

FY 2021

CONGRESSIONAL BUDGET JUSTIFICATION

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

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**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
COMPENSATION PROGRAM ACT**

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**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION
PROGRAM ACT**

APPROPRIATION LANGUAGE

For necessary expenses to administer *Parts B and Part E* of the Energy Employees Occupational Illness Compensation Program Act, [\$59,846,000] *\$141,763,000*, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed; *Provided further, That 42 U.S.C. 7385s-13 is hereby repealed; Provided further, That amounts for Part E shall be treated in the same manner as amounts for Part B are treated pursuant to section 151(b) of division B, title I of Public Law 106-554.*

(Department of Labor Appropriations Act, 2020.)

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EXPLANATION OF LANGUAGE CHANGE

The FY 2021 Budget includes a proposal to make Energy Employees Occupational Illness Compensation Program Act (EEOICPA) administrative expenses for Part B and Part E into two activities in one appropriation, allowing greater transparency and flexibility to reallocate funds between the two activities.

The Budget presents this proposal as two changes in the EEOICPA Appropriations language, which repeal Part E authorizing language to make the Part E administrative expenses amount a definite appropriated mandatory with directed scoring language (as Part B currently is), and make administrative expenses for Part B and Part E into two activities in one appropriation, allowing shifting of funds between the two activities.

The Department encourages the authorizing committees to consider changes to the authorizing statute that are necessary to effectuate this proposal. The Department is willing to work with the relevant committees to discuss any necessary statutory changes.

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ANALYSIS OF APPROPRIATION LANGUAGE

Language Provision	Explanation
<i>“Provided further, That 42 U.S.C. 7385s–13 is hereby repealed.”</i>	This language repeals the Part E authorizing language (“There is authorized and hereby appropriated to the Secretary for fiscal year 2005 and thereafter such sums as may be necessary to carry out this part.”) so that Part E administrative funds can be appropriated without scoring twice.
<i>“Provided further, That amounts for Part E shall be treated in the same manner as amounts for Part B are treated pursuant to section 151(b) of division B, title I of Public Law 106–554.”</i>	This language provides that Part E administrative expenses shall be appropriated. This makes the treatment of Part E administrative expenses consistent with Part B administrative expenses.

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AMOUNTS AVAILABLE FOR OBLIGATION¹						
(Dollars in Thousands)						
	FY 2019 Enacted		FY 2020 Enacted		FY 2021 Request	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	228	\$59,098	223	\$59,846	432	\$141,763
Sequestration Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$5,142	0	-\$5,147	0	\$0
A.1. Subtotal Appropriation	228	\$53,956	220	\$54,699	432	\$141,763
Unobligated balance available start-of year (Part B)	0	\$2,175	0	\$992	0	\$0
DOL Administrative Expenses: (Part E) (Indefinite Authority)	223	\$78,994	217	\$78,994	0	\$0
Sequestration Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$6,872	0	-\$6,793	0	\$0
B. Gross Budget Authority	451	\$128,253	437	\$127,892	432	\$141,763
Unobligated balance available start-of year (Part B)	0	-\$2,175	0	-\$992	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	0	-\$72,122	0	-\$72,201	0	\$0
Shared Services Realignment	-5	\$0	-5	\$0	0	\$0
C. Budget Authority Before Committee	446	\$53,956	432	\$54,699	432	\$141,763
Unobligated balance available start-of year (Part B)	0	\$2,175	0	\$992	0	\$0
DOL Administrative Expenses (Part E) (Indefinite Authority)	0	\$72,122	0	\$72,201	0	\$0
D. Total Budgetary Resources (Appropriated and Indefinite)	446	\$128,253	432	\$127,892	432	\$141,763
Unobligated Balances Carrying Forward for Part B	-16	-\$992	0	\$0	0	\$0
Unobligated Balances Expiring for Part E	-23	-\$156	0	\$0	0	\$0
Shared Services Realignment	5	\$0	0	\$0	0	\$0
E. Total, Estimated Obligations	412	\$127,105	432	\$127,892	432	\$141,763

¹ The FY 2021 Appropriation Language proposes to change Part E administrative funding from an indefinite to a definite appropriation, which is why Part E administrative funds are captured in the FY 2021 column totals with Part B administrative funds.

