

**§ 561. Records and papers and furniture transferred to Department**

The official records and papers on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this Act transferred to the Department of Labor, together with the furniture in use in such bureau, office, department, or branch of the public service, are transferred to the Department of Labor.

(Mar. 4, 1913, ch. 141, § 5, 37 Stat. 737.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 4, 1913, ch. 141, 37 Stat. 736, which is classified principally to sections 2, 551, and 555 to 562 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 621 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 1, 1966, 80 Stat. 378.

**§ 562. Laws operative**

All laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this Act transferred to and made a part of the Department of Labor shall, so far as the same are not in conflict with the provisions of this Act, remain in full force and effect, to be executed under the direction of the Secretary of Labor.

(Mar. 4, 1913, ch. 141, § 6, 37 Stat. 738.)

**Editorial Notes**

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 4, 1913, ch. 141, 37 Stat. 736, which is classified principally to sections 2, 551, and 555 to 562 of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 622 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 1, 1966, 80 Stat. 378.

**Executive Documents**

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of Labor, with certain exceptions, to Secretary of Labor, with power to delegate, see Reorg. Plan No. 6, of 1950, §§ 1, 2, 15 F.R. 3174, 64 Stat. 1263, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 563. Working capital fund; establishment; availability; capitalization; reimbursement**

There is established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis: *Provided*, That such Working Capital Fund may re-

ceive advances and reimbursements from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave, workers' compensation, depreciation of capitalized equipment and amortization of human resources software and systems (either acquired or donated): *Provided further*, That, through September 30, 2019, the Secretary of Labor may transfer an amount not to exceed \$3,000,000 from unobligated balances in the Department's salaries and expenses accounts to the Working Capital Fund, to be merged with the Working Capital Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems, and to remain available until expended: *Provided further*, That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in Public Laws 115-245, 116-94, or 116-260, and annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's discretionary grants accounts made available in Public Laws 115-245, 116-94, 116-260, for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems: *Provided further*, That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$18,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in this Act and hereafter, and \$18,000,000 from unobligated balances in the Department's discretionary grants accounts made available in this Act and hereafter for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems: *Provided further*, That none of the funds transferred pursuant to the preceding proviso shall be available unless the Chief Information Officer of the Department of Labor has submitted a plan, approved by the Office of Management and Budget, describing the amounts to be transferred by account, the planned use of funds, including descriptions of projects, project status, including any scheduled delays and cost overruns, financial expenditures, planned activities, and expected benefits, to the Committees on Appropriations of the House of Representatives and the Senate by July 31 of the calendar year prior to the fiscal year in which the transfer will occur: *Provided further*, That the Working Capital Fund may receive reimbursements from entities or persons for use of Departmental facilities, including associated utilities and security services, and such reim-

bursments shall be credited to and merged with the Working Capital Fund: *Provided further*, That pursuant to section 11319 of title 40, the Secretary shall ensure that the Department's Chief Information Officer shall, at a minimum, be a principal advisor to the Secretary and a member on any board or governance structure of the Department responsible for advising and setting Department-wide information technology budgets: *Provided further*, That none of the funds available for information technology modernization under this section or under the heading "IT Modernization" shall be used for information technology modernization projects unless an experienced project manager, employed by the Department of Labor, is assigned oversight responsibility, including but not limited to, ensuring such projects are completed within established timeframes and budgets.

(Pub. L. 85-67, title I, §101, June 29, 1957, 71 Stat. 210; Pub. L. 86-703, title I, §101, Sept. 2, 1960, 74 Stat. 755; Pub. L. 104-134, title I, §101(d) [title I], Apr. 26, 1996, 110 Stat. 1321-211, 1321-219; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327; Pub. L. 105-78, title I, Nov. 13, 1997, 111 Stat. 1476; Pub. L. 112-10, div. B, title VIII, §1809(b), Apr. 15, 2011, 125 Stat. 157; Pub. L. 115-245, div. B, title I, §117(a), Sept. 28, 2018, 132 Stat. 3066; Pub. L. 117-103, div. H, title I, §116, Mar. 15, 2022, 136 Stat. 441.)

