FY 2023 CONGRESSIONAL BUDGET JUSTIFICATION FEDERAL PROGRAMS FOR WORKERS' COMPENSATION SALARIES AND EXPENSES

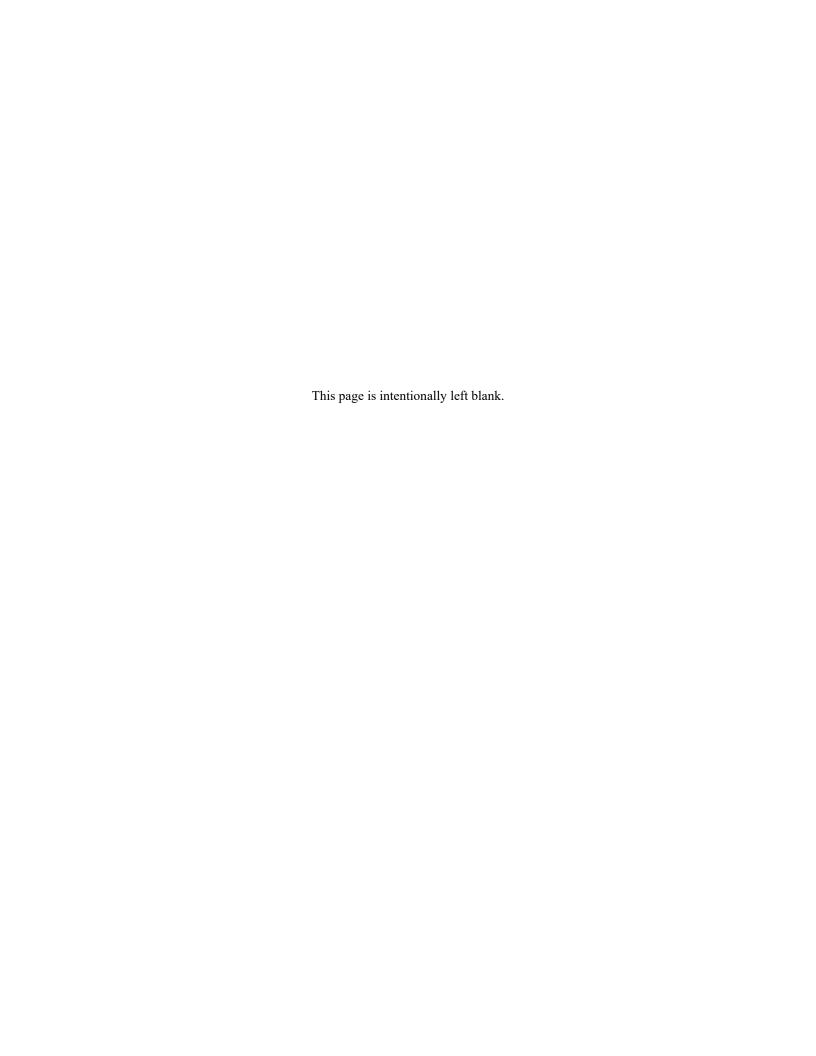
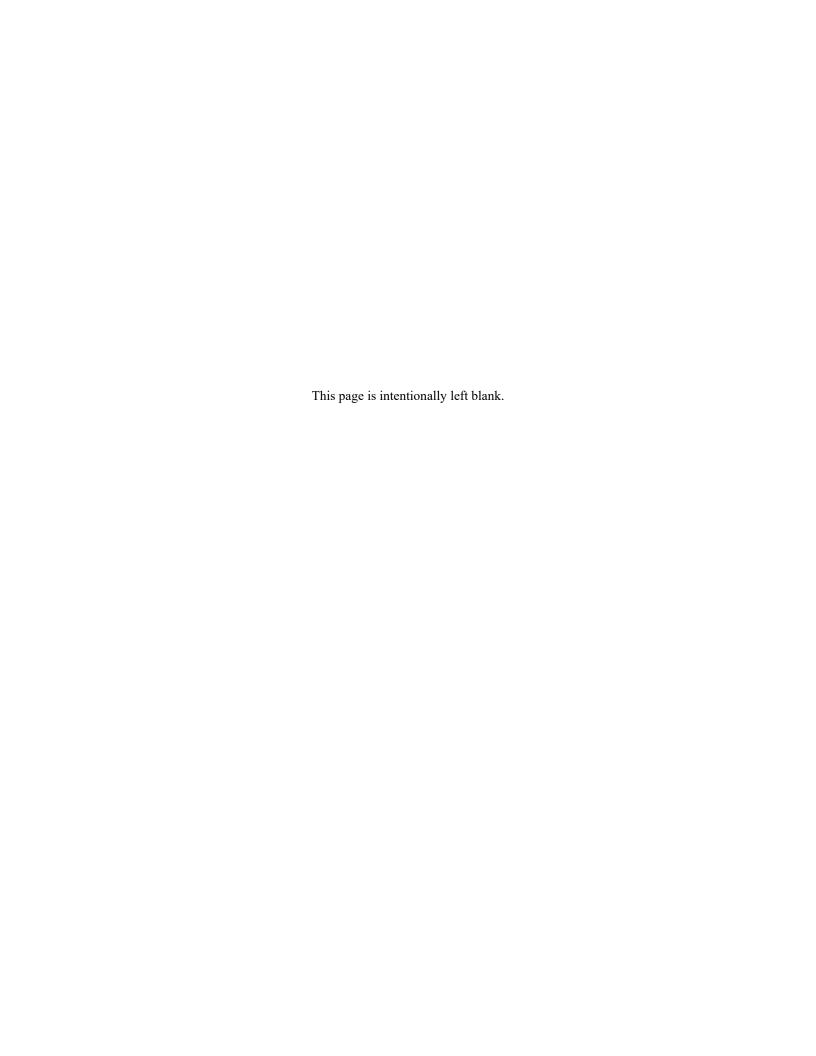


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APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, \$143,772,000, together with \$2,205,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

Note.— A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2022 (Division A of P.L.117-43, as amended). The amounts included for 2022 reflect the annualized level provided by the continuing resolution.

