

2019 President's Budget  
Office of Hearings and Appeals

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## OFFICE OF HEARINGS AND APPEALS

### Purpose Statement

The Office of Hearings and Appeals (OHA) consolidates the three previously separate entities of the National Appeals Division (NAD), the Office of the Administrative Law Judges (OALJ), and the Office of the Judicial Officer (OJO). Previously, OALJ and OJO were offices under Departmental Administration, and NAD was an independent agency that reports to the USDA Secretary.

The mission of OHA is to plan, coordinate, and provide administrative support for NAD, OALJ, and OJO. OHA promotes fairness, transparency, and consistency in NAD, OALJ, and OJO proceedings through the planning, coordination, and administration of office-wide activities and initiatives. OHA adjudicates first-and second-level hearings and appeals at USDA.

OHA Headquarters is located in Alexandria, Virginia. NAD, a division within OHA administers its appeals system through three regional offices located in Memphis, Tennessee; Indianapolis, Indiana; and Lakewood, Colorado. The Administrative Judges are located in 57 field locations throughout the United States and operate out of leased office space or home offices. As of September 30, 2017, there were 82 permanent full-time employees, comprising 21 in Virginia and 61 in the field.

OHA did not have any Office of Inspector General or Government Accountability Office evaluation reports during the past year.

OFFICE OF HEARINGS AND APPEALS

Available Funds and Staff Years (SYs)  
(Dollars in thousands)

Item	<u>2016 Actual</u>		<u>2017 Actual</u>		<u>2018 Estimate</u>		<u>2019 President's Budget</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
	<b>Salaries and Expenses:</b>							
Discretionary Appropriations.....	\$13,317	76	\$13,399	78	\$13,308	90	\$14,183	85
Transfers In: OJO & OALJ a/.....	-	-	-	-	1,823	-	-	-
Total Available.....	13,317	76	13,399	78	15,131	90	14,183	85
Lapsing Balances.....	-57	-	-62	-	-	-	-	-
Subtotal Obligations, OHA.....	13,260	76	13,337	78	15,131	90	14,183	85
<b>Obligations under other USDA appropriations:</b>								
OJO & OALJ Reimbursable .....	-	-	552	-	-	-	-	-
Total, OHA.....	13,260	76	13,889	78	15,131	90	14,183	85

a/ Reflects the transfer of \$1.8 million and the realignments of OJO and OALJ from DA to OHA.

Permanent Positions by Grade and Staff Year Summary

Item	<u>2016 Actual</u>			<u>2017 Actual</u>			<u>2018 Estimate</u>			<u>2019 President's Budget</u>		
	V.A.	Field	Total	V.A.	Field	Total	V.A.	Field	Total	V.A.	Field	Total
AL.....	-	-	-	-	3	3	-	3	3	-	3	3
SL.....	-	-	-	-	1	1	-	1	1	-	1	1
SES.....	1	-	1	1	-	1	1	-	1	1	-	1
GS-15.....	3	3	6	2	5	7	2	5	7	2	5	7
GS-14.....	2	4	6	4	28	32	4	28	32	3	31	34
GS-13.....	11	45	56	9	11	20	9	11	20	9	4	13
GS-12.....	2	-	2	1	1	2	1	1	2	1	1	2
GS-11.....	-	3	3	-	5	5	-	5	5	-	5	5
GS-10.....	1	-	1	1	-	1	1	-	1	1	-	1
GS-9.....	2	3	5	3	3	6	3	3	6	3	3	6
GS-8.....	1	-	1	4	5	9	4	5	9	4	5	9
GS-7.....	-	1	1	-	1	1	-	1	1	-	1	1
GS-6.....	1	6	7	-	1	1	-	1	1	-	1	1
GS-5.....	-	1	1	-	1	1	-	1	1	-	1	1
<b>Total Perm.</b>												
Positions.....	24	66	90	25	65	90	25	65	90	24	61	85
Unfilled, EOY.....	-	13	13	4	4	8	-	-	-	-	-	-
<b>Total, Perm. Full-Time</b>												
Employment EOY.....	24	53	77	21	61	82	25	65	90	24	61	85
Staff Year Est a/.....	24	52	76	21	57	78	25	65	90	21	64	85

a/ In FY 2018, the staff year estimate includes the 12 staff years that were transferred in from DA.