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SUMMARY OF CHANGES (Dollars in Thousands)

	FY 2020 Enacted	FY 2021 Request	Net Change
Budget Authority			
General Funds	\$126,900	\$141,763	+\$14,863
Total	\$126,900	\$141,763	+\$14,863
Full Time Equivalents			
General Funds	432	432	0
Total	432	432	0

Explanation of Change	FY 2020 Base		FY 2021 Change					
	FTE	Amount	Trust Funds		General Funds		Total	
			FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	432	\$44,314	0	\$0	0	\$367	0	\$367
Personnel benefits	0	\$13,916	0	\$0	0	\$156	0	\$156
Employee health benefits	0	\$0	0	\$0	0	\$0	0	\$0
Moving allowance	0	\$0	0	\$0	0	\$0	0	\$0
One day less of Pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$516	0	\$0	0	\$0	0	\$0
Benefits for former personnel	0	\$26	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$604	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$4	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$5,188	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$590	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$24	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$0	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$23,822	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$21,728	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$219	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$2,313	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$13,418	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$189	0	\$0	0	\$0	0	\$0

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FY 2021 Change

Explanation of Change	FY 2020 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Equipment	0	\$29	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$0	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	432	+\$126,900	0	\$0	0	+\$523	0	+\$523
B. Programs:								
Processing of Mandatory Workload - Energy Part E	0	\$0	0	\$0	0	\$6,787	0	\$6,787
Processing of Mandatory Workload - Energy Part B	0	\$0	0	\$0	0	\$5,198	0	\$5,198
EEOICPA Employees Compensation Operations and Management Portal (ECOMP) Initiative	0	\$0	0	\$0	0	\$2,400	0	\$2,400
Processing of Mandatory Workload - Energy Part E Ombudsman	0	\$0	0	\$0	0	\$82	0	\$82
Processing of Mandatory Workload - Energy Part B Ombudsman	0	\$0	0	\$0	0	\$64	0	\$64
Processing of Mandatory Workload - Energy Advisory Board	0	\$0	0	\$0	0	\$44	0	\$44
Programs Subtotal			0	\$0	0	+\$14,575	0	+\$14,575
Total Increase	432	+\$126,900	0	\$0	0	+\$15,098	0	+\$15,098
Decreases:								
A. Built-Ins:								
To Provide For:								
One day less of Pay	0	\$0	0	\$0	0	-\$235	0	-\$235
Built-Ins Subtotal	0	\$0	0	\$0	0	-\$235	0	-\$235
B. Programs:								
Programs Subtotal			0	\$0	0	\$0	0	\$0
Total Decrease	0	\$0	0	\$0	0	-\$235	0	-\$235
Total Change	432	+\$126,900	0	\$0	0	+\$14,863	0	+\$14,863

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SUMMARY BUDGET AUTHORITY AND FTE BY APPROPRIATION								
(Dollars in Thousands)								
	FY 2019 Enacted		FY 2020 Enacted		FY 2021 Request		Diff. FY21 Request / FY20 Enacted	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Energy Employees Occupational Illness Compensation Program Act - Admin²	407	\$126,078	432	\$126,900	432	\$141,763	0	14,863
Energy Employees Occupational Illness Compensation Program Part B	209	\$53,956	217	\$54,699	217	\$62,507	0	7,808
OWCP	206	\$53,956	214	\$54,015	214	\$61,758	0	7,743
Ombudsman	3	\$0	3	\$684	3	\$749	0	65
Energy Employees Occupational Illness Compensation Program Part E	198	\$72,122	215	\$72,201	215	\$79,256	0	7,055
Energy Advisory Board	1	\$468	1	\$469	1	\$513	0	44
OWCP	194	\$70,786	212	\$70,863	212	\$77,790	0	6,927
Ombudsman	3	\$868	2	\$869	2	\$953	0	84
Energy Employees Occupational Illness Compensation Program Act - Benefits	0	\$1,452,207	0	\$1,456,146	0	\$1,463,080	0	6,934
Energy Employees Occupational Illness Compensation Program Part B	0	\$1,086,213	0	\$1,110,818	0	\$1,130,835	0	20,017
Energy Employees Occupational Illness Compensation Program Part E	0	\$365,994	0	\$345,328	0	\$332,245	0	-13,083
Total	407	\$1,578,285	432	\$1,583,046	432	\$1,604,843	0	21,797