AMOUNTS A				GATION		
	FY	in Thousands) 7 2021 d Enacted]	FY 2022 I Year C.R.		Y 2023 Request
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	608	\$115,424	649	\$115,424	792	\$143,772
A.1) Subtotal Appropriation (adjusted)	608	\$115,424	649	\$115,424	792	\$143,772
Offsetting Collections From:						
Black Lung Disability Trust Fund	156	\$40,643	150	\$41,464	150	\$42,194
Sequestration reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$2,317	0	-\$2,363	0	\$0
Longshore Trust	6	\$2,177	6	\$2,177	6	\$2,205
A.1) Subtotal Trust Funds	162	\$40,503	156	\$41,278	156	\$44,399
Supplemental Funding pursuant to American Rescue Plan Act of 2021, P.L. 117-2	183	\$30,265	0	\$0	0	\$0
Unexpired Unobligated Balances Carried Forward from Prior Year - ARP Supplemental	0	\$0	126	\$19,511	0	\$0
B. Gross Budget Authority	953	\$186,192	931	\$176,213	948	\$188,171
Offsetting Collections to:	0	\$0	0	\$0	0	\$0
Black Lung Disability Trust Fund	-156	-\$38,326	-150	-\$39,101	-150	-\$42,194
Longshore Trust	-6	-\$2,177	-6	-\$2,177	-6	-\$2,205
B.1) Subtotal Trust Funds	-162	-\$40,503	-156	-\$41,278	-156	-\$44,399
Supplemental Funding pursuant to American Rescue Plan Act of 2021, P.L. 117-2	-183	-\$30,265	0	\$0	0	\$0
Unexpired Unobligated Balances Carried Forward from Prior Year - ARP Supplemental	0	\$0	-126	-\$19,511	0	\$0
C. Budget Authority Before Committee	608	\$115,424	649	\$115,424	792	\$143,772
Offsetting Collections From:	0	\$0	0	\$0	0	\$0
Black Lung Disability Trust Fund	156	\$38,326	150	\$39,101	150	\$42,194
Longshore Trust	6	\$2,177	6	\$2,177	6	\$2,205
C.1) Subtotal	162	\$40,503	156	\$41,278	156	\$44,399
Supplemental Funding pursuant to American Rescue Plan Act of 2021, P.L. 117-2	183	\$30,265	0	\$0	0	\$0
Unexpired Unobligated Balances Carried Forward from Prior Year - ARP Supplemental	0	\$0	126	\$19,511	0	\$0
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D. Total Budgetary Resources	953	\$186,192	931	\$176,213	948	\$188,171
Unobligated Balance	-29	-\$418	0	\$0	0	\$0

E. Total, Estimated Obligations	785	\$166,263	931	\$176,213	948	\$188,171
Unexpired Unobligated Balance - ARP Supplemental	-139	-\$19,511	0	\$0	0	\$0

SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2022	FY 2023	
	Full Year C.R.	Request	Net Change
			
Budget Authority			
General Funds	\$115,424	\$143,772	+\$28,348
Trust Funds	\$41,278	\$44,399	+\$3,121
Total	\$156,702	\$188,171	+\$31,469
Full Time Equivalents			
General Funds	649	792	143
Trust Funds	156	156	0
Total	805	948	143

FY 2023 Change

Explanation of Change	FY 20:	22 Base	Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	805	\$82,287	0	\$383	0	\$5,380	0	\$5,763
Personnel benefits	0	\$29,440	0	\$129	0	\$2,001	0	\$2,130
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	\$1,401	0	\$4	0	\$88	0	\$92
Benefits for former personnel	0	\$18	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$217	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$0	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$7,707	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$0	0	\$0	0	\$0	0	\$0
Communications, utilities, and								
miscellaneous charges	0	\$1,877	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$143	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$372	0	\$0	0	\$0	0	\$0
Other services from non-Federal								
sources	0	\$5,227	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$17,538	0	\$242	0	\$448	0	\$690
Other Federal sources (Census								
Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$939	0	\$0	0	\$0	0	\$0
Other goods and services from								
Federal sources	0	\$5,628	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0

FY 2023 Change

Explanation of Change	FY 2	022 Base	Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Operation and maintenance of								
facilities	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of								
equipment	0	\$2,938	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$642	0	\$0	0	\$0	0	\$0
Equipment	0	\$291	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$0	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$37	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	805	+\$156,702	0	+\$758	0	+\$7,917	0	+\$8,675
B. Programs:								
FECA FTE Restoration	0	\$0	0	\$0	143	\$20,431	143	\$20,431
Mandatory Workload DCMWC	0	\$0	0	\$2,363	0	\$0	0	\$2,363
Programs Subtotal		·	0	+\$2,363	143	+\$20,431	143	+\$22,794
Total Increase	805	+\$156,702	0	+\$3,121	143	+\$28,348	143	+\$31,469
Decreases:								
A. Built-Ins:								
To Provide For:								
Built-Ins Subtotal	0	\$0	0	\$0	0	\$0	0	\$0
B. Programs:								
Total Decrease	0	\$0	0	\$0	0	\$0	0	\$0
Total Change	805	+\$156,702	0	+\$3,121	143	+\$28,348	143	+\$31,469

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY¹

(Dollars in Thousands)

				FY 2022				23 Request / FY22
	F	Y 2021	F	ull Year	FY	Z 2023	Fu	ll Year
	Revis	ed Enacted		C.R.	Re	equest	C.R.	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
FEDERAL PROGRAMS FOR WORKERS' COMPENSATION	741	155,927	805	156,702	948	188,171	143	31,469
General Funds	584	115,424	649	115,424	792	143,772	143	28,348
Trust Funds	157	40,503	156	41,278	156	44,399	0	3,121
Division of Federal Employees Longshore and Harbor Workers' Compensation	591	117,601	655	117,601	798	145,977	143	28,376
DFELHWC General Funds	584	115,424	649	115,424	792	143,772	143	28,348
DFELHWC Trust Funds	7	2,177	6	2,177	6	2,205	0	28
Division of Coal Mine Workers' Compensation	150	38,326	150	39,101	150	42,194	0	3,093
Black Lung Disability Trust Funds	150	38,326	150	39,101	150	42,194	0	3,093

NOTE: FY 2021 reflects actual FTE. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

¹ For the Division of Coal Mine Workers' Compensation, the FY 2021 and FY 2022 levels reflect the post-sequestration amounts and the FY 2023 level reflects the pre-sequestration amount.