OFFICE OF HEARINGS AND APPEALS

Shared Funding Projects  
(Dollars in thousands)

	2016	2017	2018	2019
	Actual	Actual	Estimate	President's Budget
<b>Working Capital Fund:</b>				
Administration:				
Beltsville Service Center.....	\$6	\$7	\$6	\$6
HR Enterprise System Management.....	1	1	1	1
Mail and Reproduction Management.....	32	23	22	22
Procurement Operations.....	13	15	17	16
Integrated Procurement System.....	7	7	18	18
Subtotal.....	59	53	64	63
Communications:				
Creative Media and Broadcast Center.....	1	1	1	1
Finance and Management:				
NFC/USDA.....	211	214	453	476
Financial Management Services.....	55	52	54	55
Financial Management Support Services.....	-	30	-	-
Subtotal.....	266	296	507	531
Information Technology:				
Client Technology Service.....	299	321	347	354
NITC/USDA.....	8	6	14	14
Telecommunications Services.....	48	32	16	20
Subtotal.....	355	359	377	388
Correspondence Management.....	3	3	3	3
Total, Working Capital Fund.....	683	711	951	985
<b>Department-Wide Reimbursable Programs:</b>				
1890's USDA Initiatives.....	3	3	3	3
Classified National Security Information.....	-	1	1	1
Continuity of Operations Planning.....	2	2	2	2
Identity and Access Management (HSPD-12).....	6	6	5	5
Emergency Operations Center.....	2	2	2	2
Hispanic-Serving Institutions National Program.....	1	2	2	2
Human Resources Transformation (inc. Diversity Council).....	1	2	1	1
Medical Services.....	-	1	-	-
People's Garden.....	1	1	1	1
Personnel and Document Security.....	1	1	1	1
Pre-authorizing Funding.....	3	3	3	3
Retirement Processor Web Application.....	-	1	1	1
TARGET Center.....	1	1	1	1
USDA 1994 Program.....	1	1	1	1
Virtual University.....	2	2	2	2
Total, Department-Wide Reimbursable Programs.....	24	29	26	26
<b>E-Gov:</b>				
Enterprise Human Resources Integration.....	2	2	2	2
E-Training.....	2	-	-	-
Integrated Acquisition Environment.....	1	-	-	-
FOIA.....	-	-	-	2
Geospatial.....	6	13	13	13
Total, E-Gov.....	11	15	15	17
Agency Total.....	718	755	992	1,028

OFFICE OF HEARINGS AND APPEALS

The estimates include appropriation language for this item as follows (new language underscored; deleted matter enclosed in brackets):

Salaries and Expenses:

For expenses necessary for the Office of Hearings and Appeals, [\$15,131,000] \$14,183,000.

Lead-Off Tabular Statement

Current Law

Budget Estimate, 2019.....	\$14,183,000
2018 Annualized Continuing Resolution.....	13,308,000
Change in Appropriation.....	<u>+875,000</u>
Adjustment in 2018:	
2018 Annualized Continuing Resolution.....	\$13,308,000
Activities Transferred to OHA a/.....	<u>+1,823,000</u>
Adjusted Base for 2018.....	\$15,131,000
Budget Estimate, 2019.....	14,183,000
Change in Appropriation.....	<u>-948,000</u>

a/ Reflects the transfer of \$1.8 million and the realignments of OJO and OALJ from DA to OHA.

Project Statement

Adjusted Appropriations Detail and Staff Years (SYs)  
(Dollars in thousands)

Program	<u>2016 Actual</u>		<u>2017 Actual</u>		<u>2018 Estimate</u>		<u>Inc. or Dec.</u>		<u>2019 President's Budget</u>		
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	
Discretionary Appropriations:											
Office of Hearings and Appeals....	\$13,317	76	\$13,399	78	\$13,308	90	+\$875	(1)	-5	\$14,183	85
Transfers In: OJO & OALJ .....	-	-	-	-	+1,823	-	-1,823	-	-	-	-
Total Available.....	<u>13,317</u>	<u>76</u>	<u>13,399</u>	<u>78</u>	<u>15,131</u>	<u>90</u>	<u>-948</u>	<u>-</u>	<u>-5</u>	<u>14,183</u>	<u>85</u>
Lapsing Balances.....	-57	-	-62	-	-	-	-	-	-	-	-
Total Obligations.....	<u>13,260</u>	<u>76</u>	<u>13,337</u>	<u>78</u>	<u>15,131</u>	<u>90</u>	<u>-948</u>	<u>-</u>	<u>-5</u>	<u>14,183</u>	<u>85</u>

