

## Request for Records Disposition Authority

Records Schedule Number      **DAA-0047-2011-0003**  
Schedule Status                      **Approved**

Agency or Establishment              **Social Security Administration**  
Record Group / Scheduling Group      **Records of the Social Security Administration**  
Records Schedule applies to              **Major Subdivision**  
Major Subdivision                      **Deputy Commissioner of Operations**  
Minor Subdivision                      **Office of Public Service and Operations Support**  
Schedule Subject                      **Coal Act Case Files**  
Internal agency concurrences will be provided      **Yes**

Background Information              **This schedule provides authoritative instructions for the retention and destruction of paper files related to the implementation of the Coal Industry Retiree Health Benefit Act of 1992 (Coal Act) and the Coal Act provisions of the Tax Relief and Health Care Act of 2006 (P L 109-432), which provide for the funding of health benefits for certain retired employees of the coal industry. This schedule grants authority for the disposition of existing files used for this purpose.**

**Records from the electronic Coal Act National Database (housing information on coal companies responsible for health benefit premiums) and the yearly data SSA provides to the United Mine Workers of America Combined Benefit Fund (the entity that bills coal companies responsible for health benefit premiums) are not included in this disposition authority.**

### General Guidance

- 1 Fraud, Abuse or Misuse - All claim file records involving potential claims of fraud, abuse or misuse will have normal retention rules suspended until the Office of the Inspector General provides approval to apply the normal retention periods referenced within the schedule**
- 2 Court Cases (litigation holds) - All claim file records involving pending litigation will have normal retention rules suspended until completion of all legal action and the Office of the General Counsel has provided approval to apply the normal retention periods referenced within the schedule**

### Record Arrangement

The files noted are stored at the Southeastern Program Service Center (SEPSC) and the records are retained as follows

- 1 Twelve (12) file cabinets with administrative material filed by numerous titles. This administrative material includes copies of coal miner assignment decisions, background provided by coal companies, information on which companies were still in business and court records.
- 2 Seventy-six (76) boxes of Cohorts to Eastern files, filed by Employer Identification Number (EIN), Program Service Center Assignment Round.
- 3 Seventy-nine (79) additional file cabinets of Coal Act Files with the following sequences: 56 cabinets of miner files, filed by SSN, 21 cabinets of company files, filed by EIN, and 2 cabinets of administrative files, filed by title.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
4	1	3	0

GAO Approval

### Outline of Records Schedule Items for DAA-0047-2011-0003

Sequence Number	
1	Coal Act Case Files
1 1	Files Created Due to Litigation
1 1 1	Cohort to Eastern Files Disposition Authority Number DAA-0047-2011-0003-0001
1 1 2	Coal Act Files Disposition Authority Number DAA-0047-2011-0003-0002
1 2	Files Created Due to SSA's Assignment and Reassignment Decisions for Employers of Miners Impacted by the Coal Act Legislation
1 2 1	Administrative Material Related to Program Implementation and Administration Disposition Authority Number DAA-0047-2011-0003-0003
1 2 2	Other Administrative Material Disposition Authority Number DAA-0047-2011-0003-0006

Records Schedule Items

Sequence Number	
1	<b>Coal Act Case Files</b>
1.1	<b>Files Created Due to Litigation</b>
	<b>Files created due to the litigation involving the Coal Act, including, but not limited to, court briefings, responses to discovery, and administrative records</b>
1.1.1	<b>Cohort to Eastern Files</b>
	Disposition Authority Number <b>DAA-0047-2011-0003-0001</b>
	<b>Files related to companies involved in the Eastern Enterprises v Apfel, 524 U S 498 (1998) litigation. This includes 76 boxes of "evidence," specifically related to those miners who were unassigned by SSA due to litigation. These records are filed by miner SSN and company EIN, and are primarily copies of the SSA-1826 form, Statement of Earnings</b>
	Final Disposition <b>Temporary</b>
	Item Status <b>Active</b>
	Is this item media neutral? <b>Yes</b>
	Do any of the records covered by this item (initially created in electronic format(s) other than e-mail and word processing)? <b>No</b>
	<b>Disposition Instruction</b>
	Cutoff Instruction <b>Cutoff files 1 year after the final court decision on the matter</b>
	Retention Period <b>Destroy 10 year(s) after cutoff</b>
	<b>Additional Information</b>
	CAC Approval <b>Not Required</b>
1.1.2	<b>Coal Act Files</b>
	Disposition Authority Number <b>DAA-0047-2011-0003-0002</b>
	<b>This includes 76 boxes of material relative to miners who were successfully assigned by SSA under the Coal Act. The records are filed by miner SSN and company EIN, and are copies of the SSA-1826 form, Statement of Earnings</b>
	Final Disposition <b>Temporary</b>
	Item Status <b>Active</b>
	Is this item media neutral? <b>Yes</b>

	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	<b>Disposition Instruction</b>	
	Cutoff Instruction	Cutoff files 1 year after the final court decision on the matter
	Retention Period	Destroy 10 year(s) after the cutoff
	<b>Additional Information</b>	
	GAO Approval	Not Required
1 2	<b>Files Created Due to SSA's Assignment and Reassignment Decisions for Employers of Miners Impacted by the Coal Act Legislation</b> Includes miner files (filed by SSN), company files (filed by EIN), and administrative files (filed by title)	
1 2 1	<b>Administrative Material Related to Program Implementaion and Administration</b>	
	Disposition Authority Number	DAA-0047-2011-0003-0003
	Includes a multitude of topics related to the implementation of the program, such as indexes to the records, training material, procedures, sample forms, status reports, policy memos, and correspondence. Correspondence includes both internal and external (for example, with the United Coal Miners Association). Also included are several folders of "historical material," which included background information on the program, Coal Act, and various lawsuits	
	Final Disposition	Permanent
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	<b>Disposition Instruction</b>	
	Cutoff Instruction	Cut off after all litigation is complete
	Transfer to the National Archives for Accessioning	Transfer to the National Archives 15 year(s) after cutoff
	<b>Additional Information</b>	
	What will be the date span of the initial transfer of records to the National Archives?	Unknown Unknown This will be a one time transfer

	How frequently will your agency transfer these records to the National Archives?	<b>Unknown</b> This is a one time transfer, as these records are no longer being created. All litigation has ceased, and SSA's responsibility under the Coal Act is, for the most part, complete.
1 2 2	<b>Other Administrative Material</b>	
	Disposition Authority Number	<b>DAA-0047-2011-0003-0006</b>
	<b>Other administrative topics, including additional miner files and company files, not covered in other items within this schedule, but related to the implementation and operations of the Coal Act</b>	
	Final Disposition	<b>Temporary</b>
	Item Status	<b>Active</b>
	Is this item media neutral?	<b>Yes</b>
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	<b>No</b>
	<b>Disposition Instruction</b>	
	Cutoff Instruction	<b>Cut off files at the end of the calendar year in which they were created</b>
	Retention Period	<b>Destroy 2 year(s) after cutoff or when end of Agency business use occurs, whichever is later</b>
	<b>Additional Information</b>	
	GAO Approval	<b>Not Required</b>

### Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified

### Signatory Information

Date	Action	By	Title	Organization
09/20/2011	Certify	Joyce Huber	Records Officer	Budget and Financial Management - Office of Document Management
07/09/2012	Submit for Concurrency	Sean Curry	Senior Records Analyst	National Archives and Records Administration - Agency Services
07/10/2012	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - Records Management Services
07/11/2012	Concur	Laurence Brewer	Director, National Records Management Program	National Archives and Records Administration - National Records Management Program
07/17/2012	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist