

**EMPLOYMENT STANDARDS ADMINISTRATION**  
**SPECIAL BENEFITS FOR DISABLED COAL MINERS**



**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

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## **SPECIAL BENEFITS FOR DISABLED COAL MINERS**

### **APPROPRIATION LANGUAGE**

*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 the 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.)*

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

### ANALYSIS OF APPROPRIATION LANGUAGE

"For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary."

Provides an indefinite appropriation to finance any shortfall in the definite appropriation of benefit costs during the last 2 months of fiscal year 2009.

"For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2010, \$56,000,000, to remain until expended."

Appropriates funds for benefit payments in the first quarter of the subsequent fiscal year. Ensures that beneficiaries will continue to receive benefits during the first quarter of FY 2010 in the event of a temporary funding hiatus.

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

<b>AMOUNTS AVAILABLE for OBLIGATION</b>						
(Dollars in Thousands)						
	<b>FY 2007 Comparable</b>		<b>FY 2008 Estimate</b>		<b>FY 2009 Request</b>	
	<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>
<b>A. Appropriation</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Annual (definite)	17	303,373	17	276,221	17	250,130
Regular Appropriation	0	-229,373	0	-208,221	0	-183,000
First Quarter Advance Appropriation	0	-74,000	0	-68,000	0	-62,000
Rescission	0	0	0	0	0	0
<b>B. Subtotal, adjusted</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Appropriation	17	303,373	17	276,221	17	250,130
<b>C. Obligational Authority before Committee</b>	<b>17</b>	<b>303,373</b>	<b>17</b>	<b>276,221</b>	<b>17</b>	<b>250,130</b>
Unobligated balance start of year	0	28,751	0	43,132	0	0
Unobligated balance end-of-year	0	43,132	0	0	0	0
<b>D. Total, estimated Obligations</b>	<b>17</b>	<b>375,256</b>	<b>17</b>	<b>319,353</b>	<b>17</b>	<b>250,130</b>

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

### SUMMARY OF CHANGES

(Dollars in thousands)

	FY 2008 Estimate	FY 2009 Request		Net Change
<b>Budget Authority</b>				
Benefit Payments	\$203,000	\$183,000	+/-	-\$20,000
Administration	5,221	5,130	+/-	-91
Advanced Appropriation - Benefits	68,000	62,000	+/-	-6,000
Total	\$276,221	\$250,130	+/-	-\$26,091
<b>Full Time Equivalent</b>				
Administration	17	17	+/-	0
Trust Funds			+/-	0
Total	17	17	+/-	0

Explanation of Change	FY 2008 Base		FY 2009 Change	
	FTE	Amount	FTE	Amount
<b>Increases:</b>				
<b>A. Built-Ins:</b>				
To provide for:				
Costs of pay adjustments	17	\$1,576	0	\$89
Personnel benefits		164		10
One-less day of Pay		0		-12
Employee health benefits		100		6
Federal Employees Compensation Act (FECA)		0		0
Travel		0		0
Transportation of Things		2		0
GSA Space Rental		258		5
Communications, utilities & miscellaneous charges		23		0
Printing and reproduction		0		0
Advisory and assistance services		0		0
Other services		0		0
Working Capital Fund		181		22
Purchase of goods and services from other Government accounts		262		0
Supplies and materials		11		0
Equipment		70		0
Subtotal	17	2,647	0	120
<b>B. Programs:</b>				
To provide for an increase				
Programs Subtotal	0	0	0	0
<b>C. Financing:</b>				
To reflect a change in method of payment for				
Financing Subtotal	0	0	0	0
<b>Total Increase</b>	17	2,647	0	120
<b>Decreases:</b>				
<b>A. Built-Ins:</b>				
Built Ins Subtotal	0	0	0	0
<b>B. Programs:</b>				
Operation and maintenance of equipment		2,574		-211
Benefit payments:		203,000		-20,000
The benefit payments decrease due to a reduction in the number of beneficiaries. There will be an estimated 4,100 fewer beneficiaries in FY 2009				
Advance Appropriation - Benefits		68,000		-6,000
Programs Subtotal	0	273,574	0	-26,211