OFFICE OF HEARINGS AND APPEALS

Project Statement  
Obligations Detail and Staff Years (SYs)  
(Dollars in thousands)

Program	<u>2016 Actual</u>		<u>2017 Actual</u>		<u>2018 Estimate</u>		<u>Inc. or Dec.</u>		<u>2019 President's Budget</u>		
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	
Discretionary Appropriations:											
Office of Hearings and Appeals....	\$13,260	76	\$13,337	78	\$15,131	90	-\$948	(1)	-5	\$14,183	85
Lapsing Balances.....	57	-	62	-	-	-	-	-	-	-	-
Total Available.....	13,317	76	13,399	78	15,131	90	-948	-	-5	14,183	85
Transfers In: OJO & OALJ.....	-	-	-	-	-1,823	-	-	-	-	-	-
Total Appropriation.....	13,317	76	13,399	78	13,308	90	-948	-	-5	14,183	85

Justification of Increases and Decreases

The base funds will continue to support the mission of OHA to promote fairness, transparency, and consistency in NAD, OALJ, and OJO proceedings through the planning, coordination, and administration of office-wide activities and initiatives.

- (1) A decrease of \$948,000 for OHA and five staff years (\$15,131,000 and 90 staff years available in 2018).

The funding change is requested for the following items:

- a) A decrease of \$698,000 and 5 staff years will be absorbed through attrition.

Although OHA will continue to streamline services and create cost efficiencies through the recent consolidation, OHA estimates staffing levels will still allow the agency to meet its organizational responsibilities. OHA estimates that this reduction will be accomplished by attrition with 33 percent of employees being eligible to retire.

- b) A decrease of \$250,000 from non-personnel costs.

The reduction will be achieved by reducing costs in the areas of travel, communications, equipment, other services and supplies. In addition, OHA will maintain its commitment to streamline administrative business processes, consolidate affected functions, and work with service agencies to ensure that service level agreements are cost-effective.

OFFICE OF HEARINGS AND APPEALS

Geographic Breakdown of Obligations and Staff Years  
(Dollars in thousands and Staff Years (SYs))

State/Territory	2016 Actual		2017 Actual		2018 Estimate		2019 President's	
	Staff		Staff		Staff		Budget	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Alabama.....	\$112	1	\$112	1	\$114	1	\$115	1
Arkansas.....	119	1	119	1	121	1	122	1
California.....	248	2	248	2	250	2	252	2
Colorado.....	1,076	9	1,216	8	1,280	10	1,285	10
Florida.....	130	2	130	1	202	2	203	2
Georgia.....	284	2	284	2	286	2	288	2
Indiana.....	745	7	1,216	7	1,250	8	1,251	8
Louisiana.....	141	1	141	1	143	1	0	0
Maryland.....	134	1	134	1	136	1	137	1
Michigan.....	119	1	0	0	0	0	0	0
Minnesota.....	119	1	228	1	230	2	231	2
Mississippi.....	123	1	123	1	125	1	126	1
Missouri.....	247	2	247	2	247	2	248	2
Nebraska.....	130	1	130	1	132	1	135	1
New York.....	130	1	130	1	132	1	133	1
North Carolina.....	262	2	262	2	264	2	265	2
North Dakota.....	236	2	236	2	239	2	240	2
Ohio.....	126	1	126	1	128	1	129	1
Oklahoma.....	141	1	141	1	143	1	144	1
Oregon.....	149	1	149	1	151	1	152	1
Tennessee.....	1,059	9	1,129	8	1,185	9	1,187	9
Texas.....	261	2	261	2	262	2	263	2
Virginia.....	6,898	23	5,752	21	6,015	25	5,401	22
Washington.....	141	1	141	1	142	1	143	1
Washington, DC.....	0	0	552	8	1,823	10	1,600	9
Wisconsin.....	130	1	130	1	131	1	133	1
Obligations.....	13,260	76	13,337	78	15,131	90	14,183	85
Lapsing Balances.....	57	-	62	-	-	-	-	-
Total, Available.....	13,317	76	13,399	78	15,131	90	14,183	85

OFFICE OF HEARINGS AND APPEALS

Classification by Objects  
(Dollars in thousands)

