92	95	41
00.04 Apprenticeship training, employer and labor services .....	21	21	23
00.05 Executive direction .....	9	8	10
10.00 Total new obligations .....	184	185	144
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	7	7	7
22.00 New budget authority (gross) .....	185	185	144
23.90 Total budgetary resources available for obligation .....	192	192	151
23.95 Total new obligations .....	-184	-185	-144
23.98 Unobligated balance expiring or withdrawn .....	-1		
24.40 Unobligated balance carried forward, end of year .....	7	7	7
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	89	89	96
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-2	
43.00 Appropriation (total discretionary) .....	89	87	96
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	83	85	48
Mandatory:			
60.20 Appropriation (special fund) .....	13	13	
70.00 Total new budget authority (gross) .....	185	185	144
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	48	48	44
73.10 Total new obligations .....	184	185	144
73.20 Total outlays (gross) .....	-184	-189	-145
74.40 Obligated balance, end of year .....	48	44	43

<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	135	164	135
86.93 Outlays from discretionary balances .....	39	9	9
86.97 Outlays from new mandatory authority .....	4	12	
86.98 Outlays from mandatory balances .....	6	4	1
87.00 Total outlays (gross) .....	184	189	145
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Trust fund sources .....	-83	-85	-48
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	102	100	96
90.00 Outlays .....	101	104	97

This account provides for the Federal administration of Employment and Training Administration programs.

*Adult services.*—Provides leadership, policy direction and administration for a decentralized system of grants to State and local governments as well as Federally administered programs for job training and employment assistance for low income adults and dislocated workers; provides for training and employment services to special targeted groups; provides for the settlement of trade adjustment petitions; and includes related program operations support activities.

*Youth services.*—Provides leadership, policy direction and administration for a decentralized system of grants to State and local governments as well as Federally administered programs for job training and employment assistance for youth. Funding for administration of the Job Corps program, formerly provided in this account, is now shown in the Office of Job Corps account for all years.

*Workforce security.*—Provides leadership and policy direction for the administration of the comprehensive nationwide public employment service system; oversees unemployment insurance programs in each State; supports a one-stop career center network, including a comprehensive system of collecting, analyzing and disseminating labor market information; and includes related program operations support activities. Funding for administration of the foreign labor certification programs, formerly provided in this account, is requested under a new account, Foreign Labor Certification Administration, for FY 2009.

*Apprenticeship training, employer and labor services.*—Promotes and provides leadership and policy direction for the administration of apprenticeship as a method of skill acquisition through a Federal-State apprenticeship structure. Employer and labor services will facilitate the understanding and responsiveness of workforce investment systems to the training needs of employers and the interest of labor organizations in training programs.

*Executive direction.*—Provides leadership and policy direction for all training and employment services programs and activities and provides for related program operations support, including research, evaluations, and demonstrations.

Object Classification (in millions of dollars)

Identification code 16-0172-0-1-504	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
Personnel compensation:			
11.1 Full-time permanent .....	75	77	76
11.3 Other than full-time permanent .....	4	4	1
11.5 Other personnel compensation .....	6	6	2
11.9 Total personnel compensation .....	85	87	79
12.1 Civilian personnel benefits .....	21	21	18
21.0 Travel and transportation of persons .....	3	4	3
23.1 Rental payments to GSA .....	10	10	9
23.3 Communications, utilities, and miscellaneous charges .....	1	1	1
25.1 Advisory and assistance services .....	36	32	9
25.2 Other services .....	2	3	1
25.3 Other purchases of goods and services from Government accounts .....	13	14	13



25.7	Operation and maintenance of equipment .....	11	10	8
26.0	Supplies and materials .....	1	1	1
31.0	Equipment .....	1	2	2
99.9	Total new obligations .....	184	185	144

**Employment Summary**

Identification code 16-0172-0-1-504	2007 actual	2008 est.	2009 est.	
<b>Direct:</b>				
1001	Civilian full-time equivalent employment .....	919	928	850
<b>Reimbursable:</b>				
2001	Civilian full-time equivalent employment .....	3	4	4

**WORKERS COMPENSATION PROGRAMS**  
**Program and Financing** (in millions of dollars)

Identification code 16-0170-0-1-806	2007 actual	2008 est.	2009 est.	
<b>Obligations by program activity:</b>				
00.01	Workers Compensation Programs .....	1		
10.00	Total new obligations (object class 41.0) .....	1		
<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	1		
23.95	Total new obligations .....	-1		
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	49	47	25
73.10	Total new obligations .....	1		
73.20	Total outlays (gross) .....	-3	-22	-25
74.40	Obligated balance, end of year .....	47	25	
<b>Outlays (gross), detail:</b>				
86.93	Outlays from discretionary balances .....	3	22	25
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....			
90.00	Outlays .....	3	22	25

*Workers Compensation Programs.*—Section 5011 of Public Law 109-148 made \$50,000,000 available to the New York State Uninsured Employers Fund for reimbursement of claims related to the September 11, 2001, terrorist attacks on the United States and for reimbursement of claims related to the first response emergency services personnel who were injured, were disabled, or died due to such terrorist attacks.

**FOREIGN LABOR CERTIFICATION ADMINISTRATION**

*For the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, \$77,970,000, of which \$59,497,000 shall be available for the Federal administration of such activities, and of \$18,473,000 shall be available for grants to States for the administration of such activities.*

**Program and Financing** (in millions of dollars)

Identification code 16-0180-0-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01	State Grants .....		18
00.02	Federal Administration .....		72
10.00	Total new obligations .....		90
<b>Budgetary resources available for obligation:</b>			
22.00	New budget authority (gross) .....		91
23.95	Total new obligations .....		-90
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00	Appropriation .....		78
<b>Mandatory:</b>			

60.20	Appropriation (special fund) .....			13
70.00	Total new budget authority (gross) .....			91

**Change in obligated balances:**

73.10	Total new obligations .....			90
73.20	Total outlays (gross) .....			-78
74.40	Obligated balance, end of year .....			12

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....			65
86.97	Outlays from new mandatory authority .....			13
87.00	Total outlays (gross) .....			78

**Net budget authority and outlays:**

89.00	Budget authority .....			91
90.00	Outlays .....			78

This account provides for the administration of the foreign labor certification programs within the Employment and Training Administration. Under these programs, U.S. employers that can demonstrate a shortage of qualified, available U.S. workers and that there would be no adverse impact on similarly situated U.S. workers may seek the Secretary of Labor's certification as a first step in the multi-agency process required to hire a foreign worker to fill critical permanent or temporary vacancies. Major programs include the permanent, H-2A temporary agricultural, H-2B temporary non-agricultural and temporary highly skilled worker visas. The account is divided into Federal and State activities.

*Federal Administration.*—Provides leadership, policy, and operational direction to Federal activities supporting the effective and efficient administration of foreign labor certification programs.

*State grants.*—Provides grants to State labor agencies in 54 States and U.S. territories funding employment-related activities required for the administration of Federal foreign labor certification programs. Includes State Workforce Agency posting and circulation of job orders and other assistance to employers in the recruitment of U.S. workers, processing of employer requests for prevailing wage determinations for the permanent and temporary programs, State processing of H-2A agricultural and H-2B non-agricultural temporary labor certification applications, State safety inspection of housing provided by employers to workers, and State development of prevailing wage and prevailing practice surveys used to set wages and standards in a defined geographic area.

**Object Classification** (in millions of dollars)

Identification code 16-0180-0-1-504	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
11.1	Personnel compensation: Full-time permanent .....		12
12.1	Civilian personnel benefits .....		3
23.1	Rental payments to GSA .....		1
25.1	Advisory and assistance services .....		41
25.3	Other purchases of goods and services from Government accounts .....		8
25.7	Operation and maintenance of equipment .....		6
31.0	Equipment .....		1
41.0	Grants, subsidies, and contributions .....		18
99.9	Total new obligations .....		90

**Employment Summary**

Identification code 16-0180-0-1-504	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001	Civilian full-time equivalent employment .....		142

FOREIGN LABOR CERTIFICATION PROCESSING

Special and Trust Fund Receipts (in millions of dollars)

Identification code 16-5507-0-2-505	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year			
01.99 Balance, start of year			
<b>Receipts:</b>			
02.00 Foreign Labor Certification Processing Fee—legislative proposal subject to PAYGO			65
02.01 Foreign Labor Certification Processing Fee—legislative proposal subject to PAYGO			10
02.02 Foreign Labor Certification Processing Fee—legislative proposal subject to PAYGO			20
02.99 Total receipts and collections			95
04.00 Total: Balances and collections			95
<b>Appropriations:</b>			
05.00 Foreign Labor Certification Processing—legislative proposal subject to PAYGO			-95
07.99 Balance, end of year			

FOREIGN LABOR CERTIFICATION PROCESSING  
(Legislative proposal, subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 16-5507-4-2-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 National Programs			75
00.02 State programs			20
10.00 Total new obligations			95
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross)			95
23.95 Total new obligations			-95
<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
60.20 Appropriation (special fund) 16-5507-4-505-N-0500-1			95
<b>Change in obligated balances:</b>			
73.10 Total new obligations			95
73.20 Total outlays (gross)			-95
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority			95
<b>Net budget authority and outlays:</b>			
89.00 Budget authority			95
90.00 Outlays			95

The 2009 Budget proposes legislation to establish cost-based user fees for new applications under the permanent and H-2B temporary foreign labor certification programs, and proposes legislation to allow the Department to retain fees for applications under the H-2A temporary labor certification program and modify the fee to cover program costs. The fees would offset the State and Federal costs of administering these programs, and once fully implemented would eliminate the need for appropriations for this purpose. Upon enactment of the fee, requests for funding in the Foreign Labor Certification administration account would be reviewed and adjusted.

Object Classification (in millions of dollars)

Identification code 16-5507-4-2-505	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent			15
11.5 Other personnel compensation			1
11.9 Total personnel compensation			16

12.1 Civilian personnel benefits			4
23.1 Rental payments to GSA			1
23.2 Rental payments to others			1
25.1 Advisory and assistance services			32
25.2 Other services			1
25.3 Other purchases of goods and services from Government accounts			9
25.7 Operation and maintenance of equipment			15
31.0 Equipment			1
41.0 Grants, subsidies, and contributions			15
99.9 Total new obligations			95

Employment Summary

Identification code 16-5507-4-2-505	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment			152

Trust Funds

UNEMPLOYMENT TRUST FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 20-8042-0-7-999	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year	65,357	73,882	83,280
01.99 Balance, start of year	65,357	73,882	83,280
<b>Receipts:</b>			
02.00 Deposits by Federal Agencies to the Federal Employees Compensation Account, Unemployment Trust Fund	756	750	786
02.01 Unemployment Trust Fund, Interest and Profits on Investments in Public Debt Securities	3,203	3,661	4,116
02.20 CMA Interest, Unemployment Trust Fund	4	3	3
02.21 Interest on Unemployment Insurance Loans to States, Federal Unemployment Account, Unemployment Trust Fund	4	4	10
02.60 General Taxes, FUTA, Unemployment Trust Fund	7,292	7,541	6,326
02.61 General Taxes, FUTA, Unemployment Trust Fund—legislative proposal subject to PAYGO			1,348
02.62 Unemployment Trust Fund, State Accounts, Deposits by States	33,709	35,750	37,183
02.63 Unemployment Trust Fund, Deposits by Railroad Retirement Board	90	91	96
02.99 Total receipts and collections	45,058	47,800	49,868
04.00 Total: Balances and collections	110,415	121,682	133,148
<b>Appropriations:</b>			
05.00 Unemployment Trust Fund	-3,593	-3,604	-2,994
05.01 Unemployment Trust Fund		63	
05.02 Unemployment Trust Fund	-41,609	-34,760	-37,352
05.03 Unemployment Trust Fund	8,763		
05.04 Unemployment Trust Fund—legislative proposal not subject to PAYGO			18
05.05 Railroad Unemployment Insurance Trust Fund	-17	-16	-17
05.06 Railroad Unemployment Insurance Trust Fund	-77	-79	-84
05.07 Railroad Unemployment Insurance Trust Fund	-106	-106	-100
05.08 Railroad Unemployment Insurance Trust Fund	106	100	93
05.99 Total appropriations	-36,533	-38,402	-40,436
07.99 Balance, end of year	73,882	83,280	92,712

Program and Financing (in millions of dollars)

Identification code 20-8042-0-7-999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Benefit payments by States	32,015	33,892	36,441
00.02 Federal employees' unemployment compensation	738	754	796
00.03 State administrative expenses	3,233	3,177	2,656
00.10 Direct expenses	165	167	132
00.11 Reimbursements to the Department of the Treasury	106	110	112
00.20 Veterans employment and training	194	197	206
00.21 Interest on refunds	4	4	3
10.00 Total new obligations	36,455	38,301	40,346
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross)	36,455	38,301	40,346
23.95 Total new obligations	-36,455	-38,301	-40,346

<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.26	Appropriation (trust fund)	3,593	3,604	2,994
40.34	Appropriation temporarily reduced (P.L. 110-161)		-63	
43.00	Appropriation (total discretionary)	3,593	3,541	2,994
Mandatory:				
60.26	Appropriation (trust fund)	41,609	34,760	37,352
60.45	Portion precluded from obligation	-8,763		
62.50	Appropriation (total mandatory)	32,846	34,760	37,352
69.00	Spending authority from offsetting collections: Appropriation (trust fund)	16		
70.00	Total new budget authority (gross)	36,455	38,301	40,346
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year	1,208	1,500	1,474
73.10	Total new obligations	36,455	38,301	40,346
73.20	Total outlays (gross)	-36,163	-38,327	-40,870
74.40	Obligated balance, end of year	1,500	1,474	950
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority	2,656	2,600	2,575
86.93	Outlays from discretionary balances	915	967	943
86.97	Outlays from new mandatory authority	32,592	34,760	37,352
87.00	Total outlays (gross)	36,163	38,327	40,870
<b>Offsets:</b>				
Against gross budget authority and outlays:				
88.40	Offsetting collections (cash) from: Non-Federal sources	-16		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority	36,439	38,301	40,346
90.00	Outlays	36,147	38,327	40,870
<b>Memorandum (non-add) entries:</b>				
92.01	Total investments, start of year: Federal securities: Par value	66,213	74,923	84,000
92.02	Total investments, end of year: Federal securities: Par value	74,923	84,000	92,000

**Summary of Budget Authority and Outlays**

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority	36,439	38,301	40,346
Outlays	36,147	38,327	40,870
Legislative proposal, not subject to PAYGO:			
Budget Authority			-18
Outlays			-12
Total:			
Budget Authority	36,439	38,301	40,328
Outlays	36,147	38,327	40,858

The financial transactions of the Federal-State and railroad unemployment insurance systems are made through the Unemployment Trust Fund. All State and Federal unemployment tax receipts are deposited in the Trust Fund and invested in Government securities until needed for benefit payments or administrative expenses. The portion of the Trust Fund funded with Federal taxes provides repayable advances (loans) to the States when the balances in their individual State accounts are insufficient to pay benefits. The Trust Fund may receive repayable advances from the general fund when it has insufficient balances to make advances to States or to pay the Federal share of extended unemployment benefits.

State payroll taxes pay for all regular State unemployment benefits. During periods of high State unemployment, there is a stand-by program of extended benefits, financed one-half by State unemployment taxes and one-half by the Federal unemployment payroll tax, which are also paid out of the Trust Fund. In addition, the Federal unemployment tax pays the costs of Federal and State administration of the unemployment insurance system, veterans employment serv-

ices, surveys of wages and employment, and about 97 percent of the costs of the Employment Service.

The Federal Employees Compensation Account (FECA) provides funds to States for unemployment compensation benefits paid to eligible former Federal civilian personnel, Postal Service employees, and ex-servicemembers. In turn, the various Federal agencies reimburse FECA for benefits paid to their former employees. Any additional resources necessary to assure that the FECA account can make the required payments to States will be provided from the Advances to the Unemployment Trust Fund and Other Funds account.

Both the benefit payments and administrative expenses of the separate unemployment insurance program for railroad employees are paid from the Unemployment Trust Fund, and receipts from a tax on railroad payrolls are deposited into the Trust Fund to meet expenses.

