

2018 President's Budget
Office of Hearings and Appeals

Contents

Purpose Statement	7-1
Statement of Available Funds and Staff Years	7-2
Permanent Positions by Grade and Staff Years Summary	7-2
Salaries and Expenses	
Appropriations Language	7-2
Lead-off Tabular Statement	7-3
Summary of Increases and Decreases.....	7-3
Project Statement.....	7-3
Justifications	7-4
Geographic Breakdown of Obligations and Staff Years.....	7-5
Classification by Objects	7-6
Shared Funding Projects	7-7
Status of Programs.....	7-8
Summary of Budget and Performance	
Key Performance Outcomes and Measures	7-10

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, 2016, there were 77 permanent full-time employees, comprising 24 in Virginia and 53 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	2015 Actual		2016 Actual		2017 Estimate		2018 President's Budget	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Salaries and Expenses:								
Discretionary Appropriations.....	\$13,317	78	\$13,317	76	\$13,292	83	\$14,716	90
Transfers In: OJO & OALJ a/.....	-	-	-	-	+1,823	+12	-	-
Total Available.....	13,317	78	13,317	76	15,115	95	14,716	90
Lapsing Balances.....	-68	-	-57	-	-	-	-	-
Total Obligations, OHA.....	13,249	78	13,260	76	15,115	95	14,716	90

a/ In 2017, the Department will combine NAD and the OJO and OALJ activities from Departmental Management to OHA.

Permanent Positions by Grade and Staff Year Summary

Item	2015 Actual			2016 Actual			2017 Estimate			2018 President's Budget		
	V.A.	Field	Total	V.A.	Field	Total	V.A.	Field	Total	V.A.	Field	Total
AL.....	-	-	-	-	-	-	3	-	3	3	-	3
SL.....	-	-	-	-	-	-	1	-	1	1	-	1
SES.....	1	-	1	1	-	1	1	-	1	1	-	1
GS-15.....	3	3	6	3	3	6	3	3	6	3	3	6
GS-14.....	2	4	6	2	4	6	4	25	29	4	22	26
GS-13.....	12	46	58	11	45	56	9	17	26	9	15	24
GS-12.....	2	-	2	2	-	2	3	-	3	3	-	3
GS-11.....	-	3	3	-	3	3	-	4	4	-	4	4
GS-10.....	1	-	1	1	-	1	3	-	3	3	-	3
GS-9.....	2	3	5	2	3	5	3	3	6	3	3	6
GS-8.....	1	-	1	1	-	1	4	6	10	4	6	10
GS-7.....	-	1	1	-	1	1	1	1	2	1	1	2
GS-6.....	1	6	7	1	6	7	-	1	1	-	1	1
GS-5.....	-	1	1	-	1	1	-	-	-	-	-	-
Total Perm.												
Positions.....	25	67	92	24	66	90	35	60	95	35	55	90
Unfilled, EOY.....	-	14	14	-	13	13	-	-	-	-	-	-
Total, Perm. Full-Time												
Employment EOY.....	25	53	78	24	53	77	35	60	95	35	55	90
Staff Year Est.....	24	54	78	24	52	76	35	60	95	35	55	90

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

Salaries and Expenses:

For necessary expenses of the Office of Hearings and Appeals, [\$13,317,000] \$14,716,000.

OFFICE OF HEARINGS AND APPEALS

Lead-Off Tabular Statement
Current Law

Budget Estimate, 2018.....	\$14,716,000
2017 Annualized Continuing Resolution.....	<u>13,292,000</u>
Change in Appropriation.....	<u>+1,424,000</u>
Adjustment in 2017:	
2017 Annualized Continuing Resolution.....	\$13,292,000
Activities Transferred to OHA a/.....	<u>1,823,000</u>
Adjusted Base for 2017.....	\$15,115,000
Budget Estimate, 2018.....	<u>14,716,000</u>
Change in Appropriation.....	<u>-399,000</u>

a/ In 2017, the Department will combine NAD and the OJO and OALJ activities from Departmental Management to OHA.