NOTES: 2019 reflects actual FTE. FTE for all years reflect the Shared Services Realignment.

² The FY 2019 and FY 2020 Admin. levels reflect post-sequestration amounts. The FY 2021 Admin. level reflects the pre-sequestration amount.

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BUDGET AUTHORITY BY OBJECT CLASS³					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
	Full-Time Equivalent				
	Full-time Permanent	446	432	432	0
	Total	446	432	432	0
	Average ES Salary	\$178,877	\$184,422	\$186,266	\$1,844
	Average GM/GS Grade	12/6	12/6	12/6	0
	Average GM/GS Salary	\$93,389	\$96,284	\$97,247	\$963
11.1	Full-time permanent	44,150	43,607	43,855	248
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	703	707	1,169	462
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	44,853	44,314	45,024	710
12.1	Civilian personnel benefits	15,134	14,432	14,536	104
13.0	Benefits for former personnel	26	26	26	0
21.0	Travel and transportation of persons	582	604	645	41
22.0	Transportation of things	4	4	4	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	5,155	5,188	5,188	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	576	590	590	0
24.0	Printing and reproduction	24	24	24	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	22,962	23,822	31,597	7,775
25.3	Other goods and services from Federal sources 1/	24,188	24,260	24,260	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	12,357	13,418	19,610	6,192
26.0	Supplies and materials	188	189	230	41
31.0	Equipment	29	29	29	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	126,078	126,900	141,763	14,863
	1/Other goods and services from Federal sources				
	Working Capital Fund	21,690	21,728	21,728	0
	DHS Services	219	219	219	0
	Services by DOL Agencies	2,279	2,313	2,313	0

NOTE: FTE for all years reflect the Shared Services Realignment.

³ FY 2019 and FY 2020 levels reflect the post-sequestration amounts. The FY 2021 level reflects the pre-sequestration amount.

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PROGRAM ACT
AUTHORIZING STATUTES**

Public Law / Act	Legislation	Statute No. / US Code	Expiration Date
Pub. L. 106-398	Energy Employees Occupational Illness Compensation Program Act (Part B administration and benefits)	42 U.S.C. § 7384e	Does not expire
Pub. L. 108-375	Energy Employees Occupational Illness Compensation Program Act (Part E administration)	42 U.S.C. § 7385s-13	Does not expire
Pub. L. 108-375	Energy Employees Occupational Illness Compensation Program Act (Part E benefits)	42 U.S.C. § 7385s-14	Does not expire

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APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2011					
Base Appropriation...1/	\$126,567			\$127,484	494
2012					
Base Appropriation...2/	\$125,590			\$125,590	464
2013					
Base Appropriation...3/	\$129,000			\$117,010	519
2014					
Base Appropriation...4/	\$129,218			\$116,555	505
2015					
Base Appropriation...5/	\$130,835			\$118,601	499
2016					
Base Appropriation...6/	\$133,446	\$58,552	\$58,552	\$121,563	490
2017					
Base Appropriation...7/	\$136,640			\$124,205	476
2018					
Base Appropriation...8/	\$138,840	\$59,846		\$126,482	446
2019					
Base Appropriation...9/ 10/	\$138,092		\$59,098	\$126,078	451
2020					
Base Appropriation...11/ 12/ 13/	\$138,840	\$59,846		\$126,900	432
2021					
Base Appropriation...13/	\$141,763				432