	BUDGET AUTHORITY BY OBJECT CLASS							
	(Dollars in	FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.			
	Full-Time Equivalent							
	Full-time Permanent	770	805	948	143			
	Total	770	805	948	143			
	Total Number of Full-Time Permanent Positions	770	913	913	0			
	Average ES Salary	\$187,595	\$189,471	\$193,734	\$4,263			
	Average GM/GS Grade	12/3	12/3	12/3	0			
	Average GM/GS Salary	\$89,352	\$91,764	\$94,830	\$3,066			
11.1	Full-time permanent	78,521	80,702	101,584	20,882			
11.3	Other than full-time permanent	0	0	0	0			
11.5	Other personnel compensation	1,531	1,585	1,585	0			
11.8	Special personal services payments	0	0	0	0			
11.9	Total personnel compensation	80,052	82,287	103,169	20,882			
12.1	Civilian personnel benefits	29,196	30,841	38,375	7,534			
13.0	Benefits for former personnel	18	18	18	0			
21.0	Travel and transportation of persons	195	217	217	0			
22.0	Transportation of things	0	0	0	0			
23.0	Rent, Communications, and Utilities	0	0	0	0			
23.1	Rental payments to GSA	9,918	7,707	7,707	0			
23.2	Rental payments to others	0	0	0	0			
	Communications, utilities, and miscellaneous							
23.3	charges	1,685	1,877	1,877	0			
24.0	Printing and reproduction	166	143	143	0			
25.1	Advisory and assistance services	345	372	372	0			
25.2	Other services from non-Federal sources	2,969	5,227	6,409	1,182			
	Other goods and services from Federal							
25.3	sources 1/	20,369	24,105	25,976	1,871			
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	10,076	2,938	2,938	0			
26.0	Supplies and materials	640	642	642	0			
31.0	Equipment	261	291	291	0			
41.0	Grants, subsidies, and contributions	0	0	0	0			
42.0	Insurance claims and indemnities	37	37	37	0			
	Total	155,927	156,702	188,171	31,469			
1/Oth	er goods and services from Federal sources							
	Working Capital Fund	18,170	17,538	18,228	690			
	DHS Services	1,736	939	939	0			
	Services by DOL Agencies	463	5,628	6,809	1,181			

	APPROI	PRIATION HIST	CORY ^{4/}						
(Dollars in Thousands)									
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE				
2013									
Base Appropriation	\$122,190			\$111,783	845				
2014									
Base Appropriation	\$120,600			\$111,783	836				
2015									
Base Appropriation	\$115,115			\$113,000	820				
2016									
Base Appropriation	\$119,574			\$115,501	796				
2017									
Base Appropriation	\$126,159			\$117,601	739				
2018									
Base Appropriation	\$115,282	\$116,550		\$117,261	721				
2019									
Base Appropriation	\$115,282		\$117,601	\$117,601	710				
2020									
Base Appropriation1/	\$117,782	\$120,782		\$117,601	680				
2021									
Base Appropriation1/	\$119,312			\$117,601	614				
2022									
Base Appropriation2/ 3/	\$140,809	\$140,809			0				
2023									
Base Appropriation	\$145,977				798				

¹/ FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

^{2/} This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or the full Senate Appropriations Committee.

^{3/}The full-year FY 2022 appropriation was not enacted at the time the budget was prepared.

^{4/} Appropriation amounts do not include amounts for the Black Lung Disability Trust Fund which are provided under a separate appropriation.

BUDGET AUTHORITY BEFORE THE COMMITTEE									
	(Dollars in Thousand	ds)							
	FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.					
Activity Appropriation	155,927	156,702	188,171	31,469					
FTE	741	805	948	143					

Note: FY 2021 reflects actual FTE. Authorized FTE for FY 2021 was 770. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

Introduction

Federal Programs for Workers' Compensation (FPWC) provides funding for OWCP and two of its program divisions.

- The Division of Federal Employees', Longshore and Harbor Workers' Compensation (DFELHWC)'s Federal Employees Compensation Act (FECA) Program provides wageloss compensation, medical treatment, return-to-work assistance and vocational rehabilitation to civilian employees of the Federal Government injured at work and to certain other designated groups. DFELHWC's Longshore Program provides administrative oversight of the award and delivery of benefits to injured private-sector workers engaged in certain maritime and related employment and to overseas contractors covered by the provisions of the Defense Base Act (DBA).
- The Division of Coal Mine Workers' Compensation (DCMWC) provides monetary compensation and medical benefits to coal miners totally disabled by pneumoconiosis (Black Lung) stemming from coal mine employment, and monetary benefits to their dependent survivors.

The FY 2023 Request Level by budget activity is as follows:

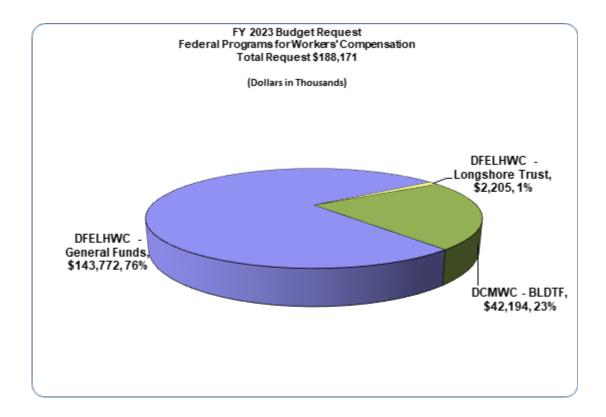
- \$145,977,000 and 798 FTE for DFELHWC consisting of:
 - o \$143,772,000 and 792 FTE for DFELHWC in General Funds Salaries & Expenses funding.
 - o \$2,205,000 and 6 FTE for DFELHWC in Longshore Trust funding.
- \$42,194,000 and 150 FTE for Division of Coal Mine Workers' Compensation (DCMWC) in funding transferred from the Black Lung Disability Trust Fund.