Summary of Increases and Decreases
(Dollars in thousands)

Program	2015 Actual	2016 Change	2017 Change	2018 Change	2018 President's Budget
Discretionary Appropriations:					
Office of Hearings and Appeals.....	\$13,317	-	+\$1,798	-\$399	\$14,716

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

Program	2015 Actual		2016 Actual		2017 Estimate		Inc. or Dec.		2018 President's Budget		
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	
Discretionary Appropriations:											
Office of Hearings and Appeals....	\$13,317	78	\$13,317	76	\$13,292	83	+\$1,424	(1)	+7	\$14,716	90
Transfers in:											
OJO & OALJ a/.....	-	-	-	-	+1,823	+12	-1,823	-12	-	-	
Total Available.....	-	78	-	76	15,115	95	-399	-5	14,716	90	
Lapsing Balances.....	-68	-	-57	-	-	-	-	-	-	-	
Total Obligations.....	<u>-68</u>	<u>78</u>	<u>-57</u>	<u>76</u>	<u>15,115</u>	<u>95</u>	<u>-399</u>	<u>-5</u>	<u>14,716</u>	<u>90</u>	

a/ In 2017, the Department will combine NAD and the OJO and OALJ activities from Departmental Management to OHA.

OFFICE OF HEARINGS AND APPEALS

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

Program	<u>2015 Actual</u>		<u>2016 Actual</u>		<u>2017 Estimate</u>		<u>Inc. or Dec.</u>		<u>2018 President's Budget</u>		
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	
Discretionary Appropriations:											
Office of Hearings and Appeals.....	\$13,249	78	\$13,260	76	\$13,292	83	+\$1,424	(1)	+7	\$14,716	90
Lapsing Balances.....	68	-	57	-	-	-	-	-	-	-	-
Total Available.....	13,317	78	13,317	76	13,292	83	+1,424		+7	14,716	90
Transfers In: OJO & OALJ a/.....	-	-	-	-	+1,823	+12	-\$1,823		-12	-	-
Total Appropriation.....	13,317	78	13,317	76	15,115	95	-399		-5	14,716	90

a/ In 2017, the Department will combine NAD and the OJO and OALJ activities from Departmental Management to OHA.

Justification of Increases and Decreases

The base funds will continue to support the mission of OHA to promotes 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 \$399,000 for OHA (\$15,115,000 and 95 staff years available in 2017).

The funding change is requested for the following items:

- a) An increase of \$217,000 for pay costs (\$54,000 for annualization of the 2017 pay increase and \$163,000 for the 2018 pay cost increase).

The proposed funding level is needed to cover pay and benefit cost increases for existing staff. This increase will ensure that OHA can attract, recruit, and retain qualified employees that can carry out its statutory responsibilities and provide excellent appeal services to USDA participants, farmers, and ranchers. A continued emphasis on high quality employees contributes to responsive, fair and quality decision-making, which is a cornerstone of OHA's strategic planning.

- b) A decrease of \$616,000 and 5 staff years for unfilled vacancies.

OHA will reduce staffing through employee attrition with 33 percent of employees being eligible to retire. OHA estimates that a historically low staffing level will still allow the Agency to meet its organizational responsibilities.

OFFICE OF HEARINGS AND APPEALS

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

State/Territory	2015 Actual		2016 Actual		2017 Estimate		2018 President's Budget	
	Staff		Staff		Staff		Staff	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Alabama.....	\$111	1	\$112	1	\$112	1	\$144	1
Arkansas.....	110	1	119	1	119	1	276	2
California.....	127	1	248	2	248	2	261	2
Colorado.....	1,120	9	1,076	9	1,216	12	1,309	12
Florida.....	115	1	130	2	130	2	145	1
Georgia.....	266	2	284	2	284	2	288	2
Indiana.....	1,259	9	745	7	1,261	9	1,226	9
Iowa.....	135	1	0	0	0	0	0	0
Louisiana.....	135	1	141	1	141	1	0	0
Maryland.....	124	1	134	1	134	1	162	1
Michigan.....	110	1	119	1	119	1	0	0
Minnesota.....	142	1	119	1	119	1	129	1
Mississippi.....	114	1	123	1	123	1	141	1
Missouri.....	264	2	247	2	247	2	270	2
Nebraska.....	117	1	130	1	130	1	144	1
New York.....	127	1	130	1	130	1	152	1
North Carolina.....	238	2	262	2	262	2	308	2
North Dakota.....	238	2	236	2	236	2	259	2
Ohio.....	117	1	126	1	126	1	155	1
Oklahoma.....	269	2	141	1	141	1	136	1
Oregon.....	128	1	149	1	149	1	174	1
South Carolina.....	134	1	0	0	0	0	0	0
Tennessee.....	1,021	10	1,059	9	1,129	11	1,291	8
Texas.....	264	2	261	2	261	2	252	2
Virginia.....	6,209	21	6,898	23	6,204	23	5,387	23
Washington.....	134	1	141	1	141	1	136	1
Washington, DC.....	-	0	0	0	1,823	12	1,823	12
Wisconsin.....	121	1	130	1	130	1	148	1
Obligations.....	13,249	78	13,260	76	15,115	95	14,716	90
Lapsing Balances.....	68	-	57	-	-	-	-	-
Total, Available.....	13,317	78	13,317	76	15,115	95	14,716	90