- ^{1/} Reflects Part B - \$51,900 and 285 FTE. This amount includes \$703 for the Ombudsman's Office.
- ^{2/} Reflects Part B - \$52,147 and 219 FTE. This amount includes \$703 for the Ombudsman's Office.
- ^{3/} Reflects Part B - \$52,147 and 272 FTE. This amount includes \$703 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$10,174.
- ^{4/} Reflects Part B - \$49,769 and 264 FTE. This amount includes \$639 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,663.
- ^{5/} Reflects Part B - \$51,047 and 263 FTE. This amount includes \$663 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,429.
- ^{6/} Reflects Part B - \$53,107 and 241 FTE. This amount includes \$675 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,457.
- ^{7/} Reflects Part B - \$54,400 and 243 FTE. This amount includes \$680 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,435.
- ^{8/} Reflects Part B - \$54,520 and 228 FTE. This amount includes \$681 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,358.
- ^{9/} Reflects Part B - \$53,956 and 228 FTE. This amount includes \$0 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$12,014.
- ^{10/} This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.
- ^{11/} Reflects Part B - \$54,699 and 217 FTE. This amount includes \$684 for the Ombudsman's Office. The appropriated amount includes sequestration amount of -\$11,940.

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- ^{12/} This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or full Appropriations Committee.
- ^{13/} FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

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Overview

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA), enacted in October 2000, provides lump sum compensation and medical care to claimants. OWCP provides benefits under Part B of EEOICPA to covered employees or survivors of employees of the Department of Energy (DOE), and private companies under contract with DOE, who have been diagnosed with a radiation-related cancer, beryllium-related disease, or chronic silicosis as a result of their work in producing or testing nuclear weapons. Part E of the EEOICPA covers contractors and subcontractors of DOE (or their survivors) who sustained any illness that is determined to be caused, contributed to, or aggravated by any toxic substances in the work environment. Benefits for uranium workers covered by the Radiation Exposure Compensation Act (RECA) are also provided.

EEOICPA's FY 2021 Request includes \$749,000 in Part B funds and \$953,000 in Part E funds for the Office of the Ombudsman for EEOICPA. The Office of the Ombudsman was created by Congress to address the concerns of claimants and potential claimants regarding their receipt of benefits under Part E of EEOICPA and was later expanded to Part B. By law, this office is required to be independent from the Division of Energy Employees Occupational Illness Compensation (DEEOIC) program office.

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BUDGET AUTHORITY BEFORE THE COMMITTEE⁴				
(Dollars in Thousands)				
	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
Activity Appropriation (Part B)	53,956	54,699	62,507	7,808
FTE (Part B)	209	217	217	0
Activity Appropriation (Part E)	72,122	72,201	79,256	7,055
FTE (Part E)	198	215	215	0
Total Parts B and E	126,078	126,900	141,763	14,863
Total FTE Part B and E	407	432	432	0

NOTE: FY 2019 reflects actual FTE. Authorized FTE for FY 2019 was 451.

Introduction

The mission of OWCP’s Energy Employees Occupational Illness Compensation program is to adjudicate and pay benefits for claims filed under Part B and Part E of EEOICPA. The work for this program is accomplished in four District Offices that develop evidence to determine diagnoses, employment and exposure information, and causation, and issue recommended decisions before a case is transferred to the Final Adjudication Branch (FAB); eleven resource centers that provide assistance to claimants in completing benefit applications for both Part B and E; and a FAB where final decisions are issued.