**Status of Funds (in millions of dollars)**

Identification code 20-8042-0-7-999	2007 actual	2008 est.	2009 est.	
Unexpended balance, start of year:				
0100	Balance, start of year	66,563	75,390	84,762
Adjustments:				
0191	Adjustment for Labor's obligated balance	7		
0199	Total balance, start of year	66,570	75,390	84,762
Cash income during the year:				
Current law:				
Receipts:				
1200	Deposits by Federal Agencies to the Federal Employees Compensation Account, Unemployment Trust Fund	756	750	786
1201	Unemployment Trust Fund, Interest and Profits on Investments in Public Debt Securities	3,203	3,661	4,116
Offsetting receipts (proprietary):				
1220	CMIA Interest, Unemployment Trust Fund	4	3	3
1221	Interest on Unemployment Insurance Loans to States, Federal Unemployment Account, Unemployment Trust Fund	4	4	10
Offsetting governmental receipts:				
1260	General Taxes, FUTA, Unemployment Trust Fund	7,292	7,541	6,326
1262	Unemployment Trust Fund, State Accounts, Deposits by States	33,709	35,750	37,183
1263	Unemployment Trust Fund, Deposits by Railroad Retirement Board	90	91	96
Offsetting collections:				
1280	Unemployment Trust Fund	16		
1281	Railroad Unemployment Insurance Trust Fund	24	24	25
1299	Income under present law	45,098	47,824	48,545
Proposed legislation:				
Offsetting governmental receipts:				
2261	General Taxes, FUTA, Unemployment Trust Fund			1,348
2299	Income under proposed legislation			1,348
3299	Total cash income	45,098	47,824	49,893
Cash outgo during year:				
Current law:				
4500	Unemployment Trust Fund	-36,163	-38,327	-40,870
4501	Railroad Unemployment Insurance Trust Fund	-98	-125	-133
4599	Outgo under current law (-)	-36,261	-38,452	-41,003
Proposed legislation:				
5500	Unemployment Trust Fund			12
5599	Outgo under proposed legislation (-)			12
6599	Total cash outgo (-)	-36,261	-38,452	-40,991
7645	Railroad Unemployment Insurance Trust Fund	-16		
7645	Railroad Unemployment Insurance Trust Fund	-1		
7699	Total adjustments	-17		
Unexpended balance, end of year:				
8700	Uninvested balance (net), end of year	467	762	1,664
8701	Unemployment Trust Fund	74,923	84,000	92,000
8799	Total balance, end of year	75,390	84,762	93,664

**Object Classification (in millions of dollars)**

Identification code 20-8042-0-7-999	2007 actual	2008 est.	2009 est.	
Direct obligations:				
25.3	Reimbursements to Department of the Treasury	106	110	112
42.0	Federal unemployment benefits	738	754	796
42.0	State unemployment benefits	32,015	33,892	36,441

UNEMPLOYMENT TRUST FUND—Continued

Object Classification (in millions of dollars)—Continued

Identification code 20-8042-0-7-999	2007 actual	2008 est.	2009 est.
43.0 Interest and dividends .....	4	4	3
94.0 ETA-PA and BLS .....	159	161	126
94.0 Veterans employment and training .....	194	197	206
94.0 Payments to States for administrative expenses .....	3,233	3,177	2,656
94.0 Departmental management .....	6	6	6
99.0 Direct obligations .....	36,455	38,301	40,346
99.9 Total new obligations .....	36,455	38,301	40,346

UNEMPLOYMENT TRUST FUND

(Legislative proposal, not subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 20-8042-2-7-999	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.03 State administrative expenses .....			-18
10.00 Total new obligations (object class 94.0) .....			-18
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			-18
23.95 Total new obligations .....			18
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.26 Appropriation (trust fund) .....			-18
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....			-18
73.20 Total outlays (gross) .....			12
74.40 Obligated balance, end of year .....			-6
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....			-12
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			-18
90.00 Outlays .....			-12

The Administration will repropose legislation to reform the Workforce Investment Act (WIA). The legislation will seek to increase State flexibility to administer the programs, require that a greater percentage of resources be directed to training services for workers instead of administrative overhead, increase individual choice by offering "Career Advancement Accounts," streamline the performance accountability system, and increase the funds available for training by requiring State matching funds. The proposal will consolidate the Adult, Dislocated Worker, Youth Activities, Employment Service State grants, Work Opportunity Tax Credit, and labor market information grants into a single State grant to facilitate coordination and eliminate duplication in the provision of services. The new consolidated grant will be shown in the Training and Employment Services Account.

**EMPLOYEE BENEFITS SECURITY ADMINISTRATION**

**Federal Funds**

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, **[\$141,790,000]** \$147,871,000. (Department of Labor Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 16-1700-0-1-601	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Enforcement and participant assistance .....	112	117	123
00.02 Policy and compliance assistance .....	18	17	19
00.03 Executive leadership, program oversight and administration .....	5	5	6
09.01 Reimbursable program .....	11	17	17
10.00 Total new obligations .....	146	156	165
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....		14	14
22.00 New budget authority (gross) .....	160	156	165
23.90 Total budgetary resources available for obligation .....	160	170	179
23.95 Total new obligations .....	-146	-156	-165
24.40 Unobligated balance carried forward, end of year .....	14	14	14
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	142	141	148
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-2	
43.00 Appropriation (total discretionary) .....	142	139	148
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	11	17	17
58.62 Transferred from other accounts .....	7		
58.90 Spending authority from offsetting collections (total discretionary) .....	18	17	17
70.00 Total new budget authority (gross) .....	160	156	165
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	44	41	38
73.10 Total new obligations .....	146	156	165
73.20 Total outlays (gross) .....	-147	-159	-167
73.40 Adjustments in expired accounts (net) .....	-2		
74.40 Obligated balance, end of year .....	41	38	36
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	112	119	125
86.93 Outlays from discretionary balances .....	35	40	42
87.00 Total outlays (gross) .....	147	159	167
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources collected .....	-11	-17	-17
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	149	139	148
90.00 Outlays .....	136	142	150

**Enforcement and participant assistance.**—Conducts criminal and civil investigations and performs reviews to ensure compliance with the fiduciary provisions of the Employee Retirement Income Security Act and the Federal Employees' Retirement System Act. Provides information and assistance to benefit plan participants and to the general public. Assures compliance with applicable reporting requirements, as well as accounting, auditing and actuarial standards. Supplies required reports to the public.

	2007 actual	2008 estimate	2009 estimate
Plan reviews conducted .....	3,752	4,000	4,000
Investigations conducted .....	3,424	3,930	4,067
Investigations closed that restored or protected assets .....	2,373	2,485	2,692
Benefit recoveries from customer assistance .....	\$96,003,000	\$86,000,000	\$86,000,000
Inquiries received .....	161,062	165,000	165,000

**Policy and compliance assistance.**—Conducts policy, research, and legislative analyses on pension, health, and other employee benefit issues. Provides compliance assistance especially to employers and plan officials. Writes regulations and interpretations. Issues individual and class exemptions from regulations.

	2007 actual	2008 estimate	2009 estimate
Exemptions, determinations, interpretations, and regulations issued .....	2,415	2,491	2,487
Average days to process exemption requests .....	224	220	220

**Executive leadership, program oversight, and administration.**—Provides leadership, policy direction, strategic planning, and administrative guidance in the management of employee benefit programs. Provides analytical and administrative support for financial and human capital management and other administrative functions related to coordination and implementation of government-wide management initiatives. Manages the technical program training for the agency's enforcement, policy, legislative and regulatory functions.

Object Classification (in millions of dollars)			
Identification code 16-1700-0-1-601	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
Personnel compensation:			
11.1 Full-time permanent .....	66	71	74
11.5 Other personnel compensation .....	3	2	2
11.9 Total personnel compensation .....	69	73	76
12.1 Civilian personnel benefits .....	18	19	20
21.0 Travel and transportation of persons .....	3	3	3
23.1 Rental payments to GSA .....	8	9	9
23.3 Communications, utilities, and miscellaneous charges .....	1	1	1
24.0 Printing and reproduction .....	1	1	1
25.2 Other services .....	4	4	4
25.3 Other purchases of goods and services from Government accounts .....	12	13	14
25.5 Research and development contracts .....	1	1	1
25.7 Operation and maintenance of equipment .....	15	13	16
26.0 Supplies and materials .....	1	1	1
31.0 Equipment .....	2	1	2
99.0 Direct obligations .....	135	139	148
99.0 Reimbursable obligations .....	11	17	17
99.9 Total new obligations .....	146	156	165

**Employment Summary**

Identification code 16-1700-0-1-601	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	829	855	867

**PENSION BENEFIT GUARANTY CORPORATION**

**Federal Funds**

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by Title IV [subtitle E of title IV] of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 4201 et seq.), within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program, including associated administrative expenses[, through September 30, 2008,] for such Corporation: *Provided*, That [none of the funds available to the Corporation] \$444,721,996 for administrative expenses for fiscal year [2008] 2009 shall [be available for obligations for administrative expenses in excess of \$411,151,000] remain available until expended: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year [2008] 2009, an amount not to exceed an additional \$9,200,000 shall be available for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That in addition to the amounts provided above, additional funds shall be made available for obligation to fund investment management fees for assets received by the Pension Benefit Guaranty Corporation as a result of new plan terminations, as a result of asset growth, or

as a result of changes in investment policy as approved by the Board: *Provided further*, That [an additional \$50,000 shall be made available for obligation for investment management fees for every \$25,000,000 in assets received by the Corporation as a result of new plan terminations,] obligations in excess of the amounts provided above may be incurred for unforeseen and extraordinary pre-termination expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate. (Department of Labor Appropriations Act, 2008.)

**Program and Financing (in millions of dollars)**

Identification code 16-4204-0-3-601	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
09.01 Single-employer benefit payment .....	4,133	4,393	4,818
09.02 Multi-employer financial assistance .....	72	91	100
09.03 Pension insurance activities .....	51	75	68
09.04 Pension plan termination .....	194	219	242
09.05 Operational support .....	123	133	138
10.00 Total new obligations .....	4,573	4,911	5,366
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	14,968	14,507	14,173
22.00 Budget authority from offsetting collections .....	4,112	4,577	5,574
23.90 Total budgetary resources available for obligation .....	19,080	19,084	19,747
23.95 Total new obligations .....	-4,573	-4,911	-5,366
24.40 Unobligated balance carried forward, end of year .....	14,507	14,173	14,381
<b>New budget authority (gross), detail:</b>			
Discretionary:			
58.61 Spending authority from offsetting collections: Transferred to other accounts .....	-7		
Mandatory:			
69.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	4,119	4,577	5,574
70.00 Total new budget authority (gross) .....	4,112	4,577	5,574
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	120	117	119
73.10 Total new obligations .....	4,573	4,911	5,366
73.20 Total outlays (gross) .....	-4,576	-4,909	-5,372
74.40 Obligated balance, end of year .....	117	119	113
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	3,565	4,254	4,828
86.98 Outlays from mandatory balances .....	1,011	655	544
87.00 Total outlays (gross) .....	4,576	4,909	5,372
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.20 Interest on Federal securities (zero coupon market adjustment + amortization) .....	-240	-717	-376
88.20 Interest on Federal securities (other investment income) .....	-250	-30	-377
88.40 Premium receipts fixed .....	-1,126	-1,217	-1,254
88.40 Premium receipts variable .....	-556	-243	-952
88.40 Trust Fund reimbursements (via "proportional funding") .....	-1,558	-1,943	-2,167
88.40 Trust Fund reimbursements for administrative costs .....	-389	-427	-448
88.90 Total, offsetting collections (cash) .....	-4,119	-4,577	-5,574
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	-7		
90.00 Outlays .....	457	332	-202
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....	36,635	35,775	35,443
92.02 Total investments, end of year: Federal securities: Par value .....	35,775	35,443	35,646

## PENSION BENEFIT GUARANTY CORPORATION FUND—Continued

## Summary of Budget Authority and Outlays

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority .....	-7		
Outlays .....	457	332	-202
Legislative proposal, subject to PAYGO:			
Budget Authority .....			
Outlays .....			-395
Total:			
Budget Authority .....	-7		
Outlays .....	457	332	-597

This wholly owned government corporation administers mandatory insurance programs to prevent loss of pension benefits under covered private, defined-benefit pension plans if single-employer plans terminate or if multiemployer plans are unable to pay benefits.

**Single employer benefit payment.**—The single-employer program protects about 33.8 million participants. The number of plans increased slightly from 28,800 pension plans in 2006 to 28,900 in 2007. Under this program, a company may voluntarily seek to terminate its plan, or Pension Benefit Guaranty Corporation (PBGC) may seek termination under certain circumstances. The PBGC must seek termination when a plan cannot pay current benefits. A plan that cannot pay all benefits may be ended by a “distress” termination, but only if the employer meets tests proving severe financial distress, for example, the likelihood that continuing the plan would force the company to shut down. If the terminated plan cannot pay at least the PBGC-guaranteed benefits, the PBGC uses its funds to ensure guaranteed benefits are paid.

In a “standard” termination, plan assets must be sufficient to pay all benefits before the plan is allowed to end. That payment is in the form of an annuity purchased from an insurance company or a lump sum payment. After the payment is made, the PBGC guarantee ends.

	2007 actual	2008 est.	2009 est.
Government trusteeships at end of year .....	3,783	3,883	3,983
Participants in government trusteeships owed benefits .....	1,183,000	1,247,000	1,307,000
Retirees receiving monthly benefits .....	631,330	656,930	680,931

**Multi-employer financial assistance.**—The multiemployer insurance program protects about 10.0 million participants, up from 9.9 million participants in 2006. The number of plans decreased from 1,600 in 2006 to 1,530 in 2007. Multiemployer pension plans are maintained under collectively bargained agreements involving unrelated employers, generally in the same industry. If a PBGC-insured multiemployer plan is unable to pay guaranteed benefits when due, the PBGC will provide the plan with financial assistance to continue paying guaranteed benefits, ordinarily in the form of a loan to the plan.

**Pension insurance activities.**—Includes pension premium collections, premium investments, pre-trusteeship work, and pension insurance program protection activities.

**Pension plan termination.**—Includes all activities related to trusteeship; plan asset management, investment and accounting; and benefit administration services.

**Operational support.**—Includes the administrative, information technology infrastructure, and other shared program support for both PBGC’s insurance and plan termination activities.

	2007 actual	2008 est.	2009 est.
Plans terminated during the year:			
With sufficient assets .....	1,582	1,900	2,280
Without sufficient assets .....	110	100	100
Average time between trusteeship and issuance of final benefit levels .....	3.0 yrs	3.0 yrs	3.0 yrs

**Financing.**—The primary source of financing is annual premiums paid by sponsors of ongoing covered plans, which vary

according to the plans’ funding level. Other sources of financing include assets from terminated plans, investment income, and amounts due PBGC from the sponsors of terminating plans.