	2016	2017	2018	2019
	<u>Actual</u>	<u>Actual</u>	<u>Estimate</u>	<u>President's Budget</u>
<b>Personnel Compensation:</b>				
Alexandria, VA.....	\$2,450	\$2,298	\$2,370	\$2,377
Field.....	5,308	5,461	6,895	6,371
11 Total personnel compensation.....	7,758	7,759	9,265	8,748
12 Personal benefits.....	2,342	2,353	2,817	2,665
13.0 Benefits for former personnel.....	-	1	-	-
Total, personnel comp. and benefits.....	10,100	10,113	12,082	11,413
<b>Other Objects:</b>				
21.0 Travel and transportation of persons.....	398	271	300	200
22.0 Transportation of things.....	37	30	38	38
23.1 Rental payments to GSA.....	506	505	511	526
23.2 Rental payments to others.....	4	-	-	-
23.3 Communications, utilities, and misc. charges....	484	413	420	400
24.0 Printing and reproduction.....	36	15	20	20
25.1 Advisory and assistance services.....	976	1,088	1,000	1,011
25.2 Other services from non-Federal sources.....	85	96	98	75
25.3 Other purchases of goods and services from Federal sources.....	465	586	500	400
26.0 Supplies and materials.....	122	104	100	75
31.0 Equipment.....	47	116	62	25
Total, Other Objects.....	3,160	3,224	3,049	2,770
99.9 Total, new obligations.....	13,260	13,337	15,131	14,183
DHS Building Security Payments (included in 25.3).....	\$34	\$38	\$38	\$38
<b>Position Data:</b>				
Average Salary (dollars), SES-SL-AL Position.....	\$165,300	\$165,300	\$172,000	\$172,200
Average Salary (dollars), GS Position.....	\$101,116	\$104,275	\$107,435	\$110,595
Average Grade, GS Position.....	13.3	13.4	13.5	13.6

## OFFICE OF HEARINGS AND APPEALS

### Status of Programs

The Office of Hearings and Appeals (OHA) was established in 2016 to consolidate three previously separate entities: the National Appeals Division (NAD), the Office of the Administrative Law Judges (OALJ), and the Office of the Judicial Officer (OJO). Previously, OALJ and OJO were offices under Departmental Administration, and NAD was an independent office that reported to the Secretary of Agriculture. The reorganization consolidated administrative support for the three USDA entities that adjudicate first and second-level hearings and appeals at USDA. After consolidation, NAD, OALJ, and OJO continues to conduct proceedings under their respective legal authorities.

The mission of OHA is to plan, coordinate, and provide administrative support for NAD, OALJ, and OJO. OHA promotes fairness, transparency, and consistency in NAD, OALJ, and OJO proceedings through the planning, coordination, and administration of office-wide activities and initiatives.

### Current Activities:

#### The National Appeals Division:

NAD conducts fair and impartial administrative appeal hearings and reviews of adverse decisions by certain agencies within USDA, and issues determinations in an expeditious manner that reflect a thorough consideration of factual information that reach a proper conclusion. Adjudicative activities include:

**Appealability Determinations:** The Director reviews hundreds of agency decisions when an agency notifies a participant that it does not believe an administrative decision is appealable.

**Pre-Hearing Conferences:** NAD conducts pre-hearing conferences to identify and/or narrow the issues in the appeal and help parties understand the evidence they need to present at the hearing.

**Hearings:** In the first-level appeals process, NAD Administrative Judges conduct impartial administrative hearings and issue determinations, which included decisions about attorney fees under the Equal Access to Justice Act that reflect a thorough consideration of factual and legal information.

**Reviews:** On petition, in a second-level appeal, the NAD Director reviews Administrative Judge Appeal Determinations, renders second –level decisions about attorney fees under the Equal Access to Justice Act, and may grant equitable relief to the same extent as such authority is provided to the Secretary.

#### The Office of Administrative Law Judges:

OALJ conducts rulemaking and adjudicatory hearings throughout the country in proceedings that are subject to the Administrative Procedure Act (APA), 5 U.S.C. § 551 *et seq.* under approximately 50 statutes administered by USDA agencies. Adjudicative activities include:

**Initial Decisions:** Judges issue initial decisions and orders in adjudicatory proceedings, which become final decisions of the Secretary unless appealed to the Secretary's Judicial Officer by a party.

**Consent Decisions:** Judges approve consent decisions that the parties enter into, which resolve disputes by settlement

**Debarments and Suspensions:** Judges decide appeals of debarments and suspensions as required by regulations implementing a government-wide system for non-procurement debarments and suspensions (7 C.F.R. § 3017.100-.515 (1993)).