Part B authorizes a lump-sum payment of \$150,000 and medical benefits to DOE employees, contractors, or subcontractors who are seriously ill from exposure to beryllium, silica, or radiation due to working in the nuclear weapons industry. Part B also provides compensation for some employees’ survivors and supplemental lump-sum payments of up to \$50,000 to individuals already eligible for benefits for illnesses covered under Section 5 of the RECA, and, where applicable, their survivors.

Under Part E, OWCP provides compensation and medical benefits to covered DOE contractors who are determined to have contracted a covered illness through exposure at a DOE facility. Part E authorizes compensation benefits to DOE contractor employees based upon the degree of impairment and lost wages. Certain survivors of covered DOE contractors also receive compensation if the covered illness contributed to the employee’s death. Additionally, uranium workers eligible under Section 5 of the RECA may also receive compensation under Part E for illnesses due to toxic substance exposure at a uranium mine or mill covered under that Act. Benefits are paid from the Energy Compensation Fund for both EEOICPA and RECA benefits.

In previous years, the Congressional Budget Justification for the EEOICPA program has only shown Part B administrative amounts in the tables in this section, because Part E administration was an indefinite amount. Part E administrative amounts are now shown in the tables because the Budget proposes to change the appropriations language to treat the Part E administrative

⁴ FY 2019 and FY 2020 levels reflect the post-sequestration amounts. The FY 2021 level reflects the pre-sequestration amount.

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expenses amount as a definite amount with directed scoring language (as Part B currently is), and treat administrative funds for Part B and Part E as two activities in one appropriation, allowing greater transparency and flexibility to reallocate funds between the two activities. The Department encourages the authorizing committees to consider changes to the authorizing statute that are necessary to effectuate this proposal. The Department is willing to work with the relevant committees to discuss any necessary statutory changes.

Five-Year Budget Activity History: Part B

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2016	\$53,107	255
2017	\$54,400	243
2018	\$54,519	228
2019	\$53,956	228
2020	\$54,699	217

FY 2021

Total resources at the FY 2021 Request level for OWCP's Energy program are \$141,763,000 and 432 FTE. Part B funds are \$62,507,000 and 217 FTE, including \$749,000 and 3 FTE for the Office of the Ombudsman. Part E funds are \$79,256,000 and 215 FTE, including \$953,000 and 2 FTE for the Office of the Ombudsman, and \$513,000 and 1 FTE, and other support costs for the operations of the Advisory Board on Toxic Substances and Worker Health. The FY 2021 administrative request is the pre-sequester level and includes a \$2,400,000 increase for building on OWCP's Employees' Compensation Operations and Management Portal (ECOMP) to provide claimant access to their digital case files.

Currently, DEEOIC claimants have no online access to their digital case files and are required to request copies of their case files through written Privacy Act requests. In the area of Information Technology (IT) modernization and improving customer experience, DEEOIC's funding request would afford claimants access to their digital case files, which would improve customer satisfaction, reduce the time it takes for claimants to see their case files, reduce the staff burden in copying and mailing case files to claimants, and reduce Privacy Act requests for case files. Additionally, by re-using the existing ECOMP portal, instead of developing a new portal, DEEOIC can begin realizing the model of shared IT services, increasing OWCP's return on investment and reducing the speed to deployment for DEEOIC and our claimant population. This initiative is a joint request with the Division of Federal Employees' Compensation and is also discussed in OWCP's Special Benefits section of the Budget submission.

OWCP will continue to support the President's Management Agenda of developing a workforce for the 21st Century and the Cross Agency Priority Goal to improve the customer experience with Federal Services. OMB has designated OWCP, and DEEOIC specifically, as a High-Impact Service Provider (HISP), which is a federal Department or Agency that provides transactional customer-facing services. Because of this designation, DEEOIC will continue to report its quarterly customer experience results, conduct the annual customer experience self-assessment

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and identify its customer experience strengths and opportunities for improvement. Additionally, DEEOIC is continually working to improve and enhance its public facing website, increasing program transparency by proactively publishing information to the Public Reading Room, improving claimant and medical provider experience by developing customer centric web pages that specifically tailor information and processes to each appropriate audience, and improving its 508 compliance for stakeholders with alternative audio or visual needs.