**Operating results.**—The following tables show the status of PBGC’s trust funds and PBGC’s operating results.

## Balance Sheet (in millions of dollars)

Identification code 16-4204-0-3-601	2006 actual	2007 actual
<b>ASSETS:</b>		
<b>Federal assets:</b>		
1101 Fund balances with Treasury .....		1
Investments in US securities:		
1102 Treasury securities, par .....	14,988	35,775
1102 Treasury securities, unamortized discount (-)/premium (+) ..	180	-21,297
1106 Receivables, net .....	54	52
1206 Non-Federal assets: Receivables, net .....	375	153
1601 Direct loans, gross .....	154	226
1603 Allowance for estimated uncollectible loans and interest (-)	-154	-226
1699 Value of assets related to direct loans .....		
Other Federal assets:		
1801 Cash and other monetary assets .....	20	50
1803 Property, plant and equipment, net .....	38	40
1901 Other assets .....	15	
1999 Total assets .....	15,670	14,774
<b>LIABILITIES:</b>		
Non-Federal liabilities:		
2201 Accounts payable .....	403	396
2206 Pension and other actuarial liabilities .....	34,149	28,443
2999 Total liabilities .....	34,552	28,839
<b>NET POSITION:</b>		
3300 Cumulative results of operations .....	-18,882	-14,065
3999 Total net position .....	-18,882	-14,065
4999 Total liabilities and net position .....	15,670	14,774

## Object Classification (in millions of dollars)

Identification code 16-4204-0-3-601	2007 actual	2008 est.	2009 est.
<b>Reimbursable obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	72	82	84
11.3 Other than full-time permanent .....	2	2	2
11.5 Other personnel compensation .....	3	2	2
11.9 Total personnel compensation .....	77	86	88
12.1 Civilian personnel benefits .....	19	21	22
21.0 Travel and transportation of persons .....	1	2	2
23.2 Rental payments to others .....	24	23	23
23.3 Communications, utilities, and miscellaneous charges .....	5	7	7
24.0 Printing and reproduction .....		2	2
25.2 Other services .....	228	268	286
25.3 Other purchases of goods and services from Govern- ment accounts .....	2	4	4
26.0 Supplies and materials .....	3	4	4
31.0 Equipment .....	9	10	10
33.0 Investments and loans .....	72	91	100
42.0 Insurance claims and indemnities .....	4,133	4,393	4,818
99.0 Reimbursable obligations .....	4,573	4,911	5,366
99.9 Total new obligations .....	4,573	4,911	5,366

## Employment Summary

Identification code 16-4204-0-3-601	2007 actual	2008 est.	2009 est.
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....	815	870	870

## PENSION BENEFIT GUARANTY CORPORATION FUND

(Legislative proposal, subject to PAYGO)

## Program and Financing (in millions of dollars)

Identification code 16-4204-4-3-601	2007 actual	2008 est.	2009 est.
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			395

24.40	Unobligated balance carried forward, end of year .....	395
<b>New budget authority (gross), detail:</b>		
Mandatory:		
69.00	Spending authority from offsetting collections: Off-setting collections (cash) .....	395
<b>Offsets:</b>		
Against gross budget authority and outlays:		
Offsetting collections (cash) from:		
88.20	Interest on Federal securities .....	-15
88.40	Non-Federal sources .....	-380
88.90	Total, offsetting collections (cash) .....	-395
<b>Net budget authority and outlays:</b>		
89.00	Budget authority .....	
90.00	Outlays .....	-395
<b>Memorandum (non-add) entries:</b>		
92.01	Total investments, start of year: Federal securities: Par value .....	
92.02	Total investments, end of year: Federal securities: Par value .....	

As of September 30, 2007, PBGC's single-employer and multi-employer programs reported deficits of \$13.1 billion and \$955 million, respectively. While the PBGC has sufficient liquidity to meet its obligations for a number of years, neither the single-employer nor multiemployer program has the resources to satisfy fully the agency's long-term obligations to plan participants. Legislation will be proposed in 2009 to adjust the insurance premiums that pension plans pay to PBGC. The Administration will propose to give PBGC Board the authority to raise premiums to produce the revenue necessary to meet expected future claims and retire PBGC deficit over ten years. These reforms will improve PBGC financial condition and safeguard the future benefits of American workers.

**EMPLOYMENT STANDARDS ADMINISTRATION**

**Federal Funds**

**SALARIES AND EXPENSES**

(INCLUDING [RESCISSION] CANCELLATION)

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, **[\$426,351,000]** \$466,481,000, together with **[\$2,058,000]** \$2,179,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided*, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938 and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act.

Of the unobligated funds collected pursuant to section 286(v) of the Immigration and Nationality Act, **[\$102,000,000]** are rescinded] \$30,000,000 is hereby permanently cancelled. (Department of Labor Appropriations Act, 2008.)

**Program and Financing (in millions of dollars)**

Identification code 16-0105-0-1-505	2007 actual	2008 est.	2009 est.	
<b>Obligations by program activity:</b>				
00.01	Enforcement of wage and hour standards .....	176	182	199
00.02	Federal contractor EEO standards enforcement .....	80	81	89
00.03	Federal programs for workers' compensation .....	136	134	142
00.04	Program direction and support .....	18	18	18
00.05	Labor-management standards .....	47	45	58
09.01	Reimbursable program .....		3	3
10.00	Total new obligations .....	457	463	509

<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	67	108	31
22.00	New budget authority (gross) .....	501	386	504
23.90	Total budgetary resources available for obligation .....	568	494	535
23.95	Total new obligations .....	-457	-463	-509
23.98	Unobligated balance expiring or withdrawn .....	-3		
24.40	Unobligated balance carried forward, end of year .....	108	31	26

<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	419	426	466
40.33	Appropriation permanently reduced (P.L. 110-161) .....		-7	
40.36	Unobligated balance permanently reduced .....			-30
43.00	Appropriation (total discretionary) .....	419	419	436
58.00	Spending authority from offsetting collections: Off-setting collections (cash) .....	36	38	37
Mandatory:				
60.20	Appropriation (special fund) .....	46	31	31
60.35	Appropriation permanently reduced .....		-102	
62.50	Appropriation (total mandatory) .....	46	-71	31
70.00	Total new budget authority (gross) .....	501	386	504

<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	58	67	40
73.10	Total new obligations .....	457	463	509
73.20	Total outlays (gross) .....	-448	-490	-530
73.40	Adjustments in expired accounts (net) .....	-2		
74.10	Change in uncollected customer payments from Federal sources (expired) .....	2		
74.40	Obligated balance, end of year .....	67	40	19

<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	397	418	459
86.93	Outlays from discretionary balances .....	45	41	40
86.97	Outlays from new mandatory authority .....	6	31	31
87.00	Total outlays (gross) .....	448	490	530

<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-38	-36	-35
88.40	Non-Federal sources .....	-1	-2	-2
88.90	Total, offsetting collections (cash) .....	-39	-38	-37
Against gross budget authority only:				
88.96	Portion of offsetting collections (cash) credited to expired accounts .....	3		

<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	465	348	467
90.00	Outlays .....	409	452	493

*Enforcement of wage and hour standards.*—The Wage and Hour Division works to obtain and encourage compliance with the minimum wage, overtime, child labor, and other employment standards under the Fair Labor Standards Act (FLSA), the Migrant and Seasonal Agricultural Worker Protection Act (MSPA), the Family and Medical Leave Act, certain provisions of the Immigration and Nationality Act (INA), the wage garnishment provisions in Title III of the Consumer Credit Protection Act, and the Employee Polygraph Protection Act. Prevailing wages are determined and employment standards are also enforced under various Government contract wage standards. In 2009, approximately 300,000 persons are expected to be aided under the FLSA through securing agreements with firms to pay back wages owed to their workers. In government contract compliance actions, about 20,000 persons will be aided through securing agreements to pay wages owed to workers. Under MSPA, approximately 1,400 investigations will be completed. In the course of all on-site investigations, investigators will routinely check for employer compliance with child labor standards, and over 1,200 targeted child labor investigations will be conducted. In all "directed" (non-complaint) investigations, investigators will also routinely check

SALARIES AND EXPENSES—Continued

(INCLUDING [RESCISSION] CANCELLATION)—Continued

for compliance with the employment eligibility verification recordkeeping requirements of the INA.

*Federal contractor equal employment opportunity (EEO) standards enforcement.*—The Office of Federal Contract Compliance Programs (OFCCP) enforces equal employment opportunity and nondiscrimination requirements of Federal contractors and subcontractors. In particular, OFCCP enforces: Executive Order 11246, which prohibits employment discrimination on the basis of race, sex, religion, color, and national origin; Section 503 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (through a memorandum of understanding with the Equal Employment Opportunity Commission), which prohibit employment discrimination against individuals with disabilities; and the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, which prohibits employment discrimination against certain protected veterans. OFCCP programs cover close to 100,000 work-sites with a total workforce of 12 million persons. OFCCP monitors contractors' compliance through compliance evaluations, with a focus on systemic discrimination cases, and reporting requirements. In 2009, approximately 2,500,000 individuals will be covered through 7,700 compliance evaluations, 175 complaint investigations, and 2,400 other compliance actions. OFCCP also ensures that Federal contractors and subcontractors are provided linkages to recruitment sources for hiring and advancement of minorities, women, protected veterans and individuals with disabilities, and will conduct 600 compliance assistance events in FY 2009. OFCCP also honors Federal contractors and other organizations through the Secretary of Labor Opportunity Awards and the EVE/EPIC program for their outstanding compliance initiatives.

*Labor-management standards.*—The Office of Labor-Management Standards (OLMS) receives and discloses reports of unions and others in accordance with the Labor Management Reporting and Disclosure Act (LMRDA), including union financial reports; audits union financial records and investigates possible embezzlements of union funds; conducts union officer election investigations; supervises reruns of union officer elections pursuant to voluntary settlements or after court determinations that elections were not conducted in accordance with the LMRDA; and administers the statutory program to certify employee protection provisions under various Federally-sponsored transportation programs. In 2009, OLMS plans enhanced efforts to advance union transparency and financial integrity protections, primarily through increased union audits and compliance assistance efforts. OLMS expects to process 35,000 reports and conduct a total of 4,783 investigations, audits, and supervised elections. In 2009, the Department will submit proposed legislation authorizing OLMS to use civil monetary penalties to enforce reporting provisions of the LMRDA.

*Federal programs for workers' compensation.*—The Office of Workers' Compensation Programs (OWCP) administers the Federal Employees' Compensation Act, the Longshore and Harbor Workers' Compensation Act, the Energy Employees Occupational Illness Compensation Program Act, and the Black Lung Benefits Act. These programs ensure that eligible disabled and injured workers or their survivors receive compensation and medical benefits and a range of services including rehabilitation, supervision of medical care, and technical and advisory counseling to which they are entitled.

*Program direction and support.*—The Program Direction and Support (PDS) activity provides centralized leadership, policy, coordination, and essential administrative support in the areas of human resources, information technology; budget and financial management; strategic planning; performance

reporting; legislative and regulatory analysis; employee safety and health; labor relations; equal employment opportunity enforcement, and general support services to all Employment Standards Administration program components.

Object Classification (in millions of dollars)

Identification code 16-0105-0-1-505	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	238	252	286
11.3 Other than full-time permanent .....	3	1	1
11.5 Other personnel compensation .....	9	6	3
11.9 Total personnel compensation .....	250	259	290
12.1 Civilian personnel benefits .....	68	70	70
21.0 Travel and transportation of persons .....	8	7	9
23.1 Rental payments to GSA .....	28	29	30
23.2 Rental payments to others .....		1	1
23.3 Communications, utilities, and miscellaneous charges .....	5	5	6
24.0 Printing and reproduction .....	1	1	1
25.1 Advisory and assistance services .....	3	2	2
25.2 Other services .....	7	6	8
25.3 Other purchases of goods and services from Government accounts .....	41	43	48
25.7 Operation and maintenance of equipment .....	38	31	34
26.0 Supplies and materials .....	3	2	2
31.0 Equipment .....	5	4	5
99.0 Direct obligations .....	457	460	506
99.0 Reimbursable obligations .....		3	3
99.9 Total new obligations .....	457	463	509

Employment Summary

Identification code 16-0105-0-1-505	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	3,258	3,229	3,380

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by chapter 81 of title 5, United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act as amended, [\$203,000,000] \$163,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, [2007] 2008, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, [2008] 2009: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, [\$52,280,000] \$52,720,000 shall be made available to the Secretary as follows:

- (1) For enhancement and maintenance of automated data processing systems and telecommunications systems, [\$21,855,000] \$15,068,000.



(2) For automated workload processing operations, including document imaging, centralized mail intake and medical bill processing, **[\$16,109,000] \$23,273,000.**

(3) For periodic roll management and medical review, **[\$14,316,000] \$14,379,000.**

(4) The remaining funds shall be paid into the Treasury as miscellaneous receipts:

*Provided further,* That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe. (*Department of Labor Appropriations Act, 2008.*)

**Program and Financing** (in millions of dollars)

Identification code 16-1521-0-1-600	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Longshore and harbor workers' compensation benefits	2	3	3
00.02 Federal Employees' Compensation Act benefits	224	200	160
09.01 Federal Employees' Compensation Act benefits	2,339	2,420	2,518
09.02 FECA Fair Share (administrative expenses)	54	52	53
10.00 Total new obligations	2,619	2,675	2,734
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year	1,378	1,487	1,549
22.00 New budget authority (gross)	2,727	2,737	2,732
22.10 Resources available from recoveries of prior year obligations	1		
23.90 Total budgetary resources available for obligation	4,106	4,224	4,281
23.95 Total new obligations	-2,619	-2,675	-2,734
24.40 Unobligated balance carried forward, end of year	1,487	1,549	1,547
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation	227	203	163
Spending authority from offsetting collections:			
69.00 Offsetting collections (cash)	2,503	2,534	2,569
69.10 Change in uncollected customer payments from Federal sources (unexpired)	-3		
69.90 Spending authority from offsetting collections (total mandatory)	2,500	2,534	2,569
70.00 Total new budget authority (gross)	2,727	2,737	2,732
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year	84	88	26
73.10 Total new obligations	2,619	2,675	2,734
73.20 Total outlays (gross)	-2,617	-2,737	-2,732
73.45 Recoveries of prior year obligations	-1		
74.00 Change in uncollected customer payments from Federal sources (unexpired)	3		
74.40 Obligated balance, end of year	88	26	28
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority	2,617	1,250	1,183
86.98 Outlays from mandatory balances		1,487	1,549
87.00 Total outlays (gross)	2,617	2,737	2,732
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources	-2,503	-2,534	-2,569
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired)	3		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority	227	203	163
90.00 Outlays	114	203	163

**Summary of Budget Authority and Outlays**

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Enacted/requested:			
Budget Authority	227	203	163

Outlays	114	203	163
Legislative proposal, subject to PAYGO:			
Budget Authority			-10
Outlays			-10
Total:			
Budget Authority	227	203	153
Outlays	114	203	153

*Federal Employees' Compensation Act benefits.*—The Federal Employees' Compensation Act program provides monetary and medical benefits to Federal workers who sustain work-related injury or disease. Not all benefits are paid by the program, since the first 45 days of disability are usually covered by keeping injured workers in pay status with their employing agencies (the continuation-of-pay period). In 2009, 134,000 injured Federal workers or their survivors are projected to file claims; 50,000 are projected to receive long-term wage replacement benefits for job-related injuries, diseases, or deaths. Most of the costs of this account are charged back to the beneficiaries' employing agencies.

**FEDERAL EMPLOYEES' COMPENSATION WORKLOAD**

	2007 actual	2008 est.	2009 est.
Wage-loss claims received	19,104	19,000	19,000
Number of compensation and medical payments processed	5,815,699	5,800,000	5,800,000
Cases received	134,436	134,000	134,000
Periodic payment cases	51,125	51,000	50,000

*Longshore and harbor workers' compensation benefits.*—Under the Longshore and Harbor Workers' Compensation Act, as amended, the Federal Government pays from direct appropriations one-half of the increased benefits provided by the amendments for persons on the rolls prior to 1972. The remainder is provided from the special fund which is financed by private employers, and is assessed at the beginning of each calendar year for their proportionate share of these payments.

**Object Classification** (in millions of dollars)

Identification code 16-1521-0-1-600	2007 actual	2008 est.	2009 est.
42.0 Direct obligations: Insurance claims and indemnities	227	203	163
99.0 Reimbursable obligations	2,392	2,472	2,571
99.9 Total new obligations	2,619	2,675	2,734

**Employment Summary**

Identification code 16-1521-0-1-600	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment	124	127	127

**SPECIAL BENEFITS**

(Legislative proposal, subject to PAYGO)

**Program and Financing** (in millions of dollars)

Identification code 16-1521-4-1-600	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.02 Federal Employees' Compensation Act benefits			-10
10.00 Total new obligations (object class 42.0)			-10
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross)			-10
23.95 Total new obligations			10
24.40 Unobligated balance carried forward, end of year			

**New budget authority (gross), detail:**

Mandatory:			
60.00 Appropriation			-10

**Change in obligated balances:**

73.10 Total new obligations			-10
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SPECIAL BENEFITS—Continued

Program and Financing (in millions of dollars)—Continued

Identification code 16-1521-4-1-600	2007 actual	2008 est.	2009 est.
73.20 Total outlays (gross) .....			10
74.40 Obligated balance, end of year .....			
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....			-10
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			-10
90.00 Outlays .....			-10

The Administration will repropose legislation to improve the Federal Employees' Compensation Act (FECA), which has not been substantially updated since 1974. The legislative proposal would amend FECA to convert prospectively retirement-age beneficiaries to a retirement-level benefit; impose an up-front waiting period for benefits; streamline claims processing; permit DOL to recapture additional compensation costs from responsible third parties; authorize DOL to cross-match FECA records with Social Security records to reduce improper payments; and make other changes to improve and update FECA. These changes would generate net Government-wide savings of \$377 million.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

Program and Financing (in millions of dollars)

Identification code 16-1523-0-1-053	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Part B benefits .....	470	358	341
00.02 Part E benefits .....	363	432	459
00.03 RECA section 5 benefits .....	80	117	99
00.04 RECA supplemental benefits (Part B) .....	51	58	49
10.00 Total new obligations (object class 42.0) .....	964	965	948
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	62	29	
22.00 New budget authority (gross) .....	931	936	948
23.90 Total budgetary resources available for obligation .....	993	965	948
23.95 Total new obligations .....	-964	-965	-948
24.40 Unobligated balance carried forward, end of year .....	29		
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.00 Appropriation .....	924	930	942
69.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	7	6	6
70.00 Total new budget authority (gross) .....	931	936	948
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	21	24	53
73.10 Total new obligations .....	964	965	948
73.20 Total outlays (gross) .....	-961	-936	-948
74.40 Obligated balance, end of year .....	24	53	53
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	922	936	948
86.98 Outlays from mandatory balances .....	39		
87.00 Total outlays (gross) .....	961	936	948
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.20 Offsetting collections (cash) from: Interest on Federal securities .....	-7	-6	-6
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	924	930	942

90.00 Outlays .....	954	930	942
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities:			
Par value .....	83	53	
92.02 Total investments, end of year: Federal securities:			
Par value .....	53		

*Energy Employees' Compensation Act benefits.*—The Department of Labor is delegated responsibility to adjudicate and administer claims for benefits under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA). In July 2001, the program began accepting claims from employees or survivors of employees of the Department of Energy (DOE) and of private companies under contract with DOE who suffer from a radiation-related cancer, beryllium-related disease, or chronic silicosis as a result of their work in producing or testing nuclear weapons. The Act authorizes a lump-sum payment of \$150,000 and reimbursement of medical expenses.