Total resources requested in FY 2023 for FPWC are \$188,171,000 and 948 FTE.

Equity in Budgeting

In alignment with the President's Immediate Priority of Advancing Racial and Gender Equity and Support for Underserved Communities through the Federal Government, the Office of Workers'

Compensation Programs (OWCP) is committed to finding ways to make a thoughtful and intentional focus on equity a routine part of how the agency does business.



BUDGET AUTHORITY BEFORE THE COMMITTEE							
(Dollars in T	Thousands)						
				Diff. FY23			
	FY 2021	FY 2022		Request /			
	Revised	Full Year	FY 2023	Full Year			
	Enacted	C.R.	Request	C.R.			
Activity Appropriation	117,601	117,601	145,977	28,376			
FTE	591	655	798	143			

Note: FY 2021 reflects actual FTE. Authorized FTE for FY 2021 was 614. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

Introduction

DFELHWC's Federal Employees' Compensation Act (FECA) program provides wage-loss compensation, medical treatment, return-to-work assistance, and vocational rehabilitation to civilian employees of the Federal Government injured at work and to certain other designated groups. DFELHWC's Longshore program provides administrative oversight of the award and delivery of benefits to injured private-sector workers engaged in certain maritime and related employment and to overseas contractors covered by the provisions of the Defense Base Act (DBA).

The Longshore program receives approximately 35,000 new claims per year and collects assessments for the Special Workers Compensation Fund (SWCF), which provides benefits directly to certain individuals (claimants), including bi-weekly recurring benefit payments to over 2,500 beneficiaries. There are approximately 545 companies authorized to write insurance or self-insure liabilities under the LHWCA and its extensions. The program maintains over \$4,000,000,000 in securities to ensure the continuing provision of benefits for covered workers in case of employer/carrier insolvency.

Requested DFELHWC resources for FY 2023 are \$145,977,000 and 798 FTE and includes a built-in increase of \$7,945,000 for inflationary costs of pay, benefits, and non-pay activities.

At this level, the FECA program will continue the core activities of its mission, including adjudication of new injury and illness claims, processing initial wage-loss compensation claims, and disability management and return-to-work services. The built-in increase will enable the program to keep pace with inflation and cover increases in contractual costs, thereby facilitating the program's ability to adequately perform periodic entitlement reviews, which ensure injured workers currently being paid, are still entitled to benefits. These periodic roll case payments account for nearly \$2,000,000,000 in annual compensation and DOL's Office of Inspector General (OIG) has noted increased instances of the program's failure to reduce or terminate compensation consistent with its program guidance. The resources in FECA's request will increase the program's ability to detect improper payments, and increase program effectiveness, oversight, and integrity.

While the program funds its operations from the General Fund, management of the SWCF is supported by a direct transfer from the SWCF that is referred to as "Longshore Trust Funds." OWCP finances the SWCF by assessments on the carriers and self-insured employers who

underwrite or perform Longshore-related work. The LHWCA authorizes the Secretary of Labor to utilize funds from the SWCF to ensure its solvency and financial strength (see Sections 44(d) and 44(i) of the Longshore and Harbor Workers' Compensation Act Amendments of 1984). For FY 2023, these activities (as well as vocational rehabilitation services in Sec 39(c) of the Act) will be supported by the direct transfer of \$2,205,000 from the SWCF. In addition, the Longshore Program conducts audits of selected entities in order to protect the SWCF from potential risk as required under the LHWCA and to ensure those entities are accurately reporting their claim liabilities.

Five-Year Budget Activity Component History

Fiscal Year	Funding	FTE
	(Dollars in Thousands)	
2018	\$117,261	721
2019	\$117,601	710
2020	\$117,601	680
2021	\$117,601	614
2022	\$0	0

NOTE: A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared.

FY 2023

Requested resources for FY 2023 are \$145,977,000 and 798 FTE. Of these amounts, the Longshore Trust Fund provides \$2,205,000 and 6 FTE. The requested amount is an increase of \$28,376,000 from the FY 2022 post sequestration Full Year CR. It includes a program increase of \$20,431,000 for restoration of 143 FTE in the FECA program, an increase of \$7,945,000 for FECA, WCF, and built-in pay and benefits funding to avoid erosion of FTE.

At this level, the FECA program will continue the core activities of its mission, including adjudication of new injury and illness claims, processing initial wage-loss compensation claims, and disability management and return-to-work services. The FECA program will ensure that staff have the right skills and operate with the responsiveness and flexibility to perform initial claims intake and adjudication, wage-loss claims processing and payment, early disability case management, periodic roll management, and appeals processing. Aligning staff to perform all aspects of case management on a given case from beginning to end will best serve the government by creating equitable work assignments and standardized processes and will benefit our stakeholders by working with a single claims examiner who is familiar with the entire life of a claim.

The program increase for FTE restoration will address many years of FTE erosion due to flat discretionary funding coupled with increased compensation costs, which limited the program's ability to adequately perform periodic entitlement reviews to ensure that current beneficiaries are still entitled to benefits. These periodic roll case payments account for nearly \$2,000,000,000 in annual compensation and DOL's OIG has noted increased instances of the program's failure to reduce or terminate compensation consistent with its program guidance. The additional funding in FECA's request will increase the program's ability to detect improper payments, and increase program effectiveness, oversight, and integrity.