Finally, the DEEOIC will continue its efforts to reduce improper payments through evaluation of medical bills, particularly home health care billing and services and other payment-related issues, by staff in the Program Integrity Unit that was created in FY 2018.

FY 2020

Total resources at the post-sequester FY 2020 Enacted level for OWCP's Energy program Parts B and E administrative expenses are \$126,900,000 and 432 FTE. Part B administrative funds are \$54,699,000 and 217 FTE, including \$684,000 and 3 FTE for the Office of the Ombudsman. Part E administrative funds are \$72,201,000 and 215 FTE, including \$869,000 and 2 FTE for the Office of the Ombudsman, and \$469,000 and 1 FTE to support the operations of the Advisory Board on Toxic Substances and Worker Health.

In the area of IT modernization, DEEOIC will continue to build on prior year investments, improvements, and functionality support to gain performance efficiencies. The program will expand the utilization of electronic image case files. In FY 2019, the Energy program completed the final migration of the Energy Compensation System (ECS) to the more secure HTML 5.0 based Google Angular. In FY 2020, the program will build on these improvements to allow for enhancements to the system and prepare for migration to the new OWCP Workers' Compensation System in future years. Additionally, the program will continue its FY 2019 efforts to digitize remaining older paper case files into the OWCP Imaging System. This effort will substantially reduce many tasks that were formerly cumbersome and inefficient, including eliminating the need to transfer current hybrid cases (part paper, part electronic) from one office to another for review, more efficiently transferring case file material between DOE and the National Institute for Occupational Safety and Health (NIOSH), and fulfill the Presidential initiative of eliminating paper files before the 2022 cutoff date set by the National Archives and Records Administration (NARA).

With regard to analyzing proper alignment of work with staffing needs, DEEOIC will explore expanding the centralized case assignment process implemented in FY 2018 for its FAB to include district offices. If implemented, case assignments will no longer be made according to geographical location for district offices. This will allow the Division to manage staffing resources and capabilities more effectively and in line with modern needs, helping reduce overall costs through hiring in less expensive localities, whenever possible.

In an effort to improve the customer experience and stakeholder engagement, DEEOIC will continue several strategies. This includes continuing its reporting activities as a HISP and identifying strengths and opportunities for improvement. OWCP is also actively promoting the submission of digital records from external stakeholders which reduces the time it takes for

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OWCP to receive information for processing to begin or continue. Additionally, the Energy program continues to educate the public through its work with the Joint Outreach Task Group to provide information to the public about the program, provide updates regarding new Special Exposure Cohort classes, and other new initiatives.

Based on an evaluation of the time and effort claims staff spend taking and responding to calls, by FY 2020, DEEOIC will have moved all inbound call activities from federal staff to contractors, allowing federal staff to focus on more claim-specific activities, while also working to improve stakeholder call times and experiences.

Finally, the DEEOIC will continue its efforts to reduce improper payments through evaluation of medical bills, including home health care billing and services and other payment-related issues, by staff in the Program Integrity Unit that was created in FY 2018.

FY 2019

Total resources at the post-sequester FY 2019 Enacted level for OWCP's Energy program were \$126,078,000 and 451 FTE. Part B administrative funds totaled \$53,956,000 and 228 FTE, including 3 FTE for the Office of the Ombudsman. Part E administrative funds totaled \$72,122,000 and 223 FTE, including \$868,000 and 3 FTE for the Office of the Ombudsman and \$468,000 and 1 FTE to support the Advisory Board on Toxic Substances and Worker Health. For FY 2019, in lieu of a request for new budget authority, the Part B Office of the Ombudsman utilized carryover funding to cover program costs.