The Ronald Reagan National Defense Authorization Act of 2005 (P.L. 108-767) amended EEOICPA, giving DOL responsibility for a new program (Part E) to pay workers' compensation benefits to DOE contractors and their families for illness and death arising from toxic exposures in DOE's nuclear weapons complex. This law also provides compensation for uranium workers covered under section 5 of the Radiation Exposure Compensation Act. Benefit payments under Part E began in 2005.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, **[\$104,745,000]** \$49,654,000, to remain available until expended: *Provided*, That the Secretary of Labor is authorized to transfer to any executive agency with authority under the Energy Employees Occupational Illness Compensation Program Act, including within the Department of Labor, such sums as may be necessary in fiscal year **[2008]** 2009 to carry out those authorities: *Provided further*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed: *Provided further*, That not later than 30 days after enactment of this Act, in addition to other sums transferred by the Secretary to the National Institute for Occupational Safety and Health ("NIOSH") for the administration of the Energy Employees Occupational Illness Compensation Program ("EEOICP"), the Secretary shall transfer \$4,500,000 to NIOSH from the funds appropriated to the Energy Employees Occupational Illness Compensation Fund, for use by or in support of the Advisory Board on Radiation and Worker Health ("the Board") to carry out its statutory responsibilities under the EEOICP, including obtaining audits, technical assistance and other support from the Board's audit contractor with regard to radiation dose estimation and reconstruction efforts, site profiles, procedures, and review of Special Exposure Cohort petitions and evaluation reports. (*Department of Labor Appropriations Act, 2008.*)

Program and Financing (in millions of dollars)

Identification code 16-1524-0-1-053	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.02 Department of Labor .....	53	50	50
00.03 Department of Health and Human Services .....	55	55	
00.04 Department of Labor (Part E) .....	63	57	58
10.00 Total new obligations .....	171	162	108
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	15	5	2
22.00 New budget authority (gross) .....	159	159	108
22.10 Resources available from recoveries of prior year obligations .....	2		

23.90	Total budgetary resources available for obligation	176	164	110
23.95	Total new obligations	-171	-162	-108
24.40	Unobligated balance carried forward, end of year	5	2	2
<b>New budget authority (gross), detail:</b>				
Mandatory:				
60.00	Appropriation (Part B)	102	105	50
60.00	Appropriation (Part E)	57	54	58
62.50	Appropriation (total mandatory)	159	159	108
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year	72	58	41
73.10	Total new obligations	171	162	108
73.20	Total outlays (gross)	-183	-179	-108
73.45	Recoveries of prior year obligations	-2		
74.40	Obligated balance, end of year	58	41	41
<b>Outlays (gross), detail:</b>				
86.97	Outlays from new mandatory authority	159	159	108
86.98	Outlays from mandatory balances	24	20	
87.00	Total outlays (gross)	183	179	108
<b>Net budget authority and outlays:</b>				
89.00	Budget authority	159	159	108
90.00	Outlays	183	179	108

*Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) administration.*—Under Executive Order 13179 the Secretary of Labor is assigned primary responsibility for administering the EEOICPA program, while other responsibilities have been delegated to the Departments of Health and Human Services (HHS), Energy (DOE), and Justice (DOJ). The Office of Workers' Compensation Programs (OWCP) in the Department of Labor (DOL) is responsible for claims adjudication, and award and payment of compensation and medical benefits. DOL's Office of the Solicitor provides legal support and represents the Department in claimant appeals of OWCP decisions. HHS is responsible for developing individual dose reconstructions to estimate occupational radiation exposure, and developing regulations to guide DOL's determination of whether an individual's cancer was caused by radiation exposure at a DOE or atomic weapons facility. DOE is responsible for providing exposure histories at employment facilities covered under the Act, and other employment information. DOJ assists claimants who have been awarded compensation under the Radiation Exposure Compensation Act to file for additional compensation, including medical benefits, under EEOICPA. To improve transparency and accountability, the 2009 Budget requests that administrative funding for HHS' EEOICPA activities be directly appropriated to HHS, Centers for Disease Control and Prevention.

The Ronald Reagan National Defense Authorization Act of 2005 (P.L. 108-767) amended EEOICPA, giving DOL responsibility for a new program (Part E) to pay workers' compensation benefits to DOE contractors and their families for illness and death arising from toxic exposures in DOE's nuclear weapons complex. This law also provides compensation for uranium workers covered by the Radiation Exposure Compensation Act. Administrative expenses for Part E are covered through indefinite, mandatory appropriations provided in P.L. 108-767.

**Object Classification** (in millions of dollars)

Identification code 16-1524-0-1-053	2007 actual	2008 est.	2009 est.	
Direct obligations:				
Personnel compensation:				
11.1	Full-time permanent	34	39	40
11.5	Other personnel compensation	2	2	2
11.9	Total personnel compensation	36	41	42
12.1	Civilian personnel benefits	9	11	12
21.0	Travel and transportation of persons	2	1	1

23.1	Rental payments to GSA	4	6	6
23.3	Communications, utilities, and miscellaneous charges	3	1	1
25.2	Other services	24	20	18
25.3	Other purchases of goods and services from Government accounts	73	70	16
25.7	Operation and maintenance of equipment	16	10	10
26.0	Supplies and materials	1	1	1
31.0	Equipment	3	1	1
99.9	Total new obligations	171	162	108

**Employment Summary**

Identification code 16-1524-0-1-053	2007 actual	2008 est.	2009 est.	
Direct:				
1001	Civilian full-time equivalent employment	508	598	598

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107-275, **[\$208,221,000]** **\$188,130,000**, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year **[2009, \$62,000,000]** **2010, \$56,000,000**, to remain available until expended. (*Department of Labor Appropriations Act, 2008.*)

**Program and Financing** (in millions of dollars)

Identification code 16-0169-0-1-601	2007 actual	2008 est.	2009 est.	
<b>Obligations by program activity:</b>				
00.01	Benefits	284	271	245
00.02	Administration	5	5	5
10.00	Total new obligations	289	276	250
<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year	29	43	43
22.00	New budget authority (gross)	303	276	250
23.90	Total budgetary resources available for obligation	332	319	293
23.95	Total new obligations	-289	-276	-250
24.40	Unobligated balance carried forward, end of year	43	43	43
<b>New budget authority (gross), detail:</b>				
Mandatory:				
60.00	Appropriation	229	208	188
65.00	Advance appropriation	74	68	62
70.00	Total new budget authority (gross)	303	276	250
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year	27	25	25
73.10	Total new obligations	289	276	250
73.20	Total outlays (gross)	-291	-276	-250
74.40	Obligated balance, end of year	25	25	25
<b>Outlays (gross), detail:</b>				
86.97	Outlays from new mandatory authority	291	276	250
<b>Net budget authority and outlays:</b>				
89.00	Budget authority	303	276	250
90.00	Outlays	291	276	250

Title IV of the Federal Mine Safety and Health Act authorizes monthly benefits to coal miners disabled from coal workers' pneumoconiosis (black lung) and to their widows and certain other dependents. Part B of the Act assigned the processing and paying of claims filed between December 30, 1969 (when the program originated) and June 30, 1973 to the Social Security Administration (SSA). P.L. 107-275 transferred Part B claims processing and payment operations from SSA to the Department of Labor's Employment Standards Administration, Office of Workers' Compensation Programs. This change was implemented on October 1, 2003.

## SPECIAL BENEFITS FOR DISABLED COAL MINERS—Continued

## Object Classification (in millions of dollars)

Identification code 16-0169-0-1-601	2007 actual	2008 est.	2009 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent .....	2	2	2
25.2 Other services .....	3	3	3
42.0 Insurance claims and indemnities .....	284	271	245
99.9 Total new obligations .....	289	276	250

## Employment Summary

Identification code 16-0169-0-1-601	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	17	17	17

## PANAMA CANAL COMMISSION COMPENSATION FUND

## Special and Trust Fund Receipts (in millions of dollars)

Identification code 16-5155-0-2-602	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year .....	1	1	1
01.99 Balance, start of year .....	1	1	1
Receipts:			
02.40 Interest on Investments, Panama Canal Commission .....	6	6	6
04.00 Total: Balances and collections .....	7	7	7
Appropriations:			
05.00 Panama Canal Commission Compensation Fund .....	-6	-6	-6
07.99 Balance, end of year .....	1	1	1

## Program and Financing (in millions of dollars)

Identification code 16-5155-0-2-602	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Benefits .....	6	6	6
10.00 Total new obligations (object class 42.0) .....	6	6	6
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	77	77	77
22.00 New budget authority (gross) .....	6	6	6
23.90 Total budgetary resources available for obligation .....	83	83	83
23.95 Total new obligations .....	-6	-6	-6
24.40 Unobligated balance carried forward, end of year .....	77	77	77
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund) .....	6	6	6
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	6	6	6
73.20 Total outlays (gross) .....	-6	-6	-6
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	6	6	6
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	6	6	6
90.00 Outlays .....	6	6	6
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities:			
Par value .....	78	77	77
92.02 Total investments, end of year: Federal securities:			
Par value .....	77	77	77

This fund was established to provide for the accumulation of funds to meet the Panama Canal Commission's obligations to defray costs of workers' compensation which will accrue pursuant to the Federal Employees' Compensation Act (FECA). On December 31, 1999, the Commission was dis-

solved as set forth in the Panama Canal Treaty of 1977; however, the liability of the Commission for payments beyond that date did not end with its termination. The establishment of this fund, into which funds were deposited on a regular basis by the Commission, was in conjunction with the transfer of the administration of the FECA program from the Commission to the Department of Labor, effective January 1, 1989.

## Trust Funds

## BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

In fiscal year [2008] 2009 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts [shall be available] may be expended from the Fund for fiscal year [2008] 2009 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed [\$32,761,000] \$32,308,000 for transfer to the Employment Standards Administration "Salaries and Expenses"; not to exceed [\$24,785,000] \$24,694,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed [\$335,000] \$325,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed \$356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury. (*Department of Labor Appropriations Act, 2008.*)

## Special and Trust Fund Receipts (in millions of dollars)

Identification code 20-8144-0-7-601	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year .....	48	47	47
01.99 Balance, start of year .....	48	47	47
Receipts:			
02.00 Payment from the General Fund for Prepayment Premium, Black Lung Disability Trust Fund—legislative proposal not subject to PAYGO .....			2,710
02.20 Miscellaneous Interest, Black Lung Disability Trust Fund .....		2	2
02.60 Transfer from General Fund, Black Lung Benefits Revenue Act Taxes .....	639	638	648
02.99 Total receipts and collections .....	639	640	3,360
04.00 Total: Balances and collections .....	687	687	3,407
Appropriations:			
05.00 Black Lung Disability Trust Fund .....	-640	-58	-58
05.01 Black Lung Disability Trust Fund .....		-582	-594
05.02 Black Lung Disability Trust Fund—legislative proposal not subject to PAYGO .....			-2,710
05.99 Total appropriations .....	-640	-640	-3,362
07.99 Balance, end of year .....	47	47	45

## Program and Financing (in millions of dollars)

Identification code 20-8144-0-7-601	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Disabled coal miners benefits .....	284	273	256
00.02 Administrative expenses .....	60	58	58
00.03 Interest on advances .....	720	737	758
10.00 Total new obligations .....	1,064	1,068	1,072
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	2	4	4
22.00 New budget authority (gross) .....	1,066	1,068	1,074
23.90 Total budgetary resources available for obligation .....	1,068	1,072	1,078
23.95 Total new obligations .....	-1,064	-1,068	-1,072
24.40 Unobligated balance carried forward, end of year .....	4	4	6
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.26 Appropriation (trust fund, definite) .....	640	58	58

60.26	Appropriation (trust fund, indefinite) .....	582	594
62.50	Appropriation (total mandatory) .....	640	652
67.10	Authority to borrow .....	426	422
70.00	Total new budget authority (gross) .....	1,066	1,074
<b>Change in obligated balances:</b>			
73.10	Total new obligations .....	1,064	1,072
73.20	Total outlays (gross) .....	-1,064	-1,074
<b>Outlays (gross), detail:</b>			
86.97	Outlays from new mandatory authority .....	1,064	1,074
<b>Net budget authority and outlays:</b>			
89.00	Budget authority .....	1,066	1,074
90.00	Outlays .....	1,064	1,074

2299	Income under proposed legislation .....			2,710
3299	Total cash income .....	639	640	3,360
Cash outgo during year:				
Current law:				
4500	Black Lung Disability Trust Fund .....	-1,064	-1,068	-1,074
4599	Outgo under current law (-) .....	-1,064	-1,068	-1,074
Proposed legislation:				
5500	Black Lung Disability Trust Fund .....			-2,288
5599	Outgo under proposed legislation (-) .....			-2,288
6599	Total cash outgo (-) .....	-1,064	-1,068	-3,362
Unexpended balance, end of year:				
8700	Uninvested balance (net), end of year .....	-9,980	-10,408	-10,410
8799	Total balance, end of year .....	-9,980	-10,408	-10,410

**Summary of Budget Authority and Outlays**

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
<b>Enacted/requested:</b>			
Budget Authority .....	1,066	1,068	1,074
Outlays .....	1,064	1,068	1,074
<b>Legislative proposal, not subject to PAYGO:</b>			
Budget Authority .....			2,288
Outlays .....			2,288
<b>Total:</b>			
Budget Authority .....	1,066	1,068	3,362
Outlays .....	1,064	1,068	3,362

The trust fund consists of all moneys collected from the coal mine industry under the provisions of the Black Lung Benefits Revenue Act of 1981, as amended by the Consolidated Omnibus Budget Reconciliation Act of 1985, in the form of an excise tax on mined coal. These moneys are expended to pay compensation, medical, and survivor benefits to eligible miners and their survivors, where mine employment terminated prior to 1970 or where no mine operator can be assigned liability. In addition, the fund pays all administrative costs incurred in the operation of Part C of the Black Lung program. The fund is administered jointly by the Secretaries of Labor, Treasury, and Health and Human Services. The Benefits Revenue Act provides for repayable advances to the fund in the event fund resources will not be adequate to meet program obligations. Such advances are to be repaid with interest. The outstanding debt has increased from \$1,510 million in 1981 to \$9,980 million in 2007. It is estimated to be \$10,408 million in 2008 and \$10,832 million in 2009 if the refinancing proposal is not enacted.