## SPECIAL BENEFITS FOR DISABLED COAL MINERS

**C. Financing:**

To reflect a change in method of payment for  
Financing Subtotal

**Total Decrease**

**Total Change**

0	0	0	0
0	273,574	0	-26,211
17	\$276,221	0	-\$26,091

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

**SUMMARY BUDGET AUTHORITY and FTE by ACTIVITY**  
(Dollars in Thousands)

	FY 2009							
	FY 2007 Comparable		FY 2008 Estimate		Current Law		Legislative Proposal	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Special Benefits for Disabled Coal Miners</b>	<b>17</b>	<b>5,373</b>	<b>17</b>	<b>5,221</b>	<b>17</b>	<b>5,130</b>	<b>0</b>	<b>0</b>
General Funds	17	5,373	17	5,221	17	5,130	0	0
<b>Total</b>	<b>17</b>	<b>5,373</b>	<b>17</b>	<b>5,221</b>	<b>17</b>	<b>5,130</b>	<b>0</b>	<b>0</b>
General Funds	17	5,373	17	5,221	17	5,130	0	0

NOTE: FY 2007 reflects actual FTE.

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

<b>BUDGET AUTHORITY by OBJECT CLASS</b>				
<b>(Dollars in Thousands)</b>				
	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 09</b>
	<b>Comparable</b>	<b>Estimate</b>	<b>Request</b>	<b>Request/FY 08 Estimate</b>
Total Number of Full-Time Permanents Positions	17	17	17	0
Full-Time Equivalent				
Full-time Permanent	17	17	17	0
<b>Total</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>0</b>
Average ES Salary	0	0	0	0
Average GM/GS Grade	12	12	12	0
Average GM/GS Salary	65,062	66,494	69,340	2,846
Average Salary of Ungraded Positions	0	0	0	0
11.1 Full-time permanent	1,335	1,481	1,554	73
11.8 Special personal services payments	51	95	101	6
11.9 Total personnel compensation	1,386	1,576	1,655	79
12.1 Civilian personnel benefits	239	264	278	14
22.0 Transportation of things	2	2	2	0
23.1 Rental payments to GSA	258	258	263	5
23.2 Rental payments to others	1	0	0	0
Communications, utilities, and miscellaneous				
23.3 charges	23	23	23	0
25.1 Advisory and assistance services	0	-7	0	7
Other purchases of goods and services from				
25.3 Government accounts 1/	627	443	458	15
25.7 Operation and maintenance of equipment	2,752	2,581	2,370	-211
26.0 Supplies and materials	15	11	11	0
31.0 Equipment	70	70	70	0
<b>Total</b>	<b>5,373</b>	<b>5,221</b>	<b>5,130</b>	<b>-91</b>
1/Other Purchases of Goods and Services From Government Accounts				
Services by Other Government Departments	167	262	262	0
Working Capital Fund	174	181	196	15
DHS Services	286	0	0	0

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

**AUTHORIZING STATUTES**

<b>Public Law / Act</b>	<b>Legislation</b>	<b>Statute No. / US Code</b>	<b>Volume No.</b>	<b>Page No.</b>	<b>Expiration Date</b>
PUB. L. 91-173	Federal Coal Mine Health and Safety Act of 1969, (now called Federal Mine Safety and Health Act of 1977), Title IV, Black Lung Benefits Act, PUB. L. 91-173, Black Lung Benefits Revenue Act of 1977, PUB. L. 95-227, as amended in 1981 by PUB. L. 97-119	30 U.S.C. 901, et seq.			N/A
PUB. L. 107-275	Black Lung Consolidation of Administrative Responsibility Act and Section 3615 of the Emergency Supplemental Appropriations Act, 2003, PUB. L. 108-83				N/A