#### Editorial Notes

##### REFERENCES IN TEXT

Public Law 115-245, referred to in text, is Pub. L. 115-245, Sept. 28, 2018, 132 Stat. 2981, known as the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019. Title I of div. B of Pub. L. 115-245, 132 Stat. 3048, is the Department of Labor Appropriations Act, 2019.

Public Law 116-94, referred to in text, is Pub. L. 116-94, Dec. 20, 2019, 133 Stat. 2534, known as the Further Consolidated Appropriations Act, 2020. Title I of div. A of Pub. L. 116-94, 133 Stat. 2537, is the Department of Labor Appropriations Act, 2020.

Public Law 116-260, referred to in text, is Pub. L. 116-260, Dec. 27, 2020, 134 Stat. 1182, known as the Consolidated Appropriations Act, 2021. Title I of div. H of Pub. L. 116-260, 134 Stat. 1547, is the Department of Labor Appropriations Act, 2021.

The heading "IT Modernization", referred to in text, probably means the heading appearing in title I of div. B of Pub. L. 115-245, Sept. 28, 2018, 132 Stat. 3061. There is no such heading in title I of Pub. L. 85-67.

##### CODIFICATION

Section was formerly classified to section 622a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 1, 1966, 80 Stat. 378.

##### AMENDMENTS

2022—Pub. L. 117-103 substituted "That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in Public Laws 115-245, 116-94, or 116-260, and annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's discretionary grants accounts made available in Public Laws 115-245, 116-94, 116-260, for the acquisition of capital equipment and the improvement of financial manage-

ment, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems: *Provided further*, That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$18,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in this Act and hereafter, and \$18,000,000 from unobligated balances in the Department's discretionary grants accounts made available in this Act and hereafter for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems:" for "That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in this Act and hereafter, and annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's discretionary grants accounts made available in this Act and hereafter, for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems:".

2018—Pub. L. 115-245 substituted "a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis: *Provided*, That such Working Capital Fund may receive advances and reimbursements from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave, workers' compensation, depreciation of capitalized equipment and amortization of human resources software and systems (either acquired or donated): *Provided further*, That, through September 30, 2019, the Secretary of Labor may transfer an amount not to exceed \$3,000,000 from unobligated balances in the Department's salaries and expenses accounts to the Working Capital Fund, to be merged with the Working Capital Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems, and to remain available until expended: *Provided further*, That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's salaries and expenses accounts made available in this Act and hereafter, and annually an amount not to exceed \$9,000,000 from unobligated balances in the Department's discretionary grants accounts made available in this Act and hereafter, for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems: *Provided further*, That none of the funds transferred pursuant to the preceding proviso shall be available unless the Chief Information Officer of the Department of Labor has submitted a plan, approved by the Office of Management and Budget, describing the amounts to be transferred by account, the planned use of funds, including descriptions of projects, project status, including any scheduled delays and cost overruns, financial expenditures, planned activities, and expected benefits, to the Committees on Appropriations of the House of Representatives and the Senate by July 31 of the calendar year prior to the fiscal year in which the transfer

will occur: *Provided further*, That the Working Capital Fund may receive reimbursements from entities or persons for use of Departmental facilities, including associated utilities and security services, and such reimbursements shall be credited to and merged with the Working Capital Fund: *Provided further*, That pursuant to section 11319 of title 40, the Secretary shall ensure that the Department's Chief Information Officer shall, at a minimum, be a principal advisor to the Secretary and a member on any board or governance structure of the Department responsible for advising and setting Department-wide information technology budgets: *Provided further*, That none of the funds available for information technology modernization under this section or under the heading 'IT Modernization' shall be used for information technology modernization projects unless an experienced project manager, employed by the Department of Labor, is assigned oversight responsibility, including but not limited to, ensuring such projects are completed within established timeframes and budgets." for "(1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: *Provided*, That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: *Provided further*, That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment: *Provided further*, That the Secretary of Labor may transfer annually an amount not to exceed \$3,000,000 from unobligated balances in the Department's salaries and expenses accounts, to the unobligated balance of the Working Capital Fund, to be merged with such Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology and other support systems, and to remain available until expended: *Provided further*, That the unobligated balance of the Fund shall not exceed \$20,000,000."