**BLACK LUNG DISABILITY TRUST FUND WORKLOAD**

	2007 actual	2008 est.	2009 est.
Claims received .....	4,913	4,800	4,700
Claims in payment status .....	39,530	37,720	35,200
Medical benefits only recipients .....	3,101	2,585	2,175

**Status of Funds (in millions of dollars)**

Identification code 20-8144-0-7-601	2007 actual	2008 est.	2009 est.
<b>Unexpended balance, start of year:</b>			
0100 Balance, start of year .....	-9,555	-9,980	-10,408
0199 Total balance, start of year .....	-9,555	-9,980	-10,408
<b>Cash income during the year:</b>			
Current law:			
Offsetting receipts (proprietary):			
1220 Miscellaneous Interest, Black Lung Disability Trust Fund .....		2	2
Offsetting governmental receipts:			
1260 Transfer from General Fund, Black Lung Benefits Revenue Act Taxes .....	639	638	648
1299 Income under present law .....	639	640	650
Proposed legislation:			
Receipts:			
2200 Payment from the General Fund for Prepayment Premium, Black Lung Disability Trust Fund .....			2,710

**Object Classification (in millions of dollars)**

Identification code 20-8144-0-7-601	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
25.3 Other purchases of goods and services from Government accounts .....	60	58	58
42.0 Insurance claims and indemnities .....	284	273	256
43.0 Interest and dividends .....	720	737	758
99.9 Total new obligations .....	1,064	1,068	1,072

**BLACK LUNG DISABILITY TRUST FUND**

(Legislative proposal, not subject to PAYGO)

**Program and Financing (in millions of dollars)**

Identification code 20-8144-2-7-601	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 One-time prepayment premium .....			2,710
00.02 Repayment of debt principal .....			336
00.03 Interest on advances .....			-758
10.00 Total new obligations (object class 43.0) .....			2,288
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....			2,288
23.95 Total new obligations .....			-2,288
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.26 Appropriation (trust fund, definite) .....			2,710
67.10 Authority to borrow .....			-422
70.00 Total new budget authority (gross) .....			2,288
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....			2,288
73.20 Total outlays (gross) .....			-2,288
74.40 Obligated balance, end of year .....			
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....			2,288
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			2,288
90.00 Outlays .....			2,288

The Black Lung Disability Trust Fund's revenues, which are derived primarily from coal excise taxes, are insufficient to repay the \$10 billion debt it owes to Treasury. Under current conditions, the Trust Fund's debt could never be repaid. The 2009 Budget repropose legislation to restructure the Trust Fund debt and restore the Fund's solvency. Proposed reforms would (1) refinance the outstanding debt; (2) extend the current excise tax levels until solvency is attained; and (3) provide for a one-time appropriation to compensate the General Fund for forgone interest payments.

## SPECIAL WORKERS' COMPENSATION EXPENSES

## Special and Trust Fund Receipts (in millions of dollars)

Identification code 16-9971-0-7-601	2007 actual	2008 est.	2009 est.
01.00 Balance, start of year .....	1	74	77
Adjustments:			
01.90 Balances returned to receipts .....	73		
01.99 Balance, start of year .....	74	74	77
Receipts:			
02.00 Interest, Special Worker's Compensation Expenses .....	3	3	3
02.60 Longshoremen's & Harbor Workers Compensation Act, Receipts, Special Workers' .....	128	134	135
02.61 Workmen's Compensation Act within District of Co- lumbia, Receipts, Special Workers' .....	11	11	11
02.99 Total receipts and collections .....	142	148	149
04.00 Total: Balances and collections .....	216	222	226
Appropriations:			
05.00 Special Workers' Compensation Expenses .....	-2	-2	-2
05.01 Special Workers' Compensation Expenses .....	-140	-143	-144
05.99 Total appropriations .....	-142	-145	-146
07.99 Balance, end of year .....	74	77	80

## Program and Financing (in millions of dollars)

Identification code 16-9971-0-7-601	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Longshore and Harbor Workers' Compensation Act, as amended .....	132	134	135
00.02 District of Columbia Compensation Act .....	10	11	11
10.00 Total new obligations .....	142	145	146
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	142	145	146
23.95 Total new obligations .....	-142	-145	-146
24.40 Unobligated balance carried forward, end of year .....			
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.26 Appropriation (trust fund) .....	2	2	2
Mandatory:			
60.26 Appropriation (trust fund) .....	140	143	144
70.00 Total new budget authority (gross) .....	142	145	146
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	6	4	72
73.10 Total new obligations .....	142	145	146
73.20 Total outlays (gross) .....	-144	-77	-148
74.40 Obligated balance, end of year .....	4	72	70
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	2	2	2
86.97 Outlays from new mandatory authority .....	139	69	66
86.98 Outlays from mandatory balances .....	3	6	80
87.00 Total outlays (gross) .....	144	77	148
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	142	145	146
90.00 Outlays .....	144	77	148
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....	79	77	84
92.02 Total investments, end of year: Federal securities: Par value .....	77	84	89

The trust funds consist of amounts received from employers for the death of an employee where no person is entitled to compensation for such death, for fines and penalty payments, and pursuant to an annual assessment of the industry, for the general expenses of the fund under the Longshore

and Harbor Workers' Compensation Act (LHWCA), as amended.

These trust funds are available for payments of additional compensation for second injuries. When a second injury is combined with a previous disability and results in increased permanent partial disability, permanent total disability, or death, the employer's liability for benefits is limited to a specified period of compensation payments after which the fund provides continuing compensation benefits. In addition, the fund pays one-half of the increased benefits provided under the LHWCA for persons on the rolls prior to 1972. Maintenance payments are made to disabled employees undergoing vocational rehabilitation to enable them to return to remunerative occupations, and the costs of necessary rehabilitation services not otherwise available to disabled workers are defrayed. Payments are made in cases where other circumstances preclude payment by an employer and to provide medical, surgical, and other treatment in disability cases where there has been a default by the insolvency of an uninsured employer.

## Object Classification (in millions of dollars)

Identification code 16-9971-0-7-601	2007 actual	2008 est.	2009 est.
Direct obligations:			
25.3 Other purchases of goods and services from Govern- ment accounts .....	2	2	2
42.0 Insurance claims and indemnities .....	140	143	144
99.9 Total new obligations .....	142	145	146

OCCUPATIONAL SAFETY AND HEALTH  
ADMINISTRATION

## Federal Funds

## SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, [\$494,641,000] \$501,674,000, including not to exceed \$91,093,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary of Labor under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education [grants]: *Provided*, That, notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, [2008] 2009, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred (DART) occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act

*Provided further*, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That \$10,116,000 shall be available for Susan Harwood training grants, of which \$3,200,000 shall be used for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of October 1, 2007 to September 30, 2008, provided that a grantee has demonstrated satisfactory performance: *Provided further*, That such grants shall be awarded not later than 30 days after the date of enactment of this Act: *Provided further*, That the Secretary shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate with timetables for the development and issuance of occupational safety and health standards on beryllium, silica, cranes and derricks, confined space entry in construction, and hazard communication global harmonization; such timetables shall include actual or estimated dates for: the publication of an advance notice of proposed rulemaking, the commencement and completion of a Small Business Regulatory Enforcement Fairness Act review (if required), the completion of any peer review (if required), the submission of the draft proposed rule to the Office of Management and Budget for review under Executive Order No. 12866 (if required), the publication of a proposed rule, the conduct of public hearings, the submission of a draft final rule to the Office of Management and Budget for review under Executive Order No. 12866 (if required), and the issuance of a final rule; and such report shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate within 90 days of the enactment of this Act, with updates provided every 90 days thereafter that shall include an explanation of the reasons for any delays in meeting the projected timetables for action]. (*Department of Labor Appropriations Act, 2008.*)

**Program and Financing** (in millions of dollars)

Identification code 16-0400-0-1-554	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Safety and health standards .....	17	17	17
00.02 Federal enforcement .....	177	183	194
00.03 State programs .....	91	89	91
00.04 Technical support .....	22	22	23
00.05 Federal compliance assistance .....	73	71	77
00.06 State consultation grants .....	53	52	54
00.07 Training grants .....	10	9	.....
00.08 Safety and health statistics .....	33	32	34
00.09 Executive direction and administration .....	11	11	12
09.01 Reimbursable program .....	1	2	2
10.00 Total new obligations .....	488	488	504
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	488	488	504
23.95 Total new obligations .....	-488	-488	-504
24.40 Unobligated balance carried forward, end of year .....	.....	.....	.....
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	487	495	502
40.33 Appropriation permanently reduced (P.L. 110-161) .....	.....	-9	.....

43.00	Appropriation (total discretionary) .....	487	486	502
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	1	2	2
70.00	Total new budget authority (gross) .....	488	488	504
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	76	89	89
73.10	Total new obligations .....	488	488	504
73.20	Total outlays (gross) .....	-473	-488	-502
73.40	Adjustments in expired accounts (net) .....	-3	.....	.....
74.10	Change in uncollected customer payments from Federal sources (expired) .....	1	.....	.....
74.40	Obligated balance, end of year .....	89	89	91
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	414	411	424
86.93	Outlays from discretionary balances .....	59	77	78
87.00	Total outlays (gross) .....	473	488	502
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-1	-1	-1
88.40	Non-Federal sources .....	.....	-1	-1
88.90	Total, offsetting collections (cash) .....	-1	-2	-2
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	487	486	502
90.00	Outlays .....	472	486	500

*Safety and health standards.*—This activity provides for the development, promulgation, review and evaluation of feasible occupational safety and health standards and guidance. Before any standard is proposed or promulgated, a determination is made that: (1) a significant risk of serious injury or health impairment exists; (2) the standard will reduce this risk; (3) the standard is economically and technologically feasible; and (4) the standard is economically and technologically feasible when compared with alternative regulatory proposals providing equal levels of protection. Regulatory reform efforts include consensus-based rulemaking, development of common sense regulations, rewriting existing standards so they are understandable to those affected by them, and regulatory and non-regulatory process improvements.

*Federal Enforcement.*—This activity provides for the enforcement of workplace standards promulgated under the Occupational Safety and Health (OSH) Act of 1970, through the physical inspection of worksites, and by fostering the voluntary cooperation of employers and employees. Programs are targeted to the investigation of claims of imminent danger and employee complaints, investigation of fatal and catastrophic accidents, programmed inspections of firms with injury-illness rates that are above the national average, and special emphasis inspections for serious safety and health hazards. OSHA's enforcement strategy ranges from a selective targeting of inspections and related compliance activities to specific high hazard industries and worksites.

*State programs.*—This activity assists States in assuming responsibility for administering occupational safety and health programs under State plans approved by the Secretary. Under section 23 of the OSH Act, grants matching up to fifty percent of total program costs are made to States that meet the Act's criteria for establishing and implementing State programs which are at least as effective as the associated Federal program. State programs, like their Federal counterparts, provide a mix of enforcement, outreach, training and compliance assistance activities.

*Technical support.*—This activity provides specialized technical expertise and advice in support of a wide range of program areas, including construction, standards setting, variance determinations, compliance assistance, and enforcement. Areas of expertise include laboratory accreditation, industrial

SALARIES AND EXPENSES—Continued

hygiene, occupational health nursing, occupational medicine, chemical analysis, equipment calibration, safety engineering, environmental impact statements, technical and scientific databases, computer-based outreach products, and emergency preparedness.

**Compliance assistance-Federal.**—This activity supports a range of cooperative programs, training, and outreach that provide compliance assistance in improving workplace safety and health, with particular emphasis on small business. OSHA works with employers and employees through Voluntary Protection Programs that recognize and promote effective safety and health management; partnerships focusing on the development of extended cooperative relationships; and alliances committing organizations to collaborative efforts with OSHA. Federal agencies are assisted in implementing and improving their job safety and health programs. Occupational safety and health training is provided at the OSHA Training Institute and affiliated Education Centers throughout the country. Compliance and technical assistance materials are prepared and disseminated to the public through various means, including the Internet.

**State consultation grants.**—This activity supports 90 percent Federally funded cooperative agreements with designated State agencies to provide free on-site consultation to employers upon request. State agencies tailor workplans to specific needs in each State while maximizing their impact on injury and illness rates in smaller establishments. These projects offer a variety of services, including safety and health program assessment and assistance, hazard identification and control, and training of employers and their employees.

**Training grants.**—This activity supports safety and health training grants to organizations that provide training and education and develop educational materials for employers and employees. Grants address safety and health education needs related to specific topics and industries identified by the agency. The 2009 Budget eliminates funding for these grants, and focuses on more cost-effective compliance assistance approaches.

**Safety and health statistics.**—This activity supports the information technology infrastructure, management information, and statistical basis for OSHA's programs and field operations. These are provided through an integrated data network, and statistical analysis and review. OSHA administers and maintains the recordkeeping system that serves as the foundation for the BLS survey on occupational injuries and illnesses and provides guidance on recordkeeping requirements to both the public and private sectors.

**Executive direction and administration.**—This activity supports executive direction, planning and evaluation, management support, legislative liaison, interagency affairs, Federal agency liaison, administrative services, and budgeting and financial control.

PROGRAM STATISTICS

	2007 actual	2008 est.	2009 est.
Standards promulgated .....	2	5	4
Inspections:			
Federal inspections .....	39,324	37,400	37,700
State program inspections .....	57,380	50,900	49,500
Training and consultations:			
Consultation visits .....	31,911	29,700	29,050
Voluntary protection program participants (Federal only) .....	1,341	1,490	1,600
New strategic partnerships .....	35	45	45
Outreach Training .....	522,248	538,000	554,000

Object Classification (in millions of dollars)

Identification code 16-0400-0-1-554	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			

11.1	Full-time permanent .....	166	174	188
11.3	Other than full-time permanent .....	2	2	2
11.5	Other personnel compensation .....	7	5	5
11.9	Total personnel compensation .....	175	181	195
12.1	Civilian personnel benefits .....	45	47	49
21.0	Travel and transportation of persons .....	11	10	10
23.1	Rental payments to GSA .....	21	21	22
23.2	Rental payments to others .....			4
23.3	Communications, utilities, and miscellaneous charges .....	4	4	
24.0	Printing and reproduction .....	1	1	1
25.1	Advisory and assistance services .....	2	3	3
25.2	Other services .....	79	71	75
25.3	Other purchases of goods and services from Government accounts .....	27	30	33
25.7	Operation and maintenance of equipment .....	12	11	11
26.0	Supplies and materials .....	4	4	4
31.0	Equipment .....	5	4	4
41.0	Grants, subsidies, and contributions .....	101	99	91
99.0	Direct obligations .....	487	486	502
99.0	Reimbursable obligations .....	1	2	2
99.9	Total new obligations .....	488	488	504

Employment Summary

Identification code 16-0400-0-1-554	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	2,055	2,118	2,165
Reimbursable:			
2001 Civilian full-time equivalent employment .....	3	7	7
Allocation account:			
3001 Civilian full-time equivalent employment .....	1	1	1

ALLOCATIONS RECEIVED FROM OTHER ACCOUNTS

Note.—Obligations incurred under allocations from other accounts are included in the schedules of the parent appropriations as follows:  
Environmental Protection Agency: Hazardous Substance Response Trust Fund.

MINE SAFETY AND HEALTH ADMINISTRATION

Federal Funds

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, **[\$339,862,000]** \$332,061,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities, \$2,200,000 for an award to the United Mine Workers of America, for classroom and simulated rescue training for mine rescue teams, and \$1,184,000 for an award to the Wheeling Jesuit University, for the National Technology Transfer Center for a coal slurry impoundment project; in addition, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to \$1,000,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary of Labor is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department may be used, with



the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster. (*Department of Labor Appropriations Act, 2008.*)

**Program and Financing** (in millions of dollars)

Identification code 16-1200-0-1-554	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Coal .....	134	155	145
00.02 Metal/non-metal .....	72	71	83
00.03 Standards development .....	3	3	3
00.04 Assessments .....	7	6	6
00.05 Educational policy and development .....	40	37	36
00.06 Technical support .....	31	29	29
00.07 Program administration .....	14	17	14
00.08 Program Evaluation & Information Resources .....	23	16	16
09.01 Reimbursable program .....	1	1	1
10.00 Total new obligations .....	325	335	333
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	21		
22.00 New budget authority (gross) .....	303	335	333
22.10 Resources available from recoveries of prior year obligations .....	1		
23.90 Total budgetary resources available for obligation .....	325	335	333
23.95 Total new obligations .....	-325	-335	-333
24.40 Unobligated balance carried forward, end of year .....			
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	302	340	332
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-6	
43.00 Appropriation (total discretionary) .....	302	334	332
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	1	1	1
70.00 Total new budget authority (gross) .....	303	335	333
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	24	49	52
73.10 Total new obligations .....	325	335	333
73.20 Total outlays (gross) .....	-299	-332	-333
73.45 Recoveries of prior year obligations .....	-1		
74.40 Obligated balance, end of year .....	49	52	52
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	267	305	303
86.93 Outlays from discretionary balances .....	32	27	30
87.00 Total outlays (gross) .....	299	332	333
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-1	-1	-1
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	302	334	332
90.00 Outlays .....	298	331	332

**Enforcement.**—The enforcement strategy in 2009 will be an integrated approach that links all actions to preventing occupational injuries and illnesses. These include inspection of mines as mandated by the Federal Mine Safety and Health Act of 1977, special emphasis initiatives that focus on persistent safety and health hazards, promulgation of Federal mine safety and health standards, investigation of serious accidents, and on-site education and training. The desired outcome of these enforcement efforts is to lower fatality and injury rates in our Nation's mines.