In FY 2023, the FECA program will support the President's priority of improving the customer experience as well as the Secretary's vision of empowering workers by ensuring that staff have the right skills and operate with the responsiveness and flexibility to perform initial claims intake and adjudication, wage-loss claims processing and payment, early disability case management, periodic roll management, and appeals processing. The program will also continue its focus on three fundamental tenets of workers' compensation: 1) Learn about the injury as soon as possible; 2) Provide timely access to treatment; and 3) Return the injured worker to pre-injury status both economically and medically as soon as possible.

With the objective of utilizing data as a strategic asset to improve program effectiveness, oversight and transparency, the request includes continued funding for the SWCF. This funding will allow the Longshore program to perform ongoing longstanding financial compliance audits to hold all SWCF participants accountable for their fair share of the annual assessment by increasing financial recoveries, serve as a deterrent to under-reporting, and reduce additional costs to compliant employers who are left to make the SWCF whole.

In alignment with the President's Priority of Advancing Racial and Gender Equity and Support for Underserved Communities through the Federal Government, DFELHWC is committed to

finding ways to make a thoughtful and intentional focus on equity a routine part of how the agency does business in FY 2023.

FY 2022

Total FY 2022 resources at the post sequestration full year CR level are \$117,601,000 and 655 FTE. Of these amounts, the Longshore Trust Fund provides \$2,177,000 and 6 FTE.

In FY 2022, the FECA program will ensure that staff have the right skills and operate with the responsiveness and flexibility to perform initial claims intake and adjudication, wage-loss claims processing and payment, early disability case management, periodic roll management, and appeals processing. Aligning staff to perform all aspects of case management on a given case from beginning to end will best serve the government by creating equitable work assignments and standardized processes, and will benefit our stakeholders by working with a single claims examiner who is familiar with the entire life of a claim.

In FY 2022, the Longshore program will also continue its focus on improved electronic claims filing, case creation, and claims management systems to drive shorter compliance timeframes.

The Longshore program collects detailed data and tracks each case until resolution or permanency has been reached. Each final case outcome can determine specifically whether the injured worker has any lasting effects from the injury. When the injured worker is entitled to compensation, the program will collect detailed information with regard to the timeliness and accuracy of the initial payments. When payment delivery is not timely or accurate, staff will investigate the reasons and work with the employer/carrier to identify the root of the problem.

OWCP will also enhance its legacy case management desktop application (Integrated Federal Employees' Claims System), create new COVID-19 specific forms and filing procedures and options in the Employees' Compensation Operations and Management Portal (ECOMP), and begin the development of an intelligence-driven COVID-19 analytics business-processing dashboard and reporting tool. To ensure the quality of COVID-19 claims adjudication and ancillary transactions, OWCP will also create a web-based claims processing, auditing, and quality assurance tracking system, all of which the Division will integrate into the ECOMP platform.

To support the President's Priority of Advancing Racial and Gender Equity and Support for Underserved Communities through the Federal Government, DFELHWC will conduct customer experience surveys to gather feedback that can inform strategies for advancing equity and better engaging traditionally disenfranchised communities, including those in poverty and in particular among communities of color. The surveys will provide space for respondents to provide optional demographic information. The programs will design survey questions to identify barriers of entry to the programs in order to ascertain whether there are specific groups that are disparately experiencing challenges.

Additionally, the FECA program will enhance ECOMP to advance racial equity and support underserved communities including those in poverty and in particular among Black and other

communities of color by collecting additional voluntary information from claimants on their race, religion, sexual orientation, marriage type (same sex), and disability status; and by offering additional non-binary gender options for filing forms, expanded from the current binary-only gender options available.

FY 2021

Enacted resources for FY 2021 were \$117,601,000 and 614 FTE. Of these amounts, the Longshore Trust Fund provided \$2,177,000 and 6 FTE.

At this funding level, the FECA program continued the core activities of its mission, including adjudication of new injury and illness claims, processing initial wage-loss compensation claims, and disability management and return-to-work services.

In FY 2021, the FECA program ensured that staff had the right skills and operated with the responsiveness and flexibility to perform initial claims intake and adjudication, wage-loss claims processing and payment, early disability case management, periodic roll management, and appeals processing. The program aligned staff to perform all aspects of case management on a given case from beginning to end to best serve the government by creating equitable work assignments and standardized processes, and which benefited the program's stakeholders by working with a single claims examiner who was familiar with the entire life of a claim.

In FY 2021, the Longshore program also continued its focus on improved electronic claims filing, case creation, and claims management systems to drive shorter compliance timeframes. The Longshore program collected detailed data and tracked each case until resolution or permanency had been reached. Each final case outcome determined specifically whether the injured worker had any lasting effects from the injury. When the injured worker was entitled to compensation, the program collected detailed information with regard to the timeliness and accuracy of the initial payments. When payment delivery was not timely or accurate, staff investigated the reasons and worked with the employer/carrier to identify the root of the problem.

	WORKLOAD AND PERFORMANCE SUM			FY 2022	
			FY 2021 Revised Enacted		FY 2023 Request
		Target	Result	Target	Target
Division o	f Federal Employees Longshore and Harbor Workers' Compensation				
Strategic	Goal 3 - Improve Administration of and Strengthen Worker Safety Net Programs				
Strategic administr	Objective 3.1 - Ensure timely and accurate income support when work is unavailable by station.	rengthening be	nefits progra	ms and progra	m
	Performance Measures				
RTW 5	Rate of return-to-work outcomes for injured federal workers during the initial 45-day post-injury period for traumatic injuries			69.12%	69.819
FEC 1a	Percent of wage-loss claims timely processed within 14 days: claims not requiring further development	90%	94%	92%	929
FEC 1b	Percent of all wage-loss claims timely processed within 90 days: all claims	90%	98%	95%	95
LS 3a	Percent of Employer's First Report of Injury filed within 20 days: non-Defense Base Act cases	88.0%	91.0%	92.0%	92.5
LS 6	Percent of Industry Special Workers' Compensation Fund (Longshore Trust) Final Assessment Bills Collected within 60-days of Issuance	90%	91%	90%	909
	Workloads				
FEC WL 1	Cases Created	100,000[p]	96,457	100,000[p]	100,000[]
FEC WL 3	Initial Wage-loss Claims Received	15,900[p]	15,982	15,600[p]	15,400[1

