

**SAFEGUARDS:**

Access by authorized personnel only. Computer security safeguards are used for electronically stored data and locked locations for paper files.

**RETENTION AND DISPOSAL:**

Records are retained for 10 years after case is closed in accordance with the applicable Records Schedule.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Division of Coal Mine Workers' Compensation, Department of Labor Building, 200 Constitution Avenue NW., Washington, DC 20210.

**NOTIFICATION PROCEDURE:**

Inquiries should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**RECORD ACCESS PROCEDURES:**

A request for access should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**CONTESTING RECORD PROCEDURES:**

A petition for amendment should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**RECORD SOURCE CATEGORIES:**

Information contained in this System is obtained from individuals, employers, medical providers and investigators.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

None.

**OWCP-2****SYSTEM NAME:**

Office of Workers' Compensation, Black Lung Benefits Claim File.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, Department of Labor Building, 200 Constitution Avenue 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 (pneumoconiosis) benefits under the provisions of Black Lung Benefits Act, as amended, including miners, and their surviving spouses, children, dependent parents and siblings.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Personal (name, date of birth, social security number, claim type, miner's

date of death), medical, and financial. Information gathered in connection with investigations concerning possible violations of Federal law, whether civil or criminal, under the authorizing legislation and related Acts. This record also contains investigative records and the work product of the Department of Labor and other governmental personnel and consultants involved in the investigations. If the individual has received benefits to which he or she is not entitled, the system may contain consumer credit reports correspondence to and from the debtor, information or records relating to the debtor's current whereabouts, assets, liabilities, income and expenses, debtor's personal financial statements, and other information such as the nature, amount and history of a claim filed by an individual covered by this system, and other records and reports relating to the implementation of the Debt Collection Act of 1982 including any investigative records or administrative review matters. The individual records listed herein are included only as pertinent to the individual claimant.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

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

**PURPOSE(S):**

To maintain records that are used to process all aspects of claims for black lung (pneumoconiosis) benefits under the provisions of the Black Lung Benefits Act, as amended, including claims filed by miners and their surviving spouses, children, dependent parents and siblings. These records are also used to process the recoupment of overpayments under the Act.

**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 of 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 benefits insurance) who have been determined potentially liable for the claim at any time after the filing of a claim for Black Lung Benefits 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. Representatives of the claimant for the purpose of processing the claim, 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 assisting the member.

g. Contractors providing automated data processing services to the Department of Labor, or to any agency or entity to which 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 Departmental determination of initial or continuing eligibility for program benefits, including whether benefits have been or are being paid improperly; whether dual benefits prohibited under any federal or state law are being paid; and including salary offset and debt collection procedures, including any action required by the Debt Collection Act of 1982.

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 such 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 a claimant or a person who is duly authorized to act on the claimant's or beneficiary's behalf may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing 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 the Fair Credit Reporting Act (15 U.S.C. 1681a(f), or in accordance with the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3711(e) 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:**

Files are stored electronically and/or on paper.

**RETRIEVABILITY:**

Files are retrieved by coal miner's name, social security number, and claimant's social security number different from miner's.

**SAFEGUARDS:**

Accessed by authorized personnel only. Computer security safeguards are used for electronically stored data and locked locations for paper files.

**RETENTION AND DISPOSAL:**

Records are retained for 10 years after death of last beneficiary. Denied claims are retained for 30 years after final denial in accordance with the appropriate Records Schedule.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Division of Coal Mine Workers' Compensation, Department of Labor Building, Room C-3520, 200 Constitution Avenue NW., Washington, DC 20210, and district office directors (*see ADDRESSES* in the Appendix to this document).

**NOTIFICATION PROCEDURE:**

Inquiries should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**RECORD ACCESS PROCEDURE:**

A request for access should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**CONTESTING RECORD PROCEDURES:**

A petition for amendment should be mailed to the System Manager or submitted in such other manner as directed by OWCP.

**RECORD SOURCE CATEGORIES:**

Information contained in this system is obtained from individuals, organizations, and investigators.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

In accordance with 5 U.S.C. 552a(k)(2), investigatory material in this

system of records compiled for law enforcement purposes is exempt from subsections (c)(3); (d); (e)(1); (e)(4)(G), (H), and (I); and (f) of 5 U.S.C. 552a, provided however, that if any individual is denied any right, privilege, or benefit that he or she would otherwise be entitled to by Federal law, or for which he or she would otherwise be eligible, as a result of the maintenance of these records, such material shall be provided to the individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to January 1, 1975, under an implied promise that the identity of the source would be held in confidence.

**DOL/OWCP-3**

**SYSTEM NAME:**

Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Case Files.

**SECURITY CLASSIFICATION:**

None.

**SYSTEM LOCATION:**

Division of Longshore and Harbor Workers' Compensation, Office of Workers' Compensation Programs, Washington, DC 20210, and district offices of the Office of Workers' Compensation Programs set forth in the Appendix to this document.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Employees injured or killed while working in private industry who are covered by the provisions of the Longshore and Harbor Workers' Compensation Act, the Non-Appropriated Fund Instrumentalities Act, the Defense Base Act, the War Hazards Act, the Outer Continental Shelf Lands Act, and the DC Workers' Compensation Act, referred to collectively herein as the Longshore and Harbor Workers' Compensation Act (LHWCA).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system may contain the following kinds of records: Reports of injury by the employee and/or employer; claim forms filed by or on behalf of injured employees covered under the LHWCA or their survivors seeking benefits under the LHWCA; forms authorizing medical care and treatment; other medical records and reports; bills and other payments records; compensation payments records (including section 8(f) payment

records); section 8(f) applications filed by the employer; compensation orders for or against the payment of benefits; transcripts of hearings and depositions conducted; and any other medical employer or personal information submitted or gathered in connection with the claim. The system may also contain information relating to dates of birth, marriage, divorce, and death, notes of telephone conversations conducted in connection with the claim; emails; information relating to vocational and/or medical rehabilitation plans and progress reports including communication with rehabilitation counselors, potential employers, physicians and others who have been contacted as part of the rehabilitation process, notes created by the rehabilitation specialist and the rehabilitation counselor concerning the rehabilitation process, vocational testing, and other records pertaining to the vocational rehabilitation process; records relating to court proceedings, insurance, banking, and employment; articles from newspapers and other publications; information relating to other benefits (financial and otherwise) the claimant or employer may be entitled to; and information received from various investigative agencies concerning possible violations of Federal civil or criminal law.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

33 U.S.C. 901 *et seq.* (20 CFR parts 701 *et seq.*); 36 DC Code 501 *et seq.*; 42 U.S.C. 1651 *et seq.*; 43 U.S.C. 1331 *et seq.*; 5 U.S.C. 8171 *et seq.*

**PURPOSE(S):**

To maintain records on the actions of insurance carriers, employers, and injured workers with respect to injuries reported under the Longshore and Harbor Workers' Compensation Act and related Acts, to ensure that eligible claimants receive appropriate benefits as provided by the Act.

**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 information from this system of records may also be made to the following individuals and entities for the purposes noted when the purpose of the disclosure is compatible with the purpose for which the information was collected:

a. The employer or its representatives, including third-party administrators, and/or any party providing the employer with workers' compensation