**Assessments.**—This activity assesses and collects civil monetary penalties for violations of safety and health standards.

**Educational policy and development.**—This activity develops and coordinates MSHA's mine safety and health education and training policies, and provides classroom instruction at the National Mine Health and Safety Academy for MSHA personnel, other governmental personnel, and the mining in-

dustry. States provide mine health and safety training materials, and provide technical assistance through the State Grants program.

**Technical support.**—This activity applies engineering and scientific expertise through field and laboratory forensic investigations to resolve technical problems associated with implementing the Mine Act. Technical support administers a fee program to approve equipment, materials, and explosives for use in mines and performs field and laboratory audits of equipment previously approved by MSHA. It also collects and analyzes data relative to the cause, frequency, and circumstances of mine accidents.

**Program evaluation and information resources (PEIR).**—This activity provides program evaluation and information technology resource management services for the agency. Additionally, PEIR is responsible for meeting the requirements of the Government Performance and Results Act (GPRA) and developing MSHA's performance plan and Annual Performance Report.

**Program administration.**—This activity performs general administrative functions.

**PROGRAM STATISTICS**

	2007 actual	2008 est.	2009 est.
Enforcement per 200,000 hours worked by employees:			
Fatality Rates			
All-MSHA fatality rates .....	0.0195	0.0191	0.0187
Coal Mines .....	0.0293	0.0287	0.0281
Metal/non-metal mines .....	0.0142	0.0139	0.0136
Injury Rates			
All-MSHA injury rates .....	3.48	3.41	3.34
Coal mines .....	4.26	4.17	4.09
Metal/non-metal mines .....	3.07	3.01	2.95
Regulations promulgated .....	6	7	6
Assessments:			
Violations assessed .....	130,000	128,000	125,000
Educational policy and development:			
Course days .....	1,537	1,700	1,700
Technical support:			
Equipment approvals .....	872	800	800
Field investigations .....	949	950	950
Laboratory samples analyzed .....	112,000	130,000	130,000

**Object Classification** (in millions of dollars)

Identification code 16-1200-0-1-554	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
Personnel compensation:			
11.1 Full-time permanent .....	150	169	178
11.1 Full-time permanent .....	5		
11.5 Other personnel compensation .....	9	15	7
11.9 Total personnel compensation .....	164	184	185
12.1 Civilian personnel benefits .....	49	55	57
12.1 Civilian personnel benefits .....	2		
21.0 Travel and transportation of things .....	12	11	11
22.0 Transportation of things .....	5	5	5
23.1 Rental payments to GSA .....	12	13	14
23.1 Rental payments to GSA .....	1		
23.3 Communications, utilities, and miscellaneous charges .....	3	2	3
23.3 Communications, utilities, and miscellaneous charges .....	1	1	
24.0 Printing and reproduction .....	1	1	1
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	11	10	5
25.2 Other services .....	4		
25.3 Other purchases of goods and services from Government accounts .....	15	17	21
25.3 Other purchases of goods and services from Government accounts .....	1		
25.4 Operation and maintenance of facilities .....	2	2	1
25.7 Operation and maintenance of equipment .....	8	8	8
25.7 Operation and maintenance of equipment .....	2		
26.0 Supplies and materials .....	5	6	3
31.0 Equipment .....	12	9	8
31.0 Equipment .....	4		
41.0 Grants, subsidies, and contributions .....	9	9	9
99.0 Direct obligations .....	324	334	332

## SALARIES AND EXPENSES—Continued

## Object Classification (in millions of dollars)—Continued

Identification code 16-1200-0-1-554	2007 actual	2008 est.	2009 est.
99.0 Reimbursable obligations .....	1	1	1
99.9 Total new obligations .....	325	335	333

## Employment Summary

Identification code 16-1200-0-1-554	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	2,161	2,306	2,361

## BUREAU OF LABOR STATISTICS

## Federal Funds

## SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, **[\$476,861,000]** \$514,542,000, together with not to exceed **[\$77,067,000]** \$78,264,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, of which \$5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act: *Provided*, That the Current Employment Survey shall maintain the content of the survey issued prior to June 2005 with respect to the collection of data for the women worker series. (Department of Labor Appropriations Act, 2008.)

## Program and Financing (in millions of dollars)

Identification code 16-0200-0-1-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Labor force statistics .....	247	243	261
00.02 Prices and cost of living .....	178	178	198
00.03 Compensation and working conditions .....	81	82	88
00.04 Productivity and technology .....	11	11	12
00.06 Executive direction and staff services .....	31	30	34
09.01 Reimbursable program .....	6	5	5
10.00 Total new obligations .....	554	549	598
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	554	550	599
23.95 Total new obligations .....	-554	-549	-598
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	471	477	515
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-8	
43.00 Appropriation (total discretionary) .....	471	469	515
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	83	81	84
70.00 Total new budget authority (gross) .....	554	550	599
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	74	75	74
73.10 Total new obligations .....	554	549	598
73.20 Total outlays (gross) .....	-550	-550	-593
73.40 Adjustments in expired accounts (net) .....	-3		
74.40 Obligated balance, end of year .....	75	74	79
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	490	486	529
86.93 Outlays from discretionary balances .....	60	64	64
87.00 Total outlays (gross) .....	550	550	593
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-83	-81	-84
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	471	469	515

90.00 Outlays .....	467	469	509
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*Labor force statistics.*—Publishes monthly estimates of the labor force, employment, unemployment, and earnings for the Nation, States, and local areas. Makes studies of the labor force. Publishes data on employment and wages, by industry. Provides economic projections, including changes in the level and structure of the economy, as well as employment projections by industry and by occupational category.

	2007 actual	2008 est.	2009 est.
Labor force statistics (selected items):			
Employment and wages for NAICS industries (quarterly series) .....	3,600,000	3,600,000	3,600,000
Employment and unemployment estimates for States and local areas (monthly and annual series) .....	93,912	93,977	94,042
Occupational employment statistics (annual series) .....	82,417	82,000	75,000
Industry projections (2 yr. cycle) .....	N/A	201	N/A
Occupational Outlook Handbook statements (2 yr. cycle) .....	N/A	314	N/A

*Prices and cost of living.*—Publishes the Consumer Price Index (CPI), the Producer Price Index, U.S. Import and Export Price Indexes, estimates of consumers' expenditures, and studies of price change.

	2007 actual	2008 est.	2009 est.
Consumer price indexes published (monthly) .....	5,500	5,500	5,500
Percentage of CPI statistics released on schedule .....	92%	100%	100%
Producer price indexes published (monthly) .....	7,685	9,000	9,000
International prices and price indexes:			
(a) Sample units initiated (annually) .....	3,297	3,400	3,400
(b) Price quotations collected (monthly) .....	25,521	25,400	25,400

*Compensation and working conditions.*—Publishes data on employee compensation, including information on wages, salaries, and employer-provided benefits, by occupation for major labor markets and industries. Publishes information on work stoppages. Compiles annual information to estimate the incidence and number of work-related injuries, illnesses, and fatalities.

	2007 actual	2008 est.	2009 est.
Compensation and working conditions (major items):			
Employment cost index: number of schedules .....	17,500	16,800	16,800
Occupational safety and health: number of schedules .....	235,156	235,000	235,000
Locality pay surveys: number of schedules .....	36,200	34,700	34,700

*Productivity and technology.*—Publishes trends in productivity and costs for major economic sectors and detailed industries. Also analyzes trends in order to examine the factors underlying productivity change. Publishes international comparisons of productivity, labor force and unemployment, and hourly compensation costs.

	2007 actual	2008 est.	2009 est.
Studies, articles, and special reports .....	29	23	29
Series maintained .....	3,140	3,149	3,149

*Executive direction and staff services.*—Provides planning and policy for the Bureau of Labor Statistics, operates the information technology, coordinates research, and publishes data and reports for government and public use.

## Object Classification (in millions of dollars)

Identification code 16-0200-0-1-505	2007 actual	2008 est.	2009 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	170	178	183
11.3 Other than full-time permanent .....	10	9	12
11.5 Other personnel compensation .....	9	3	5
11.9 Total personnel compensation .....	189	190	200
12.1 Civilian personnel benefits .....	48	46	49
21.0 Travel and transportation of persons .....	5	5	7
23.1 Rental payments to GSA .....	30	30	31
23.3 Communications, utilities, and miscellaneous charges .....	7	8	8
24.0 Printing and reproduction .....	2	2	2
25.2 Other services .....	12	15	18
25.3 Other purchases of goods and services from Government accounts .....	101	101	118

25.5	Research and development contracts .....	14	14	14
25.7	Operation and maintenance of equipment .....	54	45	52
26.0	Supplies and materials .....	1	1	2
31.0	Equipment .....	3	5	7
41.0	Grants, subsidies, and contributions .....	82	82	85
99.0	Direct obligations .....	548	544	593
99.0	Reimbursable obligations .....	6	5	5
99.9	Total new obligations .....	554	549	598

**Employment Summary**

Identification code 16-0200-0-1-505	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	2,386	2,283	2,388
Reimbursable:			
2001 Civilian full-time equivalent employment .....	14	30	30

**DEPARTMENTAL MANAGEMENT**

*Federal Funds*

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, **[\$296,756,000]**, of which **\$82,516,000** is for the Bureau of International Labor Affairs (including **\$5,000,000** to implement model programs to address worker rights issues through technical assistance in countries with which the United States has trade preference programs), and **\$263,156,000**, of which **[\$20,000,000]** **\$29,846,000** is for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs, which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; together with not to exceed **[\$308,000]** **\$327,000**, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund. (*Department of Labor Appropriations Act, 2008.*)

**Program and Financing** (in millions of dollars)

Identification code 16-0165-0-1-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Program direction and support .....	28	23	30
00.02 Legal services .....	93	87	100
00.03 International labor affairs .....	72	81	15
00.04 Administration and management .....	33	32	34
00.05 Adjudication .....	44	27	30
00.07 Women's bureau .....	10	10	10
00.08 Civil rights .....	7	6	7
00.09 Chief Financial Officer .....	5	5	6
00.10 Information technology activities .....	29	20	30
00.11 Management crosscut .....	1	1	1
01.92 Total Direct Program—Subtotal .....	322	292	263
09.01 Reimbursable—SOL .....	4	4	4
09.02 Reimbursable—ILAB .....	19	1	1
09.03 Reimbursable—OSEC .....	8	10	9
09.99 Total reimbursable program .....	31	15	14
10.00 Total new obligations .....	353	307	277
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	20		25
22.00 New budget authority (gross) .....	337	332	303
23.90 Total budgetary resources available for obligation .....	357	332	328
23.95 Total new obligations .....	-353	-307	-277
23.98 Unobligated balance expiring or withdrawn .....	-4		
24.40 Unobligated balance carried forward, end of year .....		25	51

**New budget authority (gross), detail:**  
Discretionary:

40.00	Appropriation .....	299	297	263
40.33	Appropriation permanently reduced (P.L. 110-161) .....		-5	
43.00	Appropriation (total discretionary) .....	299	292	263
Spending authority from offsetting collections:				
58.00	Offsetting collections (cash) .....	37	40	40
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	1		
58.90	Spending authority from offsetting collections (total discretionary) .....	38	40	40
70.00	Total new budget authority (gross) .....	337	332	303

**Change in obligated balances:**

72.40	Obligated balance, start of year .....	342	305	285
73.10	Total new obligations .....	353	307	277
73.20	Total outlays (gross) .....	-387	-327	-321
73.40	Adjustments in expired accounts (net) .....	-4		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	-1		
74.10	Change in uncollected customer payments from Federal sources (expired) .....	2		
74.40	Obligated balance, end of year .....	305	285	241

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....	233	244	225
86.93	Outlays from discretionary balances .....	154	83	96
87.00	Total outlays (gross) .....	387	327	321

**Offsets:**

Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-38	-40	-40
88.40	Non-Federal sources .....	-3		
88.90	Total, offsetting collections (cash) .....	-41	-40	-40
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	-1		
88.96	Portion of offsetting collections (cash) credited to expired accounts .....	4		

**Net budget authority and outlays:**

89.00	Budget authority .....	299	292	263
90.00	Outlays .....	346	287	281

**Program Direction and Support.**—Provides leadership and direction for all programs and functions assigned to the Department of Labor (DOL). Provides guidance for the development and implementation of governmental policy to protect and promote the interests of the American worker, achieving better employment and earnings, promoting productivity and economic growth, safety, equity and affirmative action in employment, and collecting and analyzing statistics on the labor force.

**Legal Services.**—Provides the Secretary of Labor and Departmental program officials with the legal services required to accomplish the Department's mission. The major services include litigating cases, providing assistance to the Department of Justice in case preparation and trials, reviewing rules, orders and written interpretations and opinions for DOL program agencies and the public, and coordinating the Department's legislative program. A provision is included to fund legal services associated with extraordinary case enforcement activities.

**International Labor Affairs.**—Supports the President's international labor agenda and coordinates the international activities for the Department of Labor. Activities include coordination with other U.S. government agencies, intergovernmental organizations, and non-governmental organizations, as well as meeting the requirements of the Government Performance and Results Act (GPRA).

**Administration and Management.**—Exercises leadership in all Departmental administrative and management programs and services and ensures efficient and effective operation of Departmental programs; provides policy guidance on matters

SALARIES AND EXPENSES—Continued

of personnel management, information resource management and procurement; and provides for consistent and constructive internal labor-management relations throughout the Department.

**Adjudication.**—Conducts formal hearings and renders timely decisions on claims filed under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act and its extensions, the Federal Employees' Compensation Act and other acts involving complaints to determine violations of minimum wage requirements, overtime payments, health and safety regulations and unfair labor practices.

**Women's Bureau.**—Promotes the interests of wage earning women, and seeks to improve their working conditions and advance their opportunities for profitable employment.

**Civil Rights.**—Ensures full compliance with Title VI of the Civil Rights Act of 1964 and other regulatory nondiscrimination provisions in programs receiving financial assistance from the Department of Labor (DOL) and promotes equal opportunity in these programs and activities; and ensures equal employment opportunity to all DOL employees and applicants for employment.

**Chief Financial Officer.**—Responsible for developing comprehensive accounting and financial management policies; assuring that all DOL financial functions conform to applicable standards; providing leadership and coordination to DOL agencies' trust and benefit fund financial actions; monitoring the financial execution of the budget in relation to actual expenditures; enhancing the level of knowledge and skills of Departmental staff working in financial management operations; and managing a comprehensive training program for budget, accounting, and financial support staff.

**Information Technology Activities.**—This activity represents a permanent, centralized IT investment fund for the Department of Labor managed by the Chief Information Officer. As required by the Clinger Cohen Act, in 1996, the Department established a Chief Information Officer accountable for IT management in the DOL, and implemented an IT Capital Investment Management process for selecting, controlling, and evaluating IT investments. The Department established a baseline of existing information technologies and provides a framework for future information technology investments.

**Management Crosscut.**—This activity addresses major management issues facing all DOL agencies including those in the President's Management Agenda.