	WORKLOAD AND PERFORMANCE SUMMARY						
			FY 2021 Revised Enacted				FY 2023 Request
		Target	Result	Target	Target		
FEC WL 6	Number of Compensation and Medical Payments Processed (By Chargeback Year)	8,000,000[p]	6,902,085	7,400,000[p]	7,000,000[p]		
FEC WL 9	Number of Wage-loss Claims Received	174,000[p]	154,868	172,000[p]	170,000[p]		
LS WL 2	Number of Claims with Lost Time / Injuries Reported	31,676[p]	39,455	33,879[p]	36,235[p]		

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

Workload and Performance

The FECA program performs a variety of activities to accomplish its goals, including initial claims intake and adjudication, wage-loss claims processing and payment, early disability case management, periodic roll management, and appeals processing.

Case Creation and Initial/Wage-loss Adjudication

In FY 2023, the FECA program expects to receive 100,000 new injury claims and 15,400 initial claims for FECA wage-loss compensation. Over 85 percent of the new injury claims are expected to be for traumatic injuries, such as those caused by slips and falls. The remainder are expected to involve more complex situations in which a medical condition arises due to occupational exposure. In FY 2023, the FECA program expects to receive 170,000 wage-loss claims. In FY 2021, the program continued to exceed established targets for the timely processing of wage-loss claims. The program processed 94 percent of claims that did not need further development within 14 days and processed 98 percent of all wage-loss claims within 90 days. The program increased the targets for these two measures and in FY 2023 expects to process 92 percent of claims that did not need further development within 14 days and process 95 percent of all wage-loss claims within 90 days.

Disability Management and Processing of Compensation and Medical Payments

The FECA program continues work with agencies across the federal government to return the injured worker to pre-injury status both economically and medically as soon as possible. In FY 2023, the program expects to return 69.18 percent of injured federal workers to work during the initial 45-day post-injury period for traumatic injuries.

The FECA program staff process benefits for those who sustain a work-related injury or illness in the performance of duty anywhere in the world. Benefits include wage-replacement payments and payments for reasonable and necessary medical treatment related to the injury. In Chargeback Year (CBY) 2021 (July 1, 2020 to June 30, 2021), the program processed a total of 6,902,085 compensation and medical payments. In CBY 2021, 183,359 beneficiaries received \$2.94 billion in benefit payments, including \$2.02 billion for wage-loss compensation, \$144 million for death benefits, and \$772 million for medical benefits.

Claims Processing and Benefits Delivery Oversight

The Longshore program provides administrative oversight of benefit award and delivery by employers and insurance carriers to injured private sector workers and is responsible for collecting annual industry assessments to support the Special Workers' Compensation Fund (SWCF).

The Longshore program focuses on employer/carrier performance to ensure that injury reports and first payment of benefits are timely. The Program updated their performance measures in FY 2020, decreasing the number of days to submit key reports: for first injury reports from 30 days to 20 days. In FY 2021, the results for the first report of injury for non-Defense Base Act (DBA) cases, which account for the majority of cases, were 91 percent, exceeding the target at 88

percent. The program increased the target and expects 92.5 percent of first report of injury for non- DBA cases to be submitted within 20 days.

Insurance Authorization and Risk Securitization / SWCF Management

A major program responsibility is collecting annual industry assessments that support the SWCF. As part of the program's obligations to ensure the Fund has adequate resources to pay benefits, it must collect these assessments in a timely manner from those entities that utilize the Fund, first for an estimated amount and then a final adjusted amount each year. In FY 2023, the program expects 90 percent of final assessment bills were collected within 60-days of issuance.

	BUDGET ACTIVITY COMPONENT BY OBJECT CLASS						
	(Dollars in Thousands)						
	(Bohmo)	FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / FY22 Full Year C.R.		
11.1	Full-time permanent	64,194	66,875	87,394	20,519		
11.3	Other than full-time permanent	0	0	0	0		
11.5	Other personnel compensation	1,255	1,309	1,309	0		
11.9	Total personnel compensation	65,449	68,184	88,703	20,519		
12.1	Civilian personnel benefits	24,297	26,217	33,626	7,409		
13.0	Benefits for former personnel	0	0	0	0		
21.0	Travel and transportation of persons	72	94	94	0		
22.0	Transportation of things	0	0	0	0		
23.0	Rent, Communications, and Utilities	0	0	0	0		
23.1	Rental payments to GSA	8,267	6,056	6,056	0		
23.3	Communications, utilities, and miscellaneous charges	1,034	1,226	1,226	0		
24.0	Printing and reproduction	113	90	90	0		
25.1	Advisory and assistance services	345	372	372	0		
25.2	Other services from non-Federal sources	1,225	1,483	1,483	0		
25.3 25.5	Other goods and services from Federal sources 1/ Research and development contracts	13,423	12,507	12,955	448		
25.7	Operation and maintenance of equipment	2,894	858	858	0		
26.0	Supplies and materials	372	374	374	0		
31.0	Equipment	73	103	103	0		
42.0	Insurance claims and indemnities	37	37	37	0		
.2.3	Total	117,601	117,601	145,977	28,376		
1/Oth	er goods and services from Federal sources						
	Working Capital Fund	11,804	10,020	10,468	448		
	DHS Services	1,608	811	811	0		
	Services by DOL Agencies	11	1,676	1,676	0		

CHANGES IN FY 2023

(Dollars in Thousands)