OWCP continued to closely monitor and improve the provision and management of home health care services for beneficiaries. Due to the many home health care and medical bill pay issues nationwide, there was a need for more consistency in the manner in which the program handled and adjudicated medical bills. Consequently, in FY 2018 and FY 2019, the Energy program centralized the processes in the national office. This has allowed the consolidation of staff and activities under a new branch that provides a cohesive approach to handling prior authorization requests and medical management, while improving long-term cost efficiency. In addition, the program maintained timely adjudication of claims, rendered quality decisions, and facilitated prompt benefit delivery and income support to all EEOICPA claimants. The program also utilized requested funding to support several IT initiatives that built on prior-year investments and leveraged improvements and functionality available through other OWCP programs to gain performance efficiencies and improvements. In FY 2019, the Energy program completed the final migration of the Energy Compensation System from outdated and unsupported languages to a more secure and contemporary HTML 5.0 based language, including coding and testing. The Division began both software and hardware improvements in imaging services, so that beginning in FY 2020, the program can fulfill the Presidential initiative of eliminating paper files before the 2022 cutoff date set by NARA.

Additionally, DEEOIC strengthened stakeholder engagement by facilitating data exchange with external partners. Specifically, DEEOIC provided the statutorily mandated Advisory Board for Toxic Substances and Worker Health with any and all information necessary to its serving in an

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advisory capacity. This included involvement with public meetings, responding to requests for information, and responding to recommendations.

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WORKLOAD AND PERFORMANCE SUMMARY					
		FY 2019 Enacted		FY 2020 Enacted	FY 2021 Request
		Target	Result	Target	Target
Energy Employees Occupational Illness Compensation Program					
Strategic Goal 3 - Administer Strong Workers' Compensation and Benefits Programs					
Strategic Objective OWCP 3.1 - Provide workers' compensation benefits for workers who are injured or become ill on the job.					
Performance Measure					
EE 4d	Average number of days between filing date and final decision for Energy cases not sent to the National Institute for Occupational Safety and Health when a hearing is not held	170	155	170	170
Workload Measures					
EE WL 1	Number of Initial Claims Received (Part B)	5,207[p]	4,763	5,103[p]	4,976[p]
EE WL 2	Number of Initial Claims Processed (Part B)	5,661[p]	5,073	5,548[p]	5,013[p]
EE WL 9	Number of Consequential Condition Claims Received (Part B and E)	7,730[p]	8,558	8,630[p]	11,850[p]
EE WL 12	Number of Threads - Medical Authorizations (Part B and E)	49,688[p]	39,571	53,100[p]	53,858[p]
Strategic Goal 3 - Administer Strong Workers' Compensation and Benefits Programs					
Strategic Objective OWCP 3.1 - Provide workers' compensation benefits for workers who are injured or become ill on the job.					
Workload Measures					
EE WL 5	Number of Initial Claims Received (Part E)	4,738[p]	4,736	4,643[p]	4,620[p]
EE WL 6	Number of Initial Claims Processed (Part E)	5,616[p]	5,059	5,756[p]	4,843[p]

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

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Workload Summary

Performance Measures

Performance measures for this program are focused on shortening the time it takes to provide monetary and medical compensation benefits to which claimants may be entitled. This is accomplished by promptly and accurately processing claims.

OWCP measures the total time from claim filing date to final decision through four claim categories based on two attributes: 1) whether the claim is sent to the National Institute for Occupational Safety and Health (NIOSH) for dose reconstruction, and 2) whether the claimant requests a hearing on the Recommended Decision. This provides a transparent view of claims processing time, accounting for the various actions a case may require (employment verification, dose reconstruction, hearings, development time outside of OWCP with the Department of Energy and NIOSH, etc.) Measures involving claims sent to NIOSH for dose reconstruction are not included due to the complications of developing valid targets across agencies and the significant amount of development time outside of OWCP, though OWCP continues to work with these partner agencies to ensure that processing time is a priority. In FY 2019, for claims not sent to NIOSH without a hearing (which accounts for approximately 70 percent of all claims), OWCP achieved 155 days against a target of 170 days.