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

**APPROPRIATION HISTORY  
(Dollars in Thousands)**

	<b>Budget Estimates to Congress</b>	<b>House Allowance</b>	<b>Senate Allowance</b>	<b>Appropriations</b>	<b>FTE</b>
1999	542,803	542,803	542,803	542,803	0
2000	524,638	524,638	524,638	524,638	0
2001	489,748	489,748	489,748	489,748	0
2002	446,840	446,840	446,840	446,840	0
2003....1/	432,094	432,094	432,094	431,578	17
2004....2/	397,000	397,000	397,000	396,991	17
2005....3/	357,000	364,000	364,000	363,997	17
2006....4/	306,250	306,250	306,250	313,250	17
2007....5/	303,373	0	0	303,373	17
2008....6/	276,221	0	0	276,221	17
2009....7/	250,130	0	0	0	17

<sup>1/</sup> This program was transferred from the Social Security Administration to the Department of Labor in FY 2003, effective February 1, 2003.

<sup>2/</sup> Includes \$9,000,000 rescission. Includes first quarter Advance Appropriation of \$97,000,000 included in FY 2003.

<sup>3/</sup> Includes first quarter Advance appropriation of \$88,000,000 requested in Fiscal Year 2004.

<sup>4/</sup> Includes first quarter Advance appropriation of \$81,000,000 requested in Fiscal Year 2005.

<sup>5/</sup> Includes first quarter Advance appropriation of \$74,000,000 requested in Fiscal Year 2006.

<sup>6/</sup> Includes first quarter Advance appropriation of \$68,000,000 requested in Fiscal Year 2007.

<sup>7/</sup> Includes first quarter Advance appropriation of \$62,000,000 requested in Fiscal Year 2008.

## **SPECIAL BENEFITS FOR DISABLED COAL MINERS**

### **Overview**

#### **Introduction**

The Black Lung Benefits Act authorizes monetary to former coal mine workers (and their dependent survivors) who are totally disabled by occupational pneumoconiosis. Historically, the Black Lung Benefits Act was administered by the Social Security Administration (Part B) and the Department of Labor (Part C). In FY 2002, Congress passed legislation permanently transferring responsibility for Part B to the DOL. Effective October 1, 2003, all components of program administration of the Black Lung Benefits Act were combined, resulting in fiscal and operational efficiencies and improved service delivery. ESA's Division of Coal Mine Workers' Compensation (DCMWC) has responsibility for the entire Act. This account is related to Part B of the Act, which pertains to Black Lung claims filed on or before December 31, 1973.

#### **Performance History**

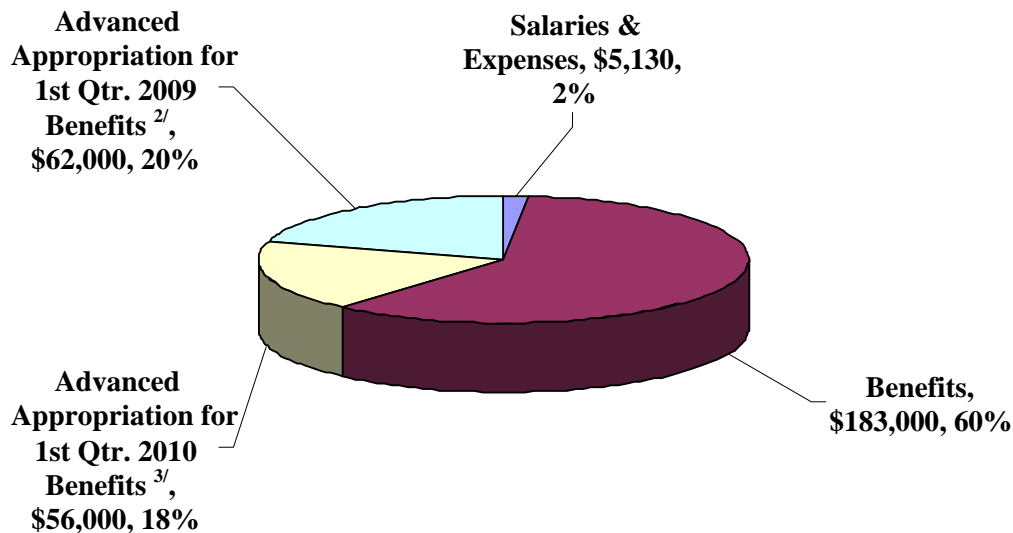
Not Applicable.

