

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 107-272, [~~\$188,130,000~~]*\$169,180,000*, 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 [2010] 2011, [~~\$56,000,000~~]*\$45,000,000*, to remain available until expended. (*Department of Labor Appropriations Act, 2009.*)

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 2010.

"For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2011, \$45,000,000, 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 2011 in the event of a temporary funding hiatus.

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AMOUNTS AVAILABLE FOR OBLIGATION								
(Dollars in Thousands)								
	FY 2008 Enacted		FY 2009 Enacted		Recovery Act		FY 2010 Request	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	0	0	0	0	0	0	0	0
Annual (definite)	17	276,221	17	250,130	0	0	17	225,180
Regular Appropriation	0	-208,221	0	-188,130	0	0	0	-169,180
First Quarter Advance Appropriation	0	-68,000	0	-62,000	0	0	0	-56,000
Rescission	0	0	0	0	0	0	0	0
B. Subtotal, adjusted	0	0	0	0	0	0	0	0
Appropriation	17	276,221	17	250,130	0	0	17	225,180
C. Obligational Authority before Committee	0	276,221	0	250,130	0	0	0	225,180
Unobligated balance start of year	0	43,132	0	56,785	0	0	0	0
Unobligated balance end-of-year	0	56,785	0	0	0	0	0	0
D. Total, estimated Obligations	17	262,568	17	306,915	0	0	17	225,180

SPECIAL BENEFITS FOR DISABLED COAL MINERS

SUMMARY OF CHANGES (Dollars in thousands)

	FY 2009 Estimate	FY 2010 Request		Net Change
Budget Authority				
Benefit Payments	\$183,000	\$164,000	+/-	-\$19,000
Administration	5,130	5,180	+/-	50
Advanced Appropriation – Benefits	62,000	56,000	+/-	-6,000
Total	\$250,130	\$225,180	+/-	-\$24,950
Full Time Equivalent				
Administration	17	17	+/-	0
Trust Funds			+/-	0
Total	17	17	+/-	0

Explanation of Change	FY 2009 Base		FY 2010 Change	
	FTE	Amount	FTE	Amount
Increases:				
A. Built-Ins:				
To provide for:				
Costs of pay adjustments	17	\$1,682	0	\$34
Personnel benefits		164		4
One-less day of Pay		0		0
Employee health benefits		100		2
Federal Employees Compensation Act (FECA)		0		0
Travel		0		0
Transportation of Things		2		0
GSA Space Rental		658		3
Communications, utilities & miscellaneous charges		23		0
Printing and reproduction		0		0
Advisory and assistance services		0		0
Other services		0		0
Working Capital Fund		214		14
Purchase of goods and services from other Government accounts		344		2
Supplies and materials		6		0
Equipment		130		2
Subtotal	17	3,323	0	61
B. Programs:				
To provide for an increase				
Programs Subtotal	0	0	0	0
C. Financing:				
To reflect a change in method of payment for				
Financing Subtotal	0	0	0	0
Total Increase	17	3,323	0	61
Decreases:				
A. Built-Ins:				
Built Ins Subtotal	0	0	0	0
B. Programs:				
Operation and maintenance of equipment		1,807		-11
Benefit payments:		183,000		-19,000
The benefit payments decrease due to a reduction in the number of beneficiaries. There will be an estimated 3,700 fewer beneficiaries in FY 2009				
Advance Appropriation - Benefits		62,000		-6,000
Programs Subtotal	0	246,807	0	-25,011

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	246,087	0	-25,011
17	\$250,130	0	-\$24,950

SPECIAL BENEFITS FOR DISABLED COAL MINERS

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY										
(Dollars in Thousands)										
	FY 2008 Enacted		FY 2009 Enacted		Recovery Act		FY 2010			
							Current Law		Legislative Proposal	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Special Benefits for Disabled Coal Miners	16	5,221	17	5,130	0	0	17	5,180	0	0
General Funds	16	5,221	17	5,130	0	0	17	5,180	0	0
Total	16	5,221	17	5,130	0	0	17	5,180	0	0
General Funds	16	5,221	17	5,130	0	0	17	5,180	0	0

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 17.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