Object Classification (in millions of dollars)

Identification code 16-0165-0-1-505	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	123	106	120
11.3 Other than full-time permanent .....	1	1	1
11.5 Other personnel compensation .....	6	4	2
11.9 Total personnel compensation .....	130	111	123
12.1 Civilian personnel benefits .....	29	25	32
21.0 Travel and transportation of persons .....	3	3	2
23.1 Rental payments to GSA .....	16	17	17
23.3 Communications, utilities, and miscellaneous charges .....	2		2
25.1 Advisory and assistance services .....	6	10	14
25.2 Other services .....	16	6	11
25.3 Other purchases of goods and services from Government accounts .....	41	25	25
25.4 Operation and maintenance of facilities .....		10	10
25.5 Research and development contracts .....	1		
25.7 Operation and maintenance of equipment .....	16	20	19
26.0 Supplies and materials .....	3	2	3
31.0 Equipment .....	4		1
41.0 Grants, subsidies, and contributions .....	55	63	4
99.0 Direct obligations .....	322	292	263
99.0 Reimbursable obligations .....	31	15	14

99.9 Total new obligations .....	353	307	277
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Employment Summary

Identification code 16-0165-0-1-505	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	1,290	1,220	1,344
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....	25	17	17

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, **[\$27,712,000]** \$12,441,000. (Department of Labor Appropriations Act, 2008.)

Program and Financing (in millions of dollars)

Identification code 16-0166-0-1-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Office of Disability Employment Policy .....	27	27	12
10.00 Total new obligations .....	27	27	12
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	28	27	12
23.95 Total new obligations .....	-27	-27	-12
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Appropriation .....	28	27	12
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	34	27	31
73.10 Total new obligations .....	27	27	12
73.20 Total outlays (gross) .....	-32	-23	-25
73.40 Adjustments in expired accounts (net) .....	-2		
74.40 Obligated balance, end of year .....	27	31	18
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	12	6	3
86.93 Outlays from discretionary balances .....	20	17	22
87.00 Total outlays (gross) .....	32	23	25
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	28	27	12
90.00 Outlays .....	32	23	25

**Office of Disability Employment Policy.**—This office provides leadership in developing policy to eliminate employment barriers to people with disabilities. It works within the Department of Labor (DOL) and in collaboration with other Federal agencies to develop policy based on research and analysis of specific areas of policy inquiry in employment, training and retraining, recruitment, retention, and employment support services. ODEP then disseminates its findings through technical assistance to public and private sector entities.

In a recent Program Assessment Rating Tool assessment, ODEP was rated "results not demonstrated," largely due to insufficient performance and evaluation data to assess the impact and effectiveness of ODEPs policy and coordination efforts. ODEP's responsibilities have also expanded in recent years to include a grant making function, supporting activities that extend beyond ODEP's original mission and are duplicative of activities undertaken by other Federal agencies. The Budget supports ODEP's original mission of bringing a heightened focus on disability employment within DOL through policy development, technical assistance, and dissemination of best practices.

**Object Classification** (in millions of dollars)

Identification code 16-0166-0-1-505	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	6	6	5
12.1 Civilian personnel benefits .....	1	2	1
22.0 Transportation of things .....	1	1	1
23.1 Rental payments to GSA .....	1	1	1
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	5	4	5
25.3 Other purchases of goods and services from Govern- ment accounts .....	7	6	6
41.0 Grants, subsidies, and contributions .....	6	6	6
99.9 Total new obligations .....	27	27	12

**Employment Summary**

Identification code 16-0166-0-1-505	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	51	49	40

**OFFICE OF JOB CORPS**

To carry out subtitle C of title I of the Workforce Investment Act of 1998, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; **[\$1,626,855,000] \$1,564,699,000**, plus reimbursements, as follows:

- (1) **[\$1,485,357,000] \$1,425,325,000** for Job Corps Operations, of which **[\$894,357,000] \$834,325,000** is available for obligation for the period July 1, **[2008] 2009** through June 30, **[2009] 2010** and of which \$591,000,000 is available for obligation for the period October 1, **[2008] 2009** through June 30, **[2009] 2010**.
- (2) **[\$112,920,000] \$110,000,000** for construction, rehabilitation and acquisition of Job Corps Centers, of which **[\$12,920,000] \$10,000,000** is available for the period July 1, **[2008] 2009** through June 30, **[2011] 2012** and \$100,000,000 is available for the period October 1, **[2008] 2009** through June 30, **[2011] 2012**.
- (3) **[\$28,578,000] \$29,374,000** for necessary expenses of the Office of Job Corps is available for obligation for the period October 1, **[2007] 2008** through September 30, **[2008] 2009**:

*Provided*, That the Office of Job Corps shall have contracting authority in accordance with Section 102 of Public Law 109-149: *Provided further*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further*, That none of the funds made available in this Act shall be used to reduce Job Corps total student training slots below the current level of 44,491 in program year 2008. (Department of Labor Appropriations Act, 2008.)

**Program and Financing** (in millions of dollars)

Identification code 16-0181-0-1-504	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Operations .....	1,470	1,458	1,426
00.02 Construction, Rehabilitation, and Acquisition (CRA) ....	108	111	110
00.03 Administration .....	29	29	29
00.04 Reimbursable .....	2	1	1
10.00 Total new obligations .....	1,609	1,599	1,566
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year	569	588	582
22.00 New budget authority (gross) .....	1,609	1,599	1,566
22.10 Resources available from recoveries of prior year obli- gations .....	19	.....	.....
22.35 Adjustment to unobligated balance carried forward, start of year (-) .....	.....	-6	.....
23.90 Total budgetary resources available for obligation	2,197	2,181	2,148
23.95 Total new obligations .....	-1,609	-1,599	-1,566
24.40 Unobligated balance carried forward, end of year	588	582	582

**New budget authority (gross), detail:**  
Discretionary:

40.00	Appropriation .....	916	935	874
40.33	Appropriation permanently reduced (P.L. 110-161) .....	.....	-16	.....
43.00	Appropriation (total discretionary) .....	916	919	874
55.00	Advance appropriation .....	691	691	691
55.33	Appropriation permanently reduced (P.L. 110-161) .....	.....	-12	.....
55.90	Advance appropriation (total discretionary) .....	691	679	691
58.00	Spending authority from offsetting collections: Off- setting collections (cash) .....	2	1	1
70.00	Total new budget authority (gross) .....	1,609	1,599	1,566

**Change in obligated balances:**

72.40	Obligated balance, start of year .....	472	455	563
73.10	Total new obligations .....	1,609	1,599	1,566
73.20	Total outlays (gross) .....	-1,607	-1,491	-1,560
73.45	Recoveries of prior year obligations .....	-19	.....	.....
74.40	Obligated balance, end of year .....	455	563	569

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....	756	939	932
86.93	Outlays from discretionary balances .....	851	552	628
87.00	Total outlays (gross) .....	1,607	1,491	1,560

**Offsets:**

Against gross budget authority and outlays:				
88.00	Offsetting collections (cash) from: Federal sources	-2	-1	-1

**Net budget authority and outlays:**

89.00	Budget authority .....	1,607	1,598	1,565
90.00	Outlays .....	1,605	1,490	1,559

The Office of Job Corps supports the administration and management of the Job Corps program, which helps at-risk youth who need and can benefit from intensive education and training services to become more employable, responsible, and productive citizens. The program operates in a group setting at 122 centers, residential in 48 States, the District of Columbia and the Commonwealth of Puerto Rico. Two new centers are currently under construction in Iowa and New Hampshire.

The program serves economically disadvantaged youth, aged 16-24, who must also be one or more of the following: basic skills deficient; a school dropout; homeless, a runaway, or a foster child; a parent; or in need of additional education, vocational training, or intensive counseling and related assistance in order to participate successfully in regular schoolwork or to secure and hold employment. The program serves more than 60,000 individuals per year.

In response to a mandate in the Departments of Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2006 (Public Law 109-149), the Secretary of Labor issued Secretary's Order 09-2006 which established the Office of Job Corps within the Office of the Secretary (OSEC) and delegated authority and assigned responsibility to the Director of the Office of Job Corps and other agency heads to ensure the effective administration of the Job Corps program. Job Corps funding, appropriated to the Employment and Training Administration (ETA) in 2006, was transferred to OSEC via an allotment process. This funding mechanism continued in 2007 under the Revised Continuing Appropriations Resolution, 2007 (Public Law 110-5). The Consolidated Appropriations Act, 2008 (Public Law 110-161) appropriated Job Corps funding to the Office of Job Corps. Funding for the Job Corps program is now shown in the Office of Job Corps appropriation account for all years.

The 2009 Budget proposes to transfer the Job Corps program and administrative funding back to ETA to better coordinate the program with other employment and training programs ETA oversees.

OFFICE OF JOB CORPS—Continued

Object Classification (in millions of dollars)

Identification code 16-0181-0-1-504	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	14	14	14
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	15	15	15
12.1 Civilian personnel benefits .....	3	4	4
21.0 Travel and transportation of persons .....	1	1	1
23.1 Rental payments to GSA .....	2	2	2
23.2 Rental payments to others .....	7	7	7
25.2 Other services .....	1,282	1,276	1,244
25.3 Other purchases of goods and services from Government accounts .....	3	9	10
25.4 Operation and maintenance of facilities .....	1	1	1
25.5 Research and development contracts .....	2	1	1
25.7 Operation and maintenance of equipment .....	2	4	4
31.0 Equipment .....	3	3	4
41.0 Grants, subsidies, and contributions .....	108	111	105
42.0 Insurance claims and indemnities .....			1
99.0 Direct obligations .....	1,426	1,434	1,399
99.0 Reimbursable obligations .....	2	1	1
<b>Allocation Account—direct:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	62	64	65
11.3 Other than full-time permanent .....	3	3	3
11.5 Other personnel compensation .....	4	4	4
11.9 Total personnel compensation .....	69	71	72
12.1 Civilian personnel benefits .....	27	24	24
21.0 Travel and transportation of persons .....	2	2	3
22.0 Transportation of things .....	1		1
23.1 Rental payments to GSA .....	5	2	
23.3 Communications, utilities, and miscellaneous charges .....	8	8	8
25.1 Advisory and assistance services .....	6	6	6
25.2 Other services .....	10	10	10
25.3 Other purchases of goods and services from Government accounts .....	3	3	3
25.4 Operation and maintenance of facilities .....	1	1	1
25.5 Research and development contracts .....	2	1	1
25.6 Medical care .....	1	1	1
25.7 Operation and maintenance of equipment .....	1		
26.0 Supplies and materials .....	35	28	29
31.0 Equipment .....	2	2	2
41.0 Grants, subsidies, and contributions .....	8	5	5
99.0 Allocation account—direct .....	181	164	166
99.9 Total new obligations .....	1,609	1,599	1,566

Employment Summary

Identification code 16-0181-0-1-504	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	188	188	188

OFFICE OF INSPECTOR GENERAL

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

Program and Financing (in millions of dollars)

Identification code 16-0106-0-1-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.01 Program and Trust Funds .....	73	74	82
09.01 Reimbursable program .....		1	1
10.00 Total new obligations .....	73	75	83
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	73	75	82

23.95 Total new obligations .....	73	75	83
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Appropriation (Program Activities) .....	67	70	76
40.33 Appropriation permanently reduced (P.L. 110-161) .....		1	
43.00 Appropriation (total discretionary) .....	67	69	76
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	6	6	6
70.00 Total new budget authority (gross) .....	73	75	82
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	11	11	11
73.10 Total new obligations .....	73	75	83
73.20 Total outlays (gross) .....	73	75	80
74.40 Obligated balance, end of year .....	11	11	14
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	65	64	70
86.93 Outlays from discretionary balances .....	8	11	10
87.00 Total outlays (gross) .....	73	75	80
<b>Offsets:</b>			
<b>Against gross budget authority and outlays:</b>			
88.00 Offsetting collections (cash) from: Federal sources (Trust Funds) .....	6	6	6
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	67	69	76
90.00 Outlays .....	67	69	74

**Program activities.**—The Office of Inspector General (OIG) conducts audits, investigations, and evaluations that improve the effectiveness, efficiency, and economy of departmental programs and operations. It addresses DOL program fraud and labor racketeering in the American workplace, provides technical assistance to DOL program agencies, and advice to the Secretary and the Congress on how to attain the highest possible program performance. The Office of Audit performs audits of the Department's financial statements, programs, activities, and systems to determine whether information is reliable, controls are effective, and resources are safeguarded. It also ensures funds are expended in a manner consistent with laws and regulations, and with achieving the desired program results. The Office of Labor Racketeering and Fraud Investigations conducts investigations to detect and deter fraud, waste, and abuse in departmental programs. It also identifies and reduces labor racketeering and corruption in employee benefit plans, labor management relations, and internal union affairs. The significant increase in the number of investigations completed in FY 2007 is due to single claimant unemployment investigations conducted following the 2005 hurricanes. The number of investigations being planned for FY 2009 reflects an expansion of the OIG's labor racketeering program to focus on foreign labor certification-related immigration fraud, Gulf Coast reconstruction and construction contracts, and Unemployment Insurance fraud.

	2007 actual	2008 est.	2009 est.
Audit Reports Issued .....	95	98	98
Investigative Cases Closed .....	512	384	399

Object Classification (in millions of dollars)

Identification code 16-0106-0-1-505	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	36	38	43
11.5 Other personnel compensation .....	4	4	5
11.9 Total personnel compensation .....	40	42	48
12.1 Civilian personnel benefits .....	12	13	15
21.0 Travel and transportation of persons .....	3	3	4
23.1 Rental payments to GSA .....	4	4	5

23.3	Communications, utilities, and miscellaneous charges .....	1	1	1
25.2	Other services .....	1	1	1
25.3	Other purchases of goods and services from Government accounts .....	8	7	5
31.0	Equipment .....	1		
99.0	Direct obligations .....	70	71	79
99.0	Reimbursable obligations .....	3	4	4
99.9	Total new obligations .....	73	75	83

**Employment Summary**

Identification code 16-0106-0-1-505	2007 actual	2008 est.	2009 est.
Direct:			
1001 Civilian full-time equivalent employment .....	415	440	445

**VETERANS EMPLOYMENT AND TRAINING**

Not to exceed **[\$200,631,000]** \$205,468,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of sections 4100-4113, 4211-4215, and 4321-4327 of title 38, United States Code, and Public Law 103-353, and which shall be available for obligation by the States through December 31, **[2008]** 2009, of which **[\$1,984,000]** \$1,949,000 is for the National Veterans' Employment and Training Services Institute. To carry out the Homeless Veterans Reintegration Programs under section 5(a)(1) of the Homeless Veterans Comprehensive Assistance Act of 2001 and the Veterans Workforce Investment Programs under section 168 of the Workforce Investment Act, **[\$31,522,000]** \$32,971,000, of which **[\$7,482,000]** \$7,351,000 shall be available for obligation for the period July 1, **[2008]** 2009, through June 30, **[2009]** 2010. (Department of Labor Appropriations Act, 2008.)

**Program and Financing** (in millions of dollars)

Identification code 16-0164-0-1-702	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
00.03 Jobs for Veterans State grants .....	161	162	169
00.04 Federal management .....	31	33	34
00.05 National Veterans' Training Institute .....	2	2	2
00.06 Homeless veterans program .....	21	24	26
00.07 Veterans' workforce investment program .....	7	7	7
10.00 Total new obligations .....	222	228	238
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	223	228	238
23.95 Total new obligations .....	-222	-228	-238
23.98 Unobligated balance expiring or withdrawn .....	-1		
24.40 Unobligated balance carried forward, end of year .....			
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	29	32	33
40.33 Appropriation permanently reduced (P.L. 110-161) .....		-1	
43.00 Appropriation (total discretionary) .....	29	31	33
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	194	197	205
70.00 Total new budget authority (gross) .....	223	228	238
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	60	56	63
73.10 Total new obligations .....	222	228	238
73.20 Total outlays (gross) .....	-223	-221	-234
73.40 Adjustments in expired accounts (net) .....	-3		
74.40 Obligated balance, end of year .....	56	63	67
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	217	183	191
86.93 Outlays from discretionary balances .....	6	38	43
87.00 Total outlays (gross) .....	223	221	234
<b>Offsets:</b>			
Against gross budget authority and outlays:			

88.00	Offsetting collections (cash) from: Trust fund sources .....	-194	-197	-205
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	29	31	33
90.00	Outlays .....	29	24	29

**Jobs for Veterans State grants.**—The Jobs for Veterans Act (JVA) of 2002 provides the foundation for this budget activity. The JVA requires the Veterans Employment and Training Service (VETS) to promulgate policies and regulations that ensure maximum employment and training opportunities for veterans and priority of service for veterans within the State workforce delivery system. Under the JVA, resources are allocated to States to support Disabled Veterans Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVERs).

Disabled Veterans Outreach Program specialists (38 U.S.C. 4103A) provide intensive services to meet the employment needs of eligible veterans. DVOP places maximum emphasis on helping economically or educationally disadvantaged veterans. Priority of service (38 U.S.C. 4215) is given to special disabled veterans, other disabled veterans, and other eligible veterans.