2011—Pub. L. 112-10 struck out "*Provided further*, That within the Working Capital Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to \$3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal year in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action:" after "depreciation of equipment:"

1997—Pub. L. 105-78 struck out period at end and inserted "*Provided further*, That the Secretary of Labor may transfer annually an amount not to exceed \$3,000,000 from unobligated balances in the Department's salaries and expenses accounts, to the unobligated balance of the Working Capital Fund, to be merged with such Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology and other support systems, and to remain available until expended: *Provided further*, That the unobligated balance of the Fund shall not exceed \$20,000,000." after "appropriation action".

1996—Pub. L. 104-134 inserted before period at end "*Provided further*, That within the Working Capital

Fund, there is established an Investment in Reinvention Fund (IRF), which shall be available to invest in projects of the Department designed to produce measurable improvements in agency efficiency and significant taxpayer savings. Notwithstanding any other provision of law, the Secretary of Labor may retain up to \$3,900,000 of the unobligated balances in the Department's annual Salaries and Expenses accounts as of September 30, 1995, and transfer those amounts to the IRF to provide the initial capital for the IRF, to remain available until expended, to make loans to agencies of the Department for projects designed to enhance productivity and generate cost savings. Such loans shall be repaid to the IRF no later than September 30 of the fiscal year following the fiscal year in which the project is completed. Such repayments shall be deposited in the IRF, to be available without further appropriation action."

1960—Pub. L. 86-703 made fund available for maintenance and operation of a central tabulating service, a central accounting and payroll service, and a central laborers' service.

**§ 563a. Repealed. Pub. L. 115-245, div. B, title I, § 117(b)(2), Sept. 28, 2018, 132 Stat. 3067**

Section, Pub. L. 103-112, title I, Oct. 21, 1993, 107 Stat. 1088, which was based on paragraph under headings "DEPARTMENTAL MANAGEMENT" and "WORKING CAPITAL FUND" of Department of Labor Appropriations Act, 1994, related to appropriation for the maintenance and operation of a comprehensive program of centralized services.

**§ 564. Repealed. Pub. L. 115-245, div. B, title I, § 117(b)(1), Sept. 28, 2018, 132 Stat. 3067**

Section, Pub. L. 91-204, title I, § 100, Mar. 5, 1970, 84 Stat. 26, made the Working Capital Fund available for expenses necessary for personnel functions in regional administrative offices.

**§ 565. Repealed. Pub. L. 103-382, title III, § 391(i), Oct. 20, 1994, 108 Stat. 4023**

Section, Pub. L. 100-418, title VI, § 6306(b), Aug. 23, 1988, 102 Stat. 1541, related to study and report respecting failure to provide internationally recognized worker rights.

**§ 566. Employee drug and alcohol abuse assistance programs**

**(a) Establishment**

The Secretary of Labor shall establish a program through which the Secretary shall provide grants to, or enter into contracts with, employers to enable such employers to develop employee drug and alcohol abuse assistance programs.

**(b) Applications**

Employers desiring to receive a grant or contract under this section shall submit to the Secretary of Labor, an application, in such form and containing such information as the Secretary may require.

**(c) Regulations**

The Secretary of Labor shall promulgate regulations necessary to carry out this section.

**(d) Authorization of appropriations**

There are authorized to be appropriated to carry out this section, \$4,000,000 for fiscal year 1989, and \$5,000,000 for each of the fiscal years 1990 and 1991.

(Pub. L. 100-690, title II, § 2101, Nov. 18, 1988, 102 Stat. 4216.)