BUDGET AUTHORITY BY OBJECT CLASS						
(Dollars in Thousands)						
		FY 2008 Enacted	FY 2009 Enacted	Recovery Act	FY 2010 Request	Change FY 10 Req. / FY 09 Enacted
	Total Number of Full-Time Permanents Positions	16	17		17	0
	Full-Time Equivalent					
	Full-time Permanent	16	17		17	0
	Total	16	17	0	17	0
	Total Number of Full-Time Permanents Positions	16	17		17	0
	Average GM/GS Grade	12	12		12	0
	Average GM/GS Salary	66,494	69,340		70,727	1,387
11.1	Full-time permanent	1,482	1,587	0	1,619	32
11.8	Special personal services payments	95	95	0	97	2
11.9	Total personnel compensation	1,576	1,682	0	1,716	34
12.1	Civilian personnel benefits	264	264	0	270	6
21.0	Travel and transportation of persons	0	0	0	0	0
22.0	Transportation of things	2	2	0	2	0
23.1	Rental payments to GSA	258	658	0	661	3
23.2	Rental payments to others	0	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	23	23	0	23	0
25.2	Other services	0	0	0	0	0
25.3	Other purchases of goods and services from Government accounts 1/	436	558	0	574	16
25.7	Operation and maintenance of equipment	2,581	1,807	0	1,796	-11
26.0	Supplies and materials	11	6	0	6	0
31.0	Equipment	70	130	0	132	2
	Total	5,221	5,130	0	5,180	50
	1/Other Purchases of Goods and Services From Government Accounts					
	Services by Other Government Departments	262	344	0	346	2
	Working Capital Fund	174	214	0	228	14

NOTE: FY 2008 reflects actual FTE.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
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)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
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	303,373	303,373	303,373	17
2008....6/	276,221	276,221	276,221	276,221	17
2009....7/	250,130	N/A	250,130	250,130	17
2010....8/	225,180	0	0	0	17

- ^{1/} This program was transferred from the Social Security Administration to the Department of Labor in FY 2003, effective February 1, 2003.
- ^{2/} Includes \$9,000,000 rescission. Includes first quarter Advance appropriation of \$97,000,000 included in FY 2003.
- ^{3/} Includes first quarter Advance appropriation of \$88,000,000 requested in Fiscal Year 2004.
- ^{4/} Includes first quarter Advance appropriation of \$81,000,000 requested in Fiscal Year 2005.
- ^{5/} Includes first quarter Advance appropriation of \$74,000,000 requested in Fiscal Year 2006.
- ^{6/} Includes first quarter Advance appropriation of \$68,000,000 requested in Fiscal Year 2007.
- ^{7/} Includes first quarter Advance appropriation of \$62,000,000 requested in Fiscal Year 2008.
- ^{8/} Includes first quarter Advance appropriation of \$56,000,000 requested in Fiscal Year 2009.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

Overview

Introduction

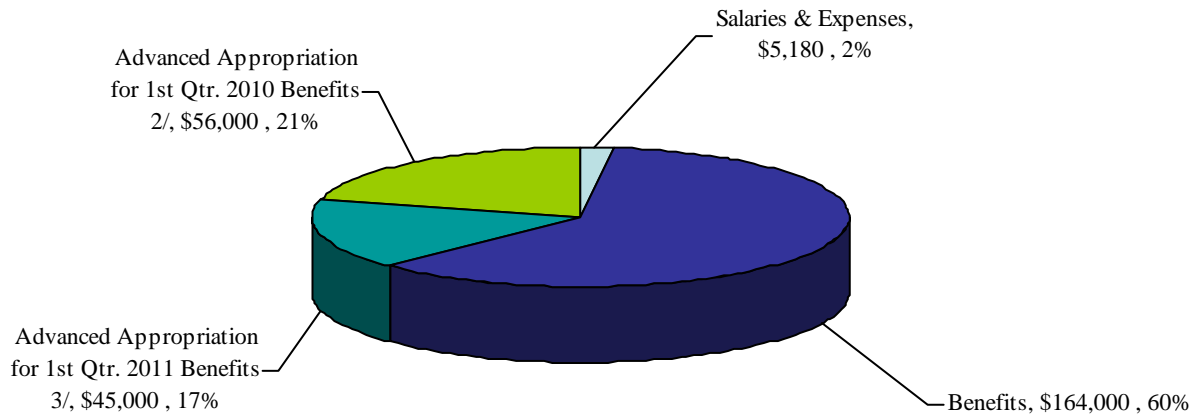
The Black Lung Benefits Act authorizes monetary to former coal mine workers (and their dependent survivors) who are totally disabled by occupational pneumoconiosis. Historically, the Black Lung Benefits Act was administered by the Social Security Administration (Part B) and the Department of Labor (Part 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. Employment Standards Administration'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.

Cost Model

ESA requests a total of \$225,180,000, a decrease of \$24,950,000 below the FY 2009 enacted 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.

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FY 2010 Budget Request – Special Benefits for Disabled Coal Mine Workers
Total Part B Budget Request \$225,180 ^{1/}
(Dollars in Thousands)



^{1/} This amount includes \$164,000,000 for benefits, \$5,180,000 for administration, and an additional \$56,000,000 in advance appropriations requested in the FY 2009 Budget for benefit payments.

^{2/} This amount is the advanced appropriation for benefits requested in the FY 2009 Budget and is included in the FY 2010 Budget Request of \$225,180,000.

