

SAFEGUARDS:

Material in the possession of the Office of Workers' Compensation Programs and its contractors will be, when not in use, kept in closed file cabinets, appropriate lockers and storage areas, etc.

RETENTION AND DISPOSAL:

File is retained in the office for three years after the debarment action is final and then transferred to the Federal Records Center, and destroyed thirty years after the debarment action is final. Where the period of exclusion is defined as a set period of time, the file will be retained two years after the period of exclusion expires (or the individual is otherwise reinstated), then transferred to the Federal Records Center, and destroyed thirty years after the debarment action is final.

SYSTEM MANAGER(S) AND ADDRESS:

Director for Federal Employees' Compensation, Office of Workers' Compensation Programs, 200 Constitution Avenue, NW, Washington, DC 20210, and the District Directors of the district offices set forth in the Appendix to this document.

NOTIFICATION PROCEDURE:

An individual wishing to inquire whether this system of records contains information about him/her may write the appropriate system manager at the address above. In order for the record to be located, the individual must provide his or her full name, date of birth, and signature.

RECORD ACCESS PROCEDURE:

Any individual seeking access to non-exempt information about a record within this system of records may write the OWCP district office where the case is located, or the system manager, and arrangements will be made to provide review of the file. In order for the record to be located, the individual must provide his or her full name, date of birth, and signature.

CONTESTING RECORD PROCEDURE:

Specific materials in this system have been exempted from certain Privacy Act provisions regarding the amendment of records. The section of this notice entitled "Systems Exempted from Certain Provisions of the Act" indicates the kind of materials exempted, and the reasons for exempting them. Any individual requesting amendment of non-exempt records should contact the appropriate system manager. Individuals requesting amendment of records must comply with the Department's Privacy Act regulations at 29 CFR 71.1 and 71.9.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from Federal, state or local government agencies, state licensing boards, professional organizations, claimants, patients, employers, insurance companies, any other entities or individuals, public documents, and newspapers, as well as from other Department of Labor systems of records.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with 5 U.S.C. 552a(k)(2), investigatory material compiled for law enforcement purposes which is maintained in the investigation files of the Office of Workers' Compensation Programs, is exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of 5 U.S.C. 552a. The disclosure of information contained in civil investigative files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the investigation. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to, informants and witnesses, and their respective families, and the well being of investigative personnel and their families.

DOL/ESA-30**SYSTEM NAME:**

Office of Workers' Compensation Programs, Black Lung Automated Support Package.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, U.S. Department of Labor Building, 200 Constitution Ave., NW, Washington, DC 20210, and district offices (see addresses in the Appendix to this document).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims for black lung benefits; claimants receiving benefits; dependents of claimants and beneficiaries; medical providers; attorneys representing claimants; coal mine operators (workers' compensation insurance carriers).

CATEGORIES OF RECORDS IN THE SYSTEM:

Records included are personal (name, date of birth, SSN, claim type, miner's

date of death); demographic (state, county, city, congressional district, zip code); mine employment history; medical records; initial determination; conference results; hearing results; medical and disability payment history; accounting information including data on debts owed to the United States; Social Security Administration black lung benefits data; state workers' compensation claim and benefits data; coal mine operator names, addresses, states of operation and histories of insurance coverage; and medical service providers names, addresses, license numbers, medical specialties, tax identifications and payment histories.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 901 et seq., 20 CFR 715.1 et seq., 20 CFR 720.1 et seq., 20 CFR 725.1 et seq.

PURPOSE(S):

To maintain data on claimants, beneficiaries and their dependents; attorneys representing claimants; medical service providers; coal mine operators and insurance carriers. Provide means of automated payment of medical and disability benefits. Maintain a history of medical bills submitted by beneficiaries and medical service providers. Maintain a history of disability benefit payments made to beneficiaries and medical benefit payments made to beneficiaries and medical service providers. Maintain program accounting information including information on debts owed to the United States. Provide a means for the automatic recoupment of overpayments made to beneficiaries and medical service providers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those universal routine uses listed in the General Prefatory Statement to this document, disclosure of relevant and necessary information may be made to the following:

a. Mine operators (and/or any party providing the operator with workers' compensation insurance) who have been determined potentially liable for the claim at any time after the filing of a notice of injury or claim related to such injury or occupational illness, for the purpose of determining liability for payment.

b. State workers' compensation agencies and the Social Security Administration for the purpose of determining offsets as specified under the Act.

c. Doctors and medical services providers for the purpose of obtaining

medical evaluations, physical rehabilitation or other services.

d. Other Federal agencies conducting scientific research concerning the incidence and prevention of black lung disease.

e. Legal representatives, or person authorized to act on behalf of the claimant, responsible operator and program representation on contested issues.

f. Labor unions and other voluntary employee associations of which the claimant is a member for the purpose of exercising an interest in claims of members as part of their service to the members.

g. Contractors providing automated data processing services to the Department of Labor, or to any agency or entity to whom release is authorized, where the contractor is providing a service relating to the purpose for which the information can be released.

h. Federal, state or local agencies if necessary to obtain information relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits, whether benefits have been or are being paid improperly, including whether dual benefits prohibited under any federal or state law are being paid; and salary offset and debt collection procedures, including any action required by the Debt Collection Act of 1982, 31 U.S.C. 3711.

i. Debt collection agency that DOL has contracted for collection services to recover indebtedness owed to the United States.

j. Internal Revenue Service for the purpose of obtaining taxpayer mailing addresses in order to locate taxpayers to collect, compromise, or write-off a Federal claim against the taxpayer; discharging an indebtedness owed by an individual.

k. Credit Bureaus for the purpose of receiving consumer credit reports identifying the assets, liabilities, income and expenses of a debtor to ascertain the debtor's ability to pay a debt and to establish a payment schedule.

Note: Disclosure of information contained in the file to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information. Telephonic disclosure of information is essential to permit efficient administration and adjudication of claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts; the name and address,

taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3711(f) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Magnetic media. Medical bills and supporting medical reports transferred to microfilm and magnetic media.

RETRIEVABILITY:

Coal miner's name and social security number; medical provider number; coal mine operator number; insurance carrier number.

SAFEGUARDS:

Files secured in a guarded facility; teleprocessing access protected by restrictions on access to equipment and through use of encrypted passwords.

RETENTION AND DISPOSAL:

Electronic file data has permanent retention. Claimant and benefit master file data will be transferred to magnetic tape and transmitted to NARA every ten years. This data (which includes both open and closed cases) will not be made available to the public until 90 years after transfer to NARA due to Privacy Act restrictions.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Coal Mine Workers' Compensation, U.S. Department of Labor, Room C-3520, 200 Constitution Ave., NW, Washington, DC 20210, and district office director (see addresses in The Appendix to this document).

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the above address or district office director (see addresses in the Appendix to this document). Individuals must furnish their name, address, and signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to access any records should contact the appropriate office listed in the Notification Procedure section. Individuals must

furnish their name, address and signature.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of any non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, address, and signature.

RECORD SOURCE CATEGORIES:

Individuals, and organizations.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Investigatory portion of system exempted from certain provisions of the ACT: In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for civil law enforcement purposes, which is maintained in this system's files of the Office of Workers' Compensation Programs of the Employment Standards Administration, is exempt from paragraphs (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-32

SYSTEM NAME:

ESA, Employee Conduct Investigations.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The Employment Standards Administration National Office.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Subjects of complaints and/or investigations covered under the authority delegated to the Branch of