**Publication of Agricultural Decisions:** OALJ publishes *Agriculture Decisions*, the official compilation of quasi-judicial and judicial decisions issued concerning regulatory laws administered by the Department.

## OFFICE OF HEARINGS AND APPEALS

### The Office of the Judicial Officer:

The Judicial Officer is delegated authority to act as the final deciding officer for the United States Department of Agriculture in adjudicatory proceedings listed in 7 C.F.R. § 2.35. Adjudicatory activities include:

Reparation Decisions: The Judicial Officer issues reparation decisions under the Packers and Stockyards Act (P&S Act) and the Perishable Agricultural Commodities Act (PACA).

Review of ALJ Decisions: On petition for review, the Judicial Officer reviews initial adjudicatory decisions issued by USDA's Administrative Law Judges. This second-level review may include Administrative Law Judge decisions about attorney fees under the Equal Access to Justice Act.

Review of Commissioner Decisions: On petition for review, the Judicial Officer, with advice from the Plant Variety Protection Board, reviews decisions issued by the Commissioner of the Plant Variety Protection Office.

### Selected Examples of Recent Progress:

In FY 2017, NAD:

- Processed 1,903 cases filed with NAD;
- Issued 87 determinations when appellants challenged the agency view that a decision was not appealable. Outcome was favorable to appellants in 83 percent of the cases;
- Conducted 846 in-person or telephonic hearings, and reviews of the record;
- Issued 1,733 determinations, of which 1,433 were issued by Hearing Officers and 300 were issued by the NAD Director. Outcome was favorable to appellants in 54 percent of the cases. In 146 Review Determinations, appellants were granted equitable relief;
- Increased transparency of the USDA appeals process by publishing more than 1,200 determinations on the NAD website in FY 2017; ([http://www.nad.usda.gov/public\\_search.html](http://www.nad.usda.gov/public_search.html)); and
- Accepted a total of 675 eFile requests.

In FY 2017, OALJ:

- Disposed of 248 cases arising under USDA programs in Animal and Plant Health Inspection Service, Grain Inspection, Packers and Stockyards Administration, and Agricultural Marketing Service (AMS);
- Pending Rulemaking Hearing for AMS involving milk (Dec 2017)
- Identified and implemented protocols for the consolidation/linkage of related cases for adjudication (continued from 2016);
- Implemented the Hearing Clerk's Office initiatives to streamline case processing, reduce paperwork and case processing time from complaint filing to final adjudication. These initiatives include electronic filing, improving records search and scan capability, and reducing delays in sending and receiving documents (including implementation of new Case Track initiative with OHA in 2017); and
- Published the full Volume 75 of *Agriculture Decisions* on the OALJ website (<http://www.oaljdecisions.dm.usda.gov/agriculture-decisions-publication>) and updated the OALJ website with OALJ's decisions through September 2017 (<http://www.oaljdecisions.dm.usda.gov/current>).

In FY 2017, OJO:

- Processed 399 total cases filed with OJO. Of the 399 dispositions,--
  - 339 were reparations dispositions from PACA; and
  - 60 dispositions involved appeals from the Office of the Administrative Law Judges for eight separate programs under OALJ/OJO jurisdiction.

## OFFICE OF HEARINGS AND APPEALS

### Summary of Budget and Performance

The Office of Hearings and Appeals (OHA) consolidates the three previously separate entities of the National Appeals Division (NAD), the Office of the Administrative Law Judges (OALJ), and the Office of the Judicial Officer (OJO). Previously, OALJ and OJO were offices under Departmental Administration, and NAD was an independent agency that reports to the USDA Secretary.

NAD conducts fair and impartial administrative appeal hearings and reviews of adverse decisions by certain agencies within USDA, and to issue determinations in an expeditious manner that reflect a thorough consideration of factual information that reach a proper conclusion.

OALJ conducts rulemaking and adjudicatory hearings throughout the country in proceedings that are subject to the Administrative Procedure Act (APA), 5 U.S.C. § 551 *et seq.* under approximately 50 statutes administered by USDA agencies.

OJO is delegated authority to act as final deciding officer for the United States Department of Agriculture in adjudicatory proceedings listed in 7 C.F.R. § 2.35.

Strategic Goal 1: Ensure USDA programs are Delivered Efficiently, Effectively, with Integrity and a Focus on Customer Service.