Benefits for former personnel	Activity Changes Built-In To Provide For: Costs of pay adjustments Personnel benefits Federal Employees' Compensation Act (FECA)		\$5,400 2,009 88
Transportation of things Rental payments to GSA Communications, utilities, and miscellaneous charges Printing and reproduction Advisory and assistance services Other services from non-Federal sources Working Capital Fund Other goods and services (DHS Charges) Other goods and services from Federal sources Research & Development Contracts Operation and maintenance of equipment Supplies and materials Equipment Insurance claims and indemnities Net Program Direct FTE Base S125,546 655 Program Increase \$20,431 143	Benefits for former personnel		
Rental payments to GSA Communications, utilities, and miscellaneous charges Printing and reproduction Advisory and assistance services Other services from non-Federal sources Working Capital Fund Other Federal sources (DHS Charges) Other goods and services from Federal sources Research & Development Contracts Operation and maintenance of equipment Supplies and materials Equipment Insurance claims and indemnities Built-Ins Subtotal Styp45 Net Program Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			
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Printing and reproduction Advisory and assistance services Other services from non-Federal sources Working Capital Fund Other Federal sources (DHS Charges) Other goods and services from Federal sources Research & Development Contracts Operation and maintenance of equipment Supplies and materials Equipment Insurance claims and indemnities Built-Ins Subtotal Styp45 Net Program Sequipment Sequ			
Advisory and assistance services 0 Other services from non-Federal sources 0 Working Capital Fund 448 Other Federal sources (DHS Charges) 0 Other goods and services from Federal sources 0 Research & Development Contracts 0 Operation and maintenance of equipment 0 Supplies and materials 0 Equipment 0 Insurance claims and indemnities 0 Built-Ins Subtotal \$7,945 Net Program \$20,431 Direct FTE 143 Base \$125,546 655 Program Increase \$20,431 143		ges	
Other services from non-Federal sources Working Capital Fund Other Federal sources (DHS Charges) Other goods and services from Federal sources Research & Development Contracts Operation and maintenance of equipment Supplies and materials Equipment Insurance claims and indemnities Built-Ins Subtotal Styp45 Net Program Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			
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Supplies and materials Equipment Insurance claims and indemnities Built-Ins Subtotal Net Program Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			
Equipment 0 Insurance claims and indemnities 0 Built-Ins Subtotal \$7,945 Net Program \$20,431 Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			
Insurance claims and indemnities Built-Ins Subtotal Net Program Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			
Built-Ins Subtotal \$7,945 Net Program \$20,431 Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143	1 1		
Net Program Direct FTE \$20,431 143 Estimate FTE Base \$125,546 655 Program Increase \$20,431 143			Ü
Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143	Built-Ins Subtotal		\$7,945
Direct FTE Estimate FTE Base \$125,546 655 Program Increase \$20,431 143	Net Program		\$20,431
Base \$125,546 655 Program Increase \$20,431 143			
Base \$125,546 655 Program Increase \$20,431 143			
Program Increase \$20,431 143		Estimate	FTE
D D	Base	\$125,546	655
n n	Program Increase	\$20,431	143
	Program Decrease	· ·	0

BUDGET AUTHORITY BEFORE THE COMMITTEE ² (Dollars in Thousands)					
(Bolland III)	FY 2021 Revised Enacted	FY 2022 Full Year C.R.	FY 2023 Request	Diff. FY23 Request / Full Year C.R.	
Activity Appropriation	38,326	39,101	42,194	3,093	
FTE	150	150	150	0	

NOTE: FY 2021 reflects actual FTE. Authorized FTE for FY 2021 was 156. FY 2022 reflects estimated FTE usage at the annualized level of the CR.

Introduction

OWCP's Division of Coal Mine Workers' Compensation (DCMWC) provides benefits to coal industry workers totally disabled by pneumoconiosis, as well as their dependent survivors. Pneumoconiosis – also known as Black Lung disease – is a debilitating condition resulting from exposure to coal mine dust which currently has no cure. OWCP draws its mandate from Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended. The core mission and budget activities of the program are to develop and adjudicate claims and pay benefits. Claims examiners and supporting staff in district offices across the country process benefit applications and make decisions on benefit eligibility. In addition, staff members monitor benefit payments and medical treatment provided by self-insured coal mine operators or their insurance carriers.

Five-Year Budget Activity Component History

Fiscal Year	Funding	FTE
	(Dollars in Thousands)	
2018	\$35,722	158
2019	\$35,875	158
2020	\$35,989	157
2021	\$38,326	156
2022	\$0	0

NOTE: A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared.

FY 2023

The FY 2023 President's Request of \$42,194,000 and 150 FTE includes a built-in increase of \$730,000 for inflationary costs of pay, benefits, and non-pay activities for OWCP in administering the Black Lung program and managing the Black Lung Disability Trust Fund. These built-ins are necessary to prevent further staff erosion from pay raises.

In FY 2023, DCMWC will support the priorities of the President's Management Agenda by delivering excellent Federal services and improving customer experience while managing the business of Government. DCMWC will also further the Department's priorities of protecting workers morning, noon, and night by ensuring equity, being bold, and building the team. To

² The FY 2021 level reflects the post-sequestration amount. The FY 2022 and FY 2023 levels reflect the presequestration amounts.

achieve these objectives, DCMWC will advance equity initiatives to support underserved stakeholder communities and implement strategic management and performance efforts to improve the speed and quality of Black Lung claims processing. These initiatives will boost overall efficiency, improve customer service, and facilitate the effective and efficient delivery of services and benefits.

To better serve the community of American Indian coal miners located in the southwestern part of the United States on or near the Navajo Nation, DCMWC will collaborate with federal partners to overcome language, cultural, and geographic barriers and develop effective outreach strategies to ensure unfettered access to program services and benefits. DCMWC will also work to support interagency efforts to facilitate robust and effective outreach to this historically underserved community of coal miners.