^{3/} This amount is requested for the first quarter of FY 2011 to ensure that Part B benefit payments are delivered in a timely manner, even if enactment of the FY 2011 appropriation is delayed. This amount is not included in the FY 2010 Budget Request of \$225,180,000.

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BUDGET AUTHORITY BEFORE THE COMMITTEE							
(Dollars in Thousands)							
	FY 2008 Enacted	FY 2009 Enacted	Diff. FY08 Enacted / FY09 Enacted	Recovery Act	FY 2010		Diff. FY09 Enacted / FY10 Req
					Current Law	Legislative Proposal	
Activity Appropriation	208,221	188,130	-20,091	0	169,180	0	-18,950
Benefits	203,000	183,000	-20,000	0	164,000	0	-19,000
Administration	5,221	5,130	-91	0	5,180	0	50
Appropriation Advanced in the Prior Year	68,000	62,000	-6,000	0	56,000	0	-6,000
Advance Appropriations Requested for the Next Fiscal Year	62,000	56,000	-6,000	0	45,000	0	-11,000
Total Budget Authority for the Fiscal Year ^{1/}	276,221	250,130	-26,091	0	225,180	0	-24,950
FTE	16	17	1	0	17	0	0

^{1/} Total Budgetary Authority includes the Advance Appropriation from the Prior Year and excludes Appropriations Requested for the Next Fiscal Year.

NOTE: FY 2008 reflects actual FTE. Authorized FTE for FY 2008 was 17.

Introduction

Historically, the statute divided program administration between the Social Security Administration (DOL) (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)

Fiscal Year	Total Appropriation^{1/}	Benefits^{1/}	Salaries and Expenses	FTE
2005	\$363,997	\$358,806	\$5,191	17
2006	\$313,250	\$308,000	\$5,250	17
2007	\$303,373	\$298,000	\$5,373	17
2008	\$276,221	\$271,000	\$5,221	17
2009	\$250,130	\$245,000	\$5,130	17

^{1/} Includes the Advance Appropriation requested in the prior fiscal year and excludes Advance Appropriation for the next Fiscal Year.

FY 2010

ESA requests \$225,180,000 for FY 2010, a decrease of \$24,950,000 below the FY 2009 level, including administrative funding of \$5,180,000 and 17 FTE dedicated to Part B and \$220,000,000 for benefits of which \$56,000,000 was requested as an advance appropriation in the FY 2009 request. In addition, a \$45,000,000 advance appropriation is requested for the first quarter of FY 2011 to ensure continuity of benefit payments during the transition between fiscal year appropriations.

The requested funding will pay for compensation benefits to an estimated 27,250 beneficiaries, program core mission functions of processing 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 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 DOL's strategic goal 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 adjudicator that exercises sound case and fiscal management. The beneficiary population covered by the Special Benefits for Disabled Coal Mine Workers appropriation is essentially closed and declining in number. The primary activities of the program are to ensure accurate and timely benefit payments. Service to these beneficiaries focuses on monitoring dependent eligibility and processing changes to the miner's entitlement or to that of his

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survivors promptly. DCMWC must also validate representative payee requests and accounting reports. DCMWC seeks to implement new Federal financial management requirements, minimize erroneous payments, and increase administrative efficiencies.

FY 2009

The enacted funding level for FY 2009 is \$5,130,000 and 17 FTE for DCMWC Part B administration. In FY 2009, the Division will pay monthly compensation benefits to an estimated 30,950 recipients under Part B.

The program continues to heighten its attention to the appointment of and monitoring of representative payees for beneficiaries.

FY 2008

The enacted funding level for FY 2008 was \$5,221,000 and 17 FTE for DCMWC Part B administration. In FY 2008, the Division paid monthly compensation benefits to 34,830 recipients under Part B.

The program heightened its attention to the appointment of and monitoring of representative payees for beneficiaries.

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WORKLOAD SUMMARY			
	FY 2008 Actual	FY 2009 Target	FY 2010 Target
Special Benefits for Disabled Coal Miners (Part B)			
Maintenance of Benefits for Part B Beneficiaries ^{1/}	34,830	30,950	27,250
Budget Activity Total	\$5,221	\$5,130	\$5,180

^{1/} 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.

Workload Summary

The FY 2010 request level will pay for compensation benefits to an estimated 27,250 beneficiaries, program core mission functions of processing benefits for claimants, and administrative and financial management activities that support core mission functions and promote successful financial management of the program.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

CHANGES IN FY 2010

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	34
Personnel benefits	6
GSA Space Rental	3
Working Capital Fund	2
Purchase of goods and services from other Government accounts	14
Operation and maintenance of equipment	-11
Equipment	2
Built-Ins Subtotal	50

	Estimate	FTE
Base	5,130	17