Local Veterans' Employment Representatives (38 U.S.C. 4104) conduct outreach to employers as well as assist veterans in gaining employment by conducting job search workshops and establishing job search support groups. LVERs also facilitate employment, training, and placement services provided to veterans under the applicable State employment service delivery system, including One-Stop Career Centers. In addition, each LVER provides reports to the manager of the State employment service delivery system and to the State Director for Veterans Employment and Training (38 U.S.C. 4103) regarding the State's compliance with Federal law and regulations with respect to special services and priorities for eligible veterans.

The State grants budget activity also supports the Transition Assistance Program (TAP). VETS coordinates with the Departments of Defense, Veterans Affairs, and Homeland Security to provide transition assistance to military servicemembers separating from active duty. TAP is implemented worldwide and provides labor-market and employment-related information and other services to separating servicemembers. The goal of TAP is to expedite and facilitate the transition from military to civilian employment.

**Federal management.**—VETS' Federal management (38 U.S.C. 4102-4103A) budget activity carries out programs and develops policies to meet the employment and training needs of veterans. Based upon the most recent cost accounting data, the majority of VETS' Federal management resources are dedicated to Uniformed Services Employment and Reemployment Rights (USERRA) compliance and outreach activities, whereby VETS investigates complaints to help veterans, reservists, and members of the National Guard obtain their employment and reemployment rights (38 U.S.C. 4301 et seq.). Veterans' Preference activities, which are intended to assist veterans obtain Federal employment (39 U.S.C. 4214), are also supported under this activity.

Resources under this activity are also used to operate a national "Hire Veterans First" campaign that helps employers find job-ready veterans and sponsors many career fairs for veterans around the country. Funding is also used to evaluate the job training and employment assistance services provided to veterans and to support field activities and personnel who provide technical assistance to States to ensure they meet negotiated performance goals. VETS' staff works with States to provide incentive awards for outstanding performance (38 U.S.C. 4112). This budget activity also funds outreach and education efforts, such as job fairs, that raise the awareness of employers about the benefits of hiring veterans.

VETERANS EMPLOYMENT AND TRAINING—Continued

The REALifeLines initiative facilitates timely and comprehensive employment services to our Nation's severely wounded and injured veterans.

*National Veterans' Employment and Training Services Institute.*—The National Veterans' Training Institute (NVTI) supplies competency-based training to Federal and State providers of services to veterans (38 U.S.C. 4109). NVTI is administered through a contract and supported by dedicated funds. NVTI ensures that these service providers receive a comprehensive foundation so they can effectively assist job-seeking veterans.

*Homeless Veterans' Reintegration Program.*—The Homeless Veterans' Reintegration Program (HVRP) (38 U.S.C. 2021) provides grants to States or other public entities, as well as to non-profits, including faith-based organizations. Grant awards enable grantees to operate employment programs to reach out to homeless veterans and help them become employed. VETS partners with the Departments of Veterans Affairs and Housing and Urban Development to promote multi-agency-funded programs that integrate the different services needed by homeless veterans. HVRP grants are provided for both urban and rural areas.

*Veterans' Workforce Investment Program.*—The Veterans' Workforce Investment Program (VWIP) (Section 168 of P.L. 105-220) provides competitive grants geared toward training and retraining to create employment opportunities for veterans in high-skill occupations, and to meet employer demands.

Object Classification (in millions of dollars)

Identification code 16-0164-0-1-702	2007 actual	2008 est.	2009 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	18	19	19
12.1 Civilian personnel benefits .....	5	5	5
21.0 Travel and transportation of persons .....	2	1	1
23.1 Rental payments to GSA .....	1	1	1
23.3 Communications, utilities, and miscellaneous charges .....	2	2	2
25.2 Other services .....	9	5	5
25.3 Other purchases of goods and services from Government accounts .....	3	3	4
41.0 Grants, subsidies, and contributions .....	182	192	200
99.0 Direct obligations .....	222	228	237
99.5 Below reporting threshold .....			1
99.9 Total new obligations .....	222	228	238

Employment Summary

Identification code 16-0164-0-1-702	2007 actual	2008 est.	2009 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	229	234	234

WORKING CAPITAL FUND

Program and Financing (in millions of dollars)

Identification code 16-4601-0-4-505	2007 actual	2008 est.	2009 est.
<b>Obligations by program activity:</b>			
09.01 Financial and administrative services (includes Core Financial) .....	116	111	148
09.02 Field services .....	36	40	40
09.04 Human resources services .....	13	15	15
09.05 Telecommunications .....	15	24	24
09.07 Non-DOL reimbursements .....		1	1
10.00 Total new obligations .....	180	191	228
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	4	9	12
22.00 New budget authority (gross) .....	180	194	231

22.10 Resources available from recoveries of prior year obligations .....	5		
23.90 Total budgetary resources available for obligation .....	189	203	243
23.95 Total new obligations .....	-180	-191	-228
24.40 Unobligated balance carried forward, end of year .....	9	12	15
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Appropriation .....	6		
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	171	191	228
<b>Mandatory:</b>			
63.00 Reappropriation .....	3	3	3
70.00 Total new budget authority (gross) .....	180	194	231
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	41	43	52
73.10 Total new obligations .....	180	191	228
73.20 Total outlays (gross) .....	-173	-182	-229
73.45 Recoveries of prior year obligations .....	-5		
74.40 Obligated balance, end of year .....	43	52	51
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	165	178	212
86.93 Outlays from discretionary balances .....	5		13
86.97 Outlays from new mandatory authority .....	1	1	1
86.98 Outlays from mandatory balances .....	2	3	3
87.00 Total outlays (gross) .....	173	182	229
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-170	-191	-228
88.40 Non-Federal sources .....	-1		
88.90 Total, offsetting collections (cash) .....	-171	-191	-228
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	9	3	3
90.00 Outlays .....	2	-9	1

*Financial and Administrative Services.*—Provides a program of centralized services at both the national and regional levels supporting financial systems on a Department-wide basis, financial services primarily for DOL national office staff, cost determination activities, maintenance of Departmental host computer systems, procurement and contract services, safety and health services, maintenance and operation of the Frances Perkins Building and general administrative support in the following areas: space and telecommunications, property and supplies, printing and reproduction and energy management. In addition, support is provided for the implementation of the New Core Financial Management System.

*Field Services.*—Provides a full range of administrative and technical services to all agencies of the Department located in its regional and field offices. These services are primarily in the personnel, financial, information technology and general administrative areas.

*Human Resources Services.*—Provides leadership, guidance, and technical expertise in all areas related to the management of the Department's human resources, including recruitment, development, and retention of staff, and leadership in labor-management cooperation. This activity's focus is on a strategic planning process that will result in sustained leadership and assistance to DOL agencies in recruiting, developing and retaining a high quality, diverse workforce that effectively meets the changing mission requirements and program priorities of the Department.

*Telecommunications.*—Provides for departmental telecommunications payments to the General Services Administration.

*Investment in Reinvention Fund.*—Finances agency reinvention proposals and other investment or capital acquisition



projects in order to achieve savings and streamline work processes. The fund is self-sustaining, with agencies paying back the initial investment with savings generated through implementation of efficiencies and reinvention initiatives.

**Non-DOL Reimbursements.**—Provides for services rendered to any entity or person for use of Departmental facilities and services, including associated utilities and security services, including support for regional consolidated administrative support unit activities. The income received from non-DOL agencies and organizations funds in full the costs of all services provided. This income is credited to and merged with other income received by the Working Capital Fund.

**Financing.**—The Working Capital Fund is funded by the agencies and organizations for which centralized services are performed at rates that return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment.

Object Classification (in millions of dollars)			
Identification code 16-4601-0-4-505	2007 actual	2008 est.	2009 est.
Reimbursable obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	50	54	54
11.5 Other personnel compensation .....	1	2	2
11.9 Total personnel compensation .....	51	56	56
12.1 Civilian personnel benefits .....	19	22	22
21.0 Travel and transportation of persons .....	2	2	2
23.1 Rental payments to GSA .....	7	8	8
23.3 Communications, utilities, and miscellaneous charges	22	29	29
25.1 Advisory and assistance services .....	4	5	4
25.2 Other services .....	35	27	65
25.3 Other purchases of goods and services from Government accounts .....	3	3	3
25.4 Operation and maintenance of facilities .....	12	12	12
25.7 Operation and maintenance of equipment .....	19	19	19
26.0 Supplies and materials .....	2	2	2
31.0 Equipment .....	4	6	6
99.9 Total new obligations .....	180	191	228

Employment Summary			
Identification code 16-4601-0-4-505	2007 actual	2008 est.	2009 est.
Reimbursable:			
2001 Civilian full-time equivalent employment .....	607	621	621

**GENERAL FUND RECEIPT ACCOUNTS**

(in millions of dollars)

	2007 actual	2008 est.	2009 est.
Offsetting receipts from the public:			
16-322000 All Other General Fund Proprietary Receipts Including Budget Clearing Accounts .....	29	28	28
General Fund Offsetting receipts from the public .....	29	28	28

**GENERAL PROVISIONS**

SEC. 101. None of the funds appropriated in this Act for the Job Corps shall be used to pay the salary of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level I.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between [a program, project, or activity] accounts, but no such [program, project, or activity] account shall be increased by more than [3] 5 percent

by any such transfer: *Provided*, That the transfer authority granted by this section shall be available only to meet [emergency] *unanticipated* needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *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.

SEC. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

[SEC. 104. After September 30, 2007, the Secretary of Labor shall issue a monthly transit subsidy of not less than the full amount (of not less than \$110) that each of its employees of the National Capital Region is eligible to receive.]

[SEC. 105. None of the funds appropriated in this title for grants under section 171 of the Workforce Investment Act of 1998 may be obligated prior to the preparation and submission of a report by the Secretary of Labor to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.]

[SEC. 106. There is authorized to be appropriated such sums as may be necessary to the Denali Commission through the Department of Labor to conduct job training of the local workforce where Denali Commission projects will be constructed.]

[SEC. 107. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than training in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That the preceding limitation shall not apply to multi-year grants awarded prior to June 30, 2007.]

SEC. [108] 104. None of the funds available in this Act or available to the Secretary of Labor from other sources for Community-Based Job Training grants and grants authorized under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 shall be obligated for a grant awarded on a non-competitive basis.

[SEC. 109. The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in 20 CFR 667.220 for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary of Labor to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.]

[SEC. 110. None of the funds made available in this or any other Act shall be available to finalize or implement any proposed regulation under the Workforce Investment Act of 1998, Wagner-Peyser Act of 1933, or the Trade Adjustment Assistance Reform Act of 2002 until such time as legislation reauthorizing the Workforce Investment Act of 1998 and the Trade Adjustment Assistance Reform Act of 2002 is enacted.]

[SEC. 111. None of the funds available in this Act may be used to carry out a public-private competition or direct conversion under Office of Management and Budget Circular A-76 or any successor administrative regulation, directive or policy until 60 days after the Government Accountability Office provides a report to the Committees on Appropriations of the House of Representatives and the Senate on the use of competitive sourcing at the Department of Labor.]

[SEC. 112. (a) Not later than June 20, 2008, the Secretary of Labor shall propose regulations pursuant to section 303(y) of the Federal Mine Safety and Health Act of 1977, consistent with the recommendations of the Technical Study Panel established pursuant to section 11 of the Mine Improvement and New Emergency Response

## (TRANSFER OF FUNDS)—Continued

(MINER) Act (Public Law 109–236), to require that in any coal mine, regardless of the date on which it was opened, belt haulage entries not be used to ventilate active working places without prior approval from the Assistant Secretary. Further, a mine ventilation plan incorporating the use of air coursed through belt haulage entries to ventilate active working places shall not be approved until the Assistant Secretary has reviewed the elements of the plan related to the use of belt air and determined that the plan at all times affords at least the same measure of protection where belt haulage entries are not used to ventilate working places. The Secretary shall finalize the regulations not later than December 31, 2008.

(b) Not later than June 15, 2008, the Secretary of Labor shall propose regulations pursuant to section 315 of the Federal Coal Mine Health and Safety Act of 1969, consistent with the recommendations of the National Institute for Occupational Safety and Health pursuant to section 13 of the MINER Act (Public Law 109–236), requiring rescue chambers, or facilities that afford at least the same measure of protection, in underground coal mines. The Secretary shall finalize the regulations not later than December 31, 2008. ]

SEC. [113] 105. None of the funds appropriated in this Act under the heading “Employment and Training Administration” shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

[SEC. 114. (a) In this section:

(1) The term “covered funds” means funds provided under section 173 of the Workforce Investment Act of 1998 (29 U.S.C. 2918) to a State that submits an application under that section not earlier than May 4, 2007, for a national emergency grant to address the effects of the May 4, 2007, Greensburg, Kansas, tornado.

(2) The term “professional municipal services” means services that are necessary to facilitate the recovery of Greensburg, Kansas, from that tornado, and necessary to plan for or provide basic management and administrative services, which may include—

(A) the overall coordination of disaster recovery and humanitarian efforts, oversight, and enforcement of building code compliance, and coordination of health and safety response units; or

(B) the delivery of humanitarian assistance to individuals affected by that tornado.

(b) Covered funds may be used to provide temporary public sector employment and services authorized under section 173 of such Act to individuals affected by such tornado, including individuals who were unemployed on the date of the tornado, or who are without employment history, in addition to individuals who are eligible for disaster relief employment under section 173(d)(2) of such Act.

(c) Covered funds may be used to provide professional municipal services for a period of not more than 24 months, by hiring or contracting with individuals or organizations (including individuals employed by contractors) that the State involved determines are necessary to provide professional municipal services.

(d) Covered funds expended under this section may be spent on costs incurred not earlier than May 4, 2007.

This title may be cited as the “Department of Labor Appropriations Act, 2008”. ]

SEC. 106. Section 102 of Public Law 109–149 is hereby repealed. (Department of Labor Appropriations Act, 2008.)

## TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for “Federal Mediation and Conciliation Service, Salaries and expenses”; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for “National Mediation Board, Salaries and expenses”.

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 507. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term “health benefits coverage” means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 508. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term “health care entity” includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 509. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term “human embryo or embryos” includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 510. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act (21 U.S.C. 812) except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 511. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual’s capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

【SEC. 513. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.】

SEC. 【514】 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children’s Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

【SEC. 515. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act, as amended by the Children’s Internet Protection Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.】

【SEC. 516. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

- (1) creates new programs;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier.】

【SEC. 517. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.】

【SEC. 518. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2008 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or the fiscal year 2008 budget request.】

【SEC. 519. None of the funds made available by this Act may be used to carry out the evaluation of the Upward Bound Program described in the absolute priority for Upward Bound Program participant selection and evaluation published by the Department of Education in the Federal Register on September 22, 2006 (71 Fed. Reg. 55447 et seq.).】

SEC. 【520】 514. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act.

【SEC. 521. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding \$100,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2008, but not to include grants awarded on a formula basis. Such report shall include the name of the contractor or grantee, the amount of funding, and the governmental purpose. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.】

【SEC. 522. Not later than 30 days after the date of enactment of this Act, the Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.】

【SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount

unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.】

【SEC. 524. Section 1848(1)(2)(A) of the Social Security Act, as amended by section 6 of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110–90), is amended by reducing the dollar amount in the first sentence by \$150,000,000.】

SEC. 【525】 515. Iraqi and Afghan aliens granted special immigrant status under section 101(a)(27) of the Immigration and Nationality Act shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of such Act for a period not to exceed 6 months.

【SEC. 526. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.】

【SEC. 527. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process claims for credit for

quarters of coverage based on work performed under a social security account number that was not the claimant's number which is an offense prohibited under section 208 of the Social Security Act.】

【SEC. 528. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 1.747 percent of the fiscal year 2008 budget authority—

(1) provided for any discretionary account of this Act; and

(2) provided in any advance appropriation for fiscal year 2008 for any discretionary account of this Act made available by any prior fiscal year appropriation Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act, accompanying reports, or explanatory statement for fiscal year 2008 covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(c) EXCEPTIONS.—This section shall not apply—

(1) to discretionary budget authority that has been designated as described in section 5 (in the matter preceding division A of this consolidated Act); or

(2) to discretionary budget authority made available under title III under the Student Financial Assistance account for the Federal Pell Grants program.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.】 (*Department of Labor Appropriations Act, 2008.*)