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

### Cost Model

ESA requests a total of \$250,130,000, a decrease of \$26,091,000 below the FY 2008 Estimate level. This level of funding will enable DCMWC to pay compensation benefits to beneficiaries and support administrative and financial management activities that reflect core mission functions and promote successful financial management of the program. The distribution of requested funds across DCMWC's Part B cost components is displayed below.

**FY 2009 Budget Request – Special Benefits for Disabled Coal Mine Workers**  
**Total Part B Budget Request \$250,130<sup>1/</sup>**  
**(Dollars in Thousands)**



<sup>1/</sup> This amount includes \$183,000,000 for benefits, \$5,130,000 for administration, and an additional \$62,000,000 in advance appropriations requested in the FY 2008 Budget for benefit payments.

<sup>2/</sup> This amount is the advanced appropriation for benefits requested in the FY 2008 Budget and is included in the FY 2009 Budget Request of \$250,130,000.

<sup>3/</sup> This amount is requested for the first quarter of FY 2010 to ensure that Part B benefit payments are delivered in a timely manner, even if enactment of the FY 2010 appropriation is delayed. This amount is not included in the FY 2009 Budget Request of \$250,130,000.

### Program Assessment Rating Tool (PART)

The Black Lung program underwent PART review in FY 2003 and was rated “Moderately Effective”. Details of the PART review can be seen at:

<http://www.whitehouse.gov/omb/expectmore/summary/10001098.2003.html>

**SPECIAL BENEFITS FOR DISABLED COAL MINERS**

<b>Budget Authority Before the Committee</b> (Dollars in Thousands)						
	<b>FY 2007 Comparable</b>	<b>FY 2008 Enacted</b>	<b>FY 2008 Estimate</b>	<b>Diff FY 07 Enact. FY 08 Est.</b>	<b>FY 2009 Request</b>	<b>Diff. FY08 Est./FY09 Req.</b>
<b>Activity Appropriation</b>	<b>\$229,373</b>	<b>\$208,221</b>	<b>\$208,221</b>	<b>-\$21,152</b>	<b>\$188,130</b>	<b>-\$20,091</b>
Benefits	224,000	203,000	203,000	-\$21,000	183,000	-20,000
Administration	5,373	5,221	5,221	-\$152	5,130	-91
Appropriation Advanced in the Prior Year	74,000	68,000	68,000	-\$6,000	62,000	-6,000
Advance Appropriations Requested for the Next Fiscal Year	68,000	62,000	62,000	-\$6,000	56,000	-6,000
Total Budget Authority for the Fiscal Year <sup>1/</sup>	\$303,373	\$276,221	\$276,221	-\$27,152	\$250,130	-\$26,091
FTE	17	17	17	0	17	0

<sup>1/</sup> Total Budgetary Authority includes the Advance Appropriation from the Prior Year and excludes Appropriations Requested for the Next Fiscal Year.

Note: FY 2007 reflects actual FTE. Authorized FTE for FY 2007 was 17.

**Introduction**

Historically, the statute divided program administration between the Social Security Administration (Part B) and the DOL (Part C). However, in FY 2002, Congress passed legislation permanently transferring jurisdiction over Part B to the DOL. With the Part B appropriation transferred to the Department on October 1, 2003, all components of program administration were thus combined, resulting in fiscal and operational efficiencies and improved service delivery.