OFFICE OF HEARINGS AND APPEALS

Classification by Objects
(Dollars in thousands)

	2015	2016	2017	2018
	<u>Actual</u>	<u>Actual</u>	<u>Estimate</u>	<u>President's Budget</u>
Personnel Compensation:				
Alexandria, VA.....	\$2,344	\$2,450	\$3,582	\$3,432
Field.....	5,525	5,308	5,921	5,246
11 Total personnel compensation.....	7,869	7,758	9,503	8,678
12 Personal benefits.....	2,334	2,342	3,027	3,125
13.0 Benefits for former personnel.....	-	-	-	-
Total, personnel comp. and benefits.....	10,203	10,100	12,530	11,803
Other Objects:				
21.0 Travel and transportation of persons.....	320	398	250	298
22.0 Transportation of things.....	34	37	25	35
23.1 Rental payments to GSA.....	500	506	506	583
23.2 Rental payments to others.....	78	4	4	4
23.3 Communications, utilities, and misc. charges....	338	484	425	425
24.0 Printing and reproduction.....	10	36	58	37
25.1 Advisory and assistance services.....	1,223	976	922	976
25.2 Other services from non-Federal sources.....	141	85	80	90
25.3 Other purchases of goods and services				
from Federal sources.....	238	465	200	315
26.0 Supplies and materials.....	141	122	100	120
31.0 Equipment.....	23	47	15	30
Total, Other Objects.....	3,046	3,160	2,585	2,913
99.9 Total, new obligations.....	13,249	13,260	15,115	14,716
DHS Building Security Payments (included in 25.3).....	\$34	\$35	\$35	\$35
Position Data:				
Average Salary (dollars), SES-SL-AL Position.....	\$165,300	\$165,300	\$165,300	\$172,000
Average Salary (dollars), GS Position.....	\$92,001	\$101,116	\$104,275	\$107,435
Average Grade, GS Position.....	13.3	13.3	13.4	13.5

OFFICE OF HEARINGS AND APPEALS

Shared Funding Projects
(Dollars in thousands)

	2015	2016	2017	2018
	Actual	Actual	Estimate	President's Budget
Working Capital Fund:				
Administration:				
Beltsville Service Center.....	\$9	\$6	\$7	\$8
HR Enterprise System Management.....	-	1	1	1
Mail and Reproduction Management.....	4	32	13	11
Procurement Operations.....	11	13	14	16
Integrated Procurement System.....	7	7	7	6
Subtotal.....	31	59	42	42
Communications:				
Creative Media and Broadcast Center.....	3	1	1	1
Finance and Management:				
NFC/USDA.....	115	211	214	195
Financial Systems.....	53	55	52	50
Subtotal.....	171	266	266	245
Information Technology:				
Client Technology Service.....	297	299	309	291
NITC/USDA.....	7	8	6	14
Telecommunications Services.....	28	48	32	34
Subtotal.....	332	355	347	339
Correspondence Management.....	3	3	3	2
Total, Working Capital Fund.....	537	683	658	628
Department-Wide Reimbursable Programs:				
1890's USDA Initiatives.....	2	3	4	3
Classified National Security Information.....	-	-	1	-
Continuity of Operations Planning.....	2	2	2	2
Identity and Access Management HSPD-12.....	6	6	6	6
Emergency Operations Center.....	2	2	2	2
Hispanic-Serving Institutions National Program.....	2	1	2	2
Human Resources Transformation (inc. Diversity Council)...	2	1	2	2
Medical Services.....	-	-	1	1
People's Garden.....	1	1	1	1
Personnel and Document Security.....	1	1	1	1
Pre-authorizing Funding.....	3	3	3	3
Retirement Porcessor Web Application.....	1	-	1	1
TARGET Center.....	1	1	1	1
USDA 1994 Program.....	1	1	1	1
Virtual University.....	2	2	2	1
Total, Department-Wide Reimbursable Programs.....	26	24	30	27
E-Gov:				
Enterprise Human Resources Intigration.....	2	2	2	2
E-Training.....	2	2	-	-
Integrated Acquisition Environment - Loans and Grants.....	2	-	-	-
Integrated Acquisition Environment.....	1	1	-	-
E-Rulemaking.....	1	-	-	-
Geospatial.....	-	6	13	13
Total, E-Gov.....	8	11	15	15
Agency Total.....	571	718	703	670

Status of Programs

OFFICE OF HEARINGS AND APPEALS

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.