Strategic Goal 2: Maximize the Ability of American Agricultural Producers to Prosper by Feeding and Clothing the World.

#### Performance Measures:

#### NAD

Percentage of hearings held and determinations issued within applicable timeframes.							
	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Actual	2018 Target	2019 Target
Percent	85	85	85	85	85	85	85
Cost*	\$6,494	\$6,392	\$6,624	\$6,630	\$6,669	\$6,654	\$6,180

\*Amounts in thousands

#### Selected Past Accomplishments Toward the Achievement of the Key Outcome:

##### Hearing, Appeals, and Reviews:

- 85 percent of Hearings, Appeals, and Reviews met the timeliness standard; and
- Increased transparency of the USDA appeals process by publishing more than 1,200 determinations on the OHA website in FY 2017; approximately 20,100 have been published on the OHA website ([http://www.nad.usda.gov/public\\_search.html](http://www.nad.usda.gov/public_search.html)) since the program began.

#### Selected Accomplishments Expected at the 2019 Proposed Resource Level:

- Hearings: OHA's Administrative Judges will conduct impartial administrative hearings and issue determinations, which will be included in the decisions about attorney fees under the Equal Access to Justice Act that reflect a thorough consideration of factual and legal information; and
- Reviews: OHA Director will review Administrative Judge Appeal Determinations, renders second-level decisions about attorney fees under the Equal Access to Justice Act, and may grant equitable relief to the same extent as such authority is provided to the Secretary.

OFFICE OF HEARINGS AND APPEALS

Determinations found to be within 1.0 standard deviation of excellence according to group evaluations.							
	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Actual	2018 Target	2019 Target
Percent	100	100	100	100	100	100	100
Cost*	\$6,494	\$6,392	\$6,625	\$6,630	\$6,668	\$6,654	\$6,180

\*Amounts in thousands

Selected Past Accomplishments Toward the Achievement of the Key Outcome:

Hearing, Appeals, and Reviews:

- Issued 87 determinations when appellants challenged the agency view that a decision was not appealable. Outcome was favorable to appellants in 83 percent of the cases;
- Issued 1,733 determinations, of which 1,433 were issued by Administrative Judges and 300 were issued by the OHA Director. Outcome was favorable to appellants in 54 percent of the cases. In 146 Review Determinations, appellants were granted equitable relief; and
- The Department combined OJO and OALJ activities from Departmental Management to OHA

Selected Accomplishments Expected at the 2019 Proposed Resource Level:

- Reviews: OHA Director will review Administrative Judge Appeal Determinations, renders second –level decisions about attorney fees under the Equal Access to Justice Act, and may grant equitable relief to the same extent as such authority is provided to the Secretary.

OJO

Percentage of adjudications completed within statutory time frame.							
	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Actual	2018 Target	2019 Target
Percent	NA	NA	NA	NA	NA	Est. Baseline	80
Cost*	-	-	-	-	-	\$276	\$276

\*Amounts in thousands

Selected Past Accomplishments Toward the Achievement of the Key Outcome:

- Processed 399 cases filed with OJO; all adjudications with statutory timeframes met the standard.

Selected Accomplishments Expected at the 2019 Proposed Resource Level:

- Adjudications: The Judicial officer will continue to render second-level ALJ decisions, as well as commissioner decisions and those for reparations.

OALJ

Percentage of cases disposed within two years of filing date.							
	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Actual	2018 Target	2019 Target
Percent	NA	NA	NA	NA	NA	Est. Baseline	80
Cost*	-	-	-	-	-	\$1,547	\$1,547

\*Amounts in thousands

## OFFICE OF HEARINGS AND APPEALS

### Selected Past Accomplishments Toward the Achievement of the Key Outcome:

- Disposed of 248 cases arising under USDA programs in Animal and Plant Health Inspection Service, Grain Inspection, Packers and Stockyards Administration, and Agricultural Marketing Service (AMS);
- Conducted Rulemaking Hearings for AMS involving milk, raisin, pecan, and hazelnut programs;
- Successfully implemented an “Aged Case Initiative” to identify and bring to adjudication aged cases;
- Reduced pending case backlog by 25 percent and streamlined Hearing Clerk’s Office procedures.

### Selected Accomplishments Expected at the 2019 Proposed Resource Level:

- Adjudications: OALJ will continue to conduct rulemaking and adjudicatory hearings throughout the country in proceedings that are subject to the Administrative Procedure Act.