Workload Measures

In FY 2021, if current trends continue, OWCP expects to receive 4,976 initial Part B claims and 4,620 initial Part E claims and complete initial processing (development until a claim is closed, sent to another agency for action, or until a Recommended Decision is issued) on 5,013 Part B claims and 4,843 Part E claims.

In addition to new incoming claims, overall workload is increasingly attributable to the cumulative number of claims previously adjudicated by the program from inception to present. The annually increasing cumulative number of these approved claims increases the workload related to ongoing case management, which is reflected in the consequential condition claims and medical authorization threads measures. Consequential condition claims, which are additional medical conditions claimed as a result of previously accepted medical conditions, continue to increase; in FY 2021, if current trends continue, OWCP expects 11,850 consequential claims, up from 8,630 projected in FY 2020. Medical authorization threads refer to the electronic communication between OWCP and the medical bill contractor for granting approval of incoming medical benefit requests for accepted medical conditions (for example, home health care, durable medical equipment and other treatments). Threads require OWCP's review, determination, and oversight. Threads have risen from less than 10,000 in FY 2010 to an expected 53,858 in FY 2021 and will remain a significant portion of the workload. The program will also continue to use centralization of services to improve, monitor, and manage the provision of home health care services.

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION
PROGRAM ACT PART B**

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	21,322	21,751	21,899	148
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	293	297	523	226
11.9	Total personnel compensation	21,615	22,048	22,422	374
12.1	Civilian personnel benefits	7,506	7,141	7,203	62
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	216	222	222	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	2,198	2,231	2,231	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	263	277	277	0
24.0	Printing and reproduction	7	7	7	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	6,396	6,220	10,793	4,573
25.3	Other goods and services from Federal sources 1/	9,085	9,132	9,132	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	6,564	7,310	10,109	2,799
26.0	Supplies and materials	88	93	93	0
31.0	Equipment	18	18	18	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	53,956	54,699	62,507	7,808
	1/Other goods and services from Federal sources				
	Working Capital Fund	7,586	7,599	7,599	0
	DHS Services	219	219	219	0
	Services by DOL Agencies	1,280	1,314	1,314	0

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT PART B

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$183
Personnel benefits	78
Employee health benefits	0
Moving allowance	0
One day less of Pay	-115
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$146**

Net Program **\$7,662**

Direct FTE **0**

	Estimate	FTE
Base	\$54,845	217
Program Increase	\$7,662	0
Program Decrease	\$0	0

**ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION
PROGRAM ACT PART E**

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request	Diff. FY21 Request / FY20 Enacted
11.1	Full-time permanent	22,828	21,856	21,956	100
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	410	410	646	236
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	23,238	22,266	22,602	336
12.1	Civilian personnel benefits	7,628	7,291	7,333	42
13.0	Benefits for former personnel	26	26	26	0
21.0	Travel and transportation of persons	366	382	423	41
22.0	Transportation of things	4	4	4	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	2,957	2,957	2,957	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	313	313	313	0
24.0	Printing and reproduction	17	17	17	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	16,566	17,602	20,804	3,202
25.3	Other goods and services from Federal sources 1/	15,103	15,128	15,128	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	5,793	6,108	9,501	3,393
26.0	Supplies and materials	100	96	137	41
31.0	Equipment	11	11	11	0
41.0	Grants, subsidies, and contributions	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	72,122	72,201	79,256	7,055
	1/Other goods and services from Federal sources				
	Working Capital Fund	14,104	14,129	14,129	0
	Services by DOL Agencies	999	999	999	0

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT PART E

CHANGES IN FY 2021

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$184
Personnel benefits	78
Employee health benefits	0
Moving allowance	0
One day less of Pay	-120
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$142**

Net Program **\$6,913**

Direct FTE **0**

	Estimate	FTE
Base	\$72,343	215
Program Increase	\$6,913	0
Program Decrease	\$0	0