The Office of the Judicial Officer:

OFFICE OF HEARINGS AND APPEALS

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 2016, NAD:

- Processed 2,116 cases filed with NAD;
- Issued 71 determinations when appellants challenged the agency view that a decision was not appealable. Outcome was favorable to appellants in 90 percent of the cases;
- Conducted 900 in-person or telephonic hearings, and reviews of the record;
- Issued 1,856 determinations, of which 1,595 were issued by Hearing Officers and 261 were issued by the NAD Director. Outcome was favorable to appellants in 87 percent of the cases. In 50 Review Determinations, appellants were granted equitable relief;
- Increased transparency of the USDA appeals process by publishing more than 1,230 determinations on the NAD website in FY 2016; approximately 18,900 have been published on the NAD web site (http://www.nad.usda.gov/public_search.html) since the program began; and
- Accepted a total of 530 eFile requests, which have been processed since NAD introduced the option to electronically file requests in February 2013.

In FY 2016, OALJ:

- Disposed of 225 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 for 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 15 percent;
- Eliminated a Memorandum of Understanding with an outside agency to aid OALJ adjudication support;
- Identified and implemented protocols for the consolidation/linkage of related cases for adjudication;
- Identified and implemented protocols for the timely resolution of Civil Rights related filings;
- Improved efficiency and efficacy of procedures for setting cases for hearings;
- 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; and
- Published the full Volume 74 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 2016 (<http://www.oaljdecisions.dm.usda.gov/current>).

For Fiscal Year 2016, OJO:

- Processed 261 cases filed with OJO;
- Updated OJO's website;
- Developed a new macro for default orders in Perishable Agricultural Commodities Act (PACA) reparation cases;
- Prepared draft delegations of authority relative to the Director of the Office of Hearings and Appeals; and
- Prepared a draft amendment to the Rules of Practice in 7 C.F.R. pt. 1, subpart H.

Summary of Budget and Performance

OFFICE OF HEARINGS AND APPEALS

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.

The Department will be revising the USDA Strategic Plan later in the spring and expects to release it with the FY 2019 President’s Budget.

Key Performance Measures:

NAD

Percentage of hearings held and determinations issued within applicable timeframes.							
	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Target	2018 Target
Percent	85	85	85	85	85	85	85
Cost*	\$6,388	\$6,494	\$6,392	\$6,624	\$6,630	\$6,646	\$6,446

*Amounts in thousands

Selected Past Accomplishments Toward the Achievement of the Key Outcome:

Hearing, Appeals, and Reviews:

- 95 percent of Hearings, Appeals, and Reviews met the timeliness standard; and
- Increased transparency of the USDA appeals process by publishing more than 1,230 determinations on the OHA website in FY 2016; approximately 18,900 have been published on the OHA website (http://www.nad.usda.gov/public_search.html) since the program began.

Selected Accomplishments Expected at the 2018 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.							
	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Target	2018 Target
Percent	100	100	100	100	100	100	100
Cost*	\$6,388	\$6,494	\$6,392	\$6,625	\$6,630	\$6,646	\$6,447

*Amounts in thousands

Selected Past Accomplishments Toward the Achievement of the Key Outcome:

Hearing, Appeals, and Reviews:

- Issued 71 determinations when appellants challenged the agency view that a decision was not appealable. Outcome was favorable to appellants in 90 percent of the cases; and
- Issued 1,856 determinations, of which 1,595 were issued by Hearing Officers and 261 were issued by the OHA Director. Outcome was favorable to appellants in 87 percent of the cases. In 50 Review Determinations, appellants were granted equitable relief.

Selected Accomplishments Expected at the 2018 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.							
	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Target	2018 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 261 cases filed with OJO; all adjudications with statutory timeframes met the standard.

Selected Accomplishments Expected at the 2018 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.							
	2012 Actual	2013 Actual	2014 Actual	2015 Actual	2016 Actual	2017 Target	2018 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 225 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 15 percent and streamlined Hearing Clerk’s Office procedures.

Selected Accomplishments Expected at the 2018 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.