

ISSUE DATE: 01/31/08

PROGRAM INFORMATION BULLETIN NO. P08-04



FROM: JAY P. MATTOS
Director
Office of Assessments

SUBJECT: Legal Identity Report, MSHA Form 2000-7; Taxpayer
Identification Number

To whom does this bulletin apply?

This Program Information Bulletin (PIB) applies to mine operators and Mine Safety and Health Administration (MSHA) enforcement personnel.

What is the purpose of this PIB?

The purpose of this PIB is to inform all mine operators and MSHA enforcement personnel that the electronic Legal Identity Report is fully operational. Starting March 1, 2008, all initial and updated Legal Identity Reports must include the mine operators' Taxpayer Identification Number (TIN). After this date, MSHA will return, without processing, all initial and updated Legal Identity Reports that do not include the mine operator's TIN entered in item numbers 14 and/or 17d. This PIB updates PIB 02-11, New Legal Identity Report, MSHA Form 2000-7.

This PIB also notifies mine operators and enforcement personnel that MSHA is providing revised instructions for filing the electronic Legal Identity Report and operators should use only the Legal Identity Report forms with the new approved Office of Management and Budget Number 1219-0042.

This PIB is also applicable to portable auger and highwall operators that are the subject of Program Policy Letter P06-III-1, concerning Legal Identity Reports for Auger and Highwall Miner Operators.

What is the background for this PIB?

In 2002, MSHA modified the Legal Identity Report to include the TIN. MSHA added the TIN to comply with the requirements of the Debt Collection Improvement Act of 1996 (DCIA), codified at 31 U.S.C. § 7701(c). Specifically, the DCIA states that “[t]he head of each Federal agency shall require each person doing business with that agency to furnish to that agency such person’s [TIN].” The DCIA further states that a person is “doing business” with a Federal agency if the person is assessed a fine, fee, royalty or penalty by the agency....” MSHA uses the TIN for collecting and reporting delinquent amounts arising out of assessments made under the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended by the Mine Improvement and New Emergency Response Act of 2006.

In PIB 02-11, MSHA advised mine operators and enforcement personnel that the TIN was optional until the electronic version became operational or a standard was promulgated.

MSHA protects the TINs from public disclosure consistent with applicable law, including the Privacy Act of 1974. Also, TINs will be accessed only by appropriate MSHA personnel.

What is the authority for this PIB?

The Debt Collection Improvement Act of 1996, 31 U.S.C. § 7701(c); the Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq. at § 819(d) and 30 CFR Part 41.

Who is the contact person for this PIB?

Office of Assessments
Robin A. Salmon, (570) 831-7574
E-mail: salmon.robins@dol.gov

Is this PIB on the Internet?

This PIB may be viewed on the Internet by accessing MSHA's home page (<http://www.msha.gov>), choosing “Compliance Info” and then, selecting “Program Information Bulletins.”

Who will receive this PIB?

Program Policy Manual Holders
Mine Operators