## SPECIAL BENEFITS FOR DISABLED COAL MINERS

### Five-Year Budget Activity History

#### SPECIAL BENEFITS FOR DISABLED COAL MINERS PART B (Dollars in Thousands)

<b>Fiscal Year</b>	<b>Total Appropriation<sup>1/</sup></b>	<b>Benefits<sup>1/</sup></b>	<b>Salaries and Expenses</b>	<b>FTE</b>
<b>2004</b>	<b>\$396,991</b>	<b>\$390,848</b>	<b>\$6,143</b>	<b>17</b>
<b>2005</b>	<b>\$363,997</b>	<b>\$358,806</b>	<b>\$5,191</b>	<b>17</b>
<b>2006</b>	<b>\$313,250</b>	<b>\$308,000</b>	<b>\$5,250</b>	<b>17</b>
<b>2007</b>	<b>\$303,373</b>	<b>\$298,000</b>	<b>\$5,373</b>	<b>17</b>
<b>2008</b>	<b>\$276,221</b>	<b>\$271,000</b>	<b>\$5,221</b>	<b>17</b>

<sup>1/</sup> Includes the Advance Appropriation requested in the prior fiscal year and excludes Advance Appropriation for the next Fiscal Year.

### FY 2009

ESA requests \$250,130,000, a decrease of \$26,091,000 below the FY 2008 level, including administrative funding of \$5,130,000 and 17 FTE dedicated to Part B and \$245,000,000 for benefits of which \$62,000,000 was requested as an advance appropriation in the FY 2008 request. In addition, a \$56,000,000 advance appropriation is requested for the first quarter of FY 2010 to ensure continuity of benefit payments during the transition between fiscal year appropriations.

The requested funding will pay for compensation benefits to an estimated 27,700 beneficiaries, support processing of benefits for claimants, and administrative and financial management activities that support core mission functions and promote successful financial management of the program. DCMWC will continue to comply with the President's Management Agenda, meet new and evolving financial management, budget and performance integration and cost accounting requirements, and achieve program strategic and operational performance targets.

The Special Benefits for Disabled Coal Mine Workers' mission supports the Department of Labor's Strategic Goal 4B to reduce the consequences of work-related injuries for workers and their families. DCMWC strives to be a premier service organization, viewed by its stakeholders as a fair and balanced provider of [adjudicator that exercises sound case and] fiscal management. for the beneficiary population covered by the Special Benefits for DCMW appropriation is essentially closed and declining in number. The primary activities of the program are to ensure accurate and timely benefit payments to remaining beneficiaries. Service to these beneficiaries focuses on monitoring dependent eligibility and processing changes to the miner's entitlement or to that of their survivors promptly. DCMWC must also validate representative payee requests and accounting reports. DCMWC seeks to implement

## **SPECIAL BENEFITS FOR DISABLED COAL MINERS**

new Federal financial management requirements, minimize erroneous payments, and increase administrative efficiencies.

## SPECIAL BENEFITS FOR DISABLED COAL MINERS

<b>WORKLOAD SUMMARY<sup>1/</sup></b>			
	FY 2007 Actual	2008 Target	FY 2009 Target
Maintenance of Benefits for Part B Beneficiaries <sup>2/</sup>	36,888	31,800	27,700

<sup>1/</sup> All estimates and targets are end of fiscal year figures.

<sup>2/</sup> Includes monitoring the beneficiary workload for the suspension/termination of benefits, reinstatement of benefits, addition/deletion of dependents, conversion of benefits to widows upon death of miners, resolution of over/under payments, and representative payee determinations.

### **Performance Goal Indicators**

Not Applicable.

# SPECIAL BENEFITS FOR DISABLED COAL MINERS

## CHANGES IN FY 2009

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	89
Personnel benefits	10
Employee health benefits	6
One day less of Pay	-12
GSA Space Rental	5
Working Capital Fund	22
<b>Built Ins Subtotal</b>	<b>120</b>

	<b>Estimate</b>	<b>FTE</b>
<b>Base</b>	<b>5,341</b>	<b>17</b>
<b>Program Decrease</b>		
<b>Operation and maintenance of equipment</b>	<b>-211</b>	