DCMWC will also build its team by utilizing optimizing and enhancing key standardization initiatives. As part of creating a culture where people come first, DCMWC will invest in its employees by utilizing prototype performance standards for claims staff (which place all employees on an equal playing field), leverage the power of shared best practices, and promote efficient program operations through the implementation of uniform policies, procedures, and IT initiatives. Further, DCMWC will carry forward operational streamlining initiatives —including the centralization of case create, printing/mailing, call intake, and other functions —to shift program resources to mission-critical activities, maximize the decision-making productivity of professional staff, and improve the speed and quality of Black Lung claims processing. Moreover, the program will support the ongoing policy efforts of consolidating space in DOL to streamline operations and redirect resources to more effective and efficient use in support of the program's mission. Finally, DCMWC will empower staff by prioritizing career development and mentoring programs and providing training opportunities to enhance program-specific knowledge, leadership skills, and overall development.

FY 2022

The FY 2022 full year CR level for DCMWC is \$39,101,000 and 150 FTE. This includes program increases of \$265,000 for Responsible Operator Self-Insurance and Black Lung Claims System maintenance.

The additional \$265,000 in will be utilized to maintain and enhance commercial insurance and self-insurance databases as part of the ongoing implementation of Government Accountability Office recommendations for improving oversight of the coal mine operators' insurance process to protect the BLDTF. Reporting features will be incorporated into the commercial insurance database for better monitoring of new, expired, and cancelled policies. The self-insurance database will be enhanced to support revisions to the self-insurance process and to ensure there is appropriate data storage for a large volume of electronic documentation.

While ensuring a proactive response to the COVID-19 pandemic to assist stakeholders while minimizing disruptions to core program operations, DCMWC will also continue the core activities of its mission to adjudicate incoming and pending claims, pay monthly compensation, and ongoing medical treatment benefits to an estimated 11,100 beneficiaries, monitor cash and

medical treatment benefits disbursed by coal mine operators to approximately 6,200 additional beneficiaries, receive an estimated 6,500 new, incoming claims under Part C as COVID-19 restrictions are lifted, as well as manage approximately 5,600 claims pending decision.

DCMWC will direct its resources and strategies towards maximizing productivity and efficiency through operational standardization and process streamlining, and maintaining a balanced, sustainable approach to claims inventory management with a special emphasis on claims pending at the start of the fiscal year that are resolved by the end of the fiscal year. DCMWC will use informed analysis and information technology (IT) innovations to enhance performance and keep pace with the significant incoming claims volume, ensure accurate and timely adjudication of benefits, and modernize and streamline program operations.

FY 2021

Total resources at the post-sequester FY 2021 Enacted level for DCMWC were \$38,326,000 and 156 FTE. This funding included \$2,000,000 (pre-sequestration) to convert all paper files to electronic files and implement a fully digital claims process. In doing so, the program utilized the proven model of a quick reaction team of dedicated contractor employees, high-speed mobile scanners, and an assembly line protocol to complete a multi-year project to scan more than 20 million pages and digitize all remaining paper case files. DCMWC also received \$235,000 and 2 FTE in support of its ongoing modernization efforts in its self-insurance monitoring unit and the development of a system capable of tracking the status of coal company insurance coverage. The 2 FTE are responsible for evaluating and assessing coal company requests for self-insurance status.

	WORKLOAD AND PERFORMANCE SUMMA	ARY			
				FY 2022	
		FY 2	2021	Full Year	FY 2023
		Revised	Enacted	C.R.	Request
		Target	Result	Target	Target
Division o	of Coal Mine Workers' Compensation				
trategic	Goal 3 - Improve Administration of and Strengthen Worker Safety Net Programs				
trategic	Objective 3.1 - Ensure timely and accurate income support when work is unavailable by streng	thening bene	fits program	s and progran	1
dministr	•	, . .	T IS	r . g	
	D.C. M.	1			
	Performance Measures				
CM 7	Average number of days to complete Proposed Decision and Order following completion of all				
	claim development for all Responsible Operator Merit Claims	40	35	34	3
CM 8	Number of decisions issued	6,000	5,559	5,250	6,00
CM 9	Percent of Black Lung claims pending at the start of the fiscal year that are resolved by the end				
	of the fiscal year			86%	879
	Workload Volumes				
CM	Number of Claims Received				
CIVI		7,000[p]	5,552	6,500[p]	6,000[1
WL 1		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	-)	.,[1]	
	Number of Claims in Pending Proposed Decision and Order Inventory	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		.,,	

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

Workload and Performance

In FY 2023, the DCMWC expects to receive 6,000 new claims and issue 6,000 decisions, resulting in a pending inventory of approximately 5,600 claims. The program established the FY 2021 projection for the 'Number of Claims received' workload measure prior to observation of the effects the pandemic had on new claims filings in FY 2021. Various factors associated with the COVID-19 pandemic resulted in fewer new claims filings to date than projected; however, DCMWC expects new claim filings to increase in FY 2022 as COVID-19 restrictions are lifted. DCMWC will continue to implement effective solutions to the challenges presented by the pandemic while prioritizing the resolution of pending claims as a key strategic objective by optimizing productivity and promoting a balanced approach to claims management. In FY 2023, DCMWC expects that 87 percent of claims pending at the start of the fiscal year will be resolved by the end of the fiscal year. Additionally, following completion of all claim development for Responsible Operator Merit claims, DCMWC expects to complete proposed decision and orders within an average of 32 days.

	BUDGET ACTIVITY COMPONENT BY OBJECT CLASS ³					
	(Dollars i	n Thousands)			
		FY 2021 Revised	FY 2022 Full Year	FY 2023	Diff. FY23 Request / FY22 Full Year	
		Enacted	C.R.	Request	C.R.	
11.1	Full-time permanent	14,327	13,827	14,190	363	
11.3	Other than full-time permanent	0	0	0	0	
11.5	Other personnel compensation	276	276	276	0	
11.9	Total personnel compensation	14,603	14,103	14,466	363	
12.1	Civilian personnel benefits	4,899	4,624	4,749	125	
13.0	Benefits for former personnel	18	18	18	0	
21.0	Travel and transportation of persons	123	123	123	0	
22.0	Transportation of things	0	0	0	0	
23.1	Rental payments to GSA	1,651	1,651	1,651	0	
23.2	Rental payments to others	0	0	0	0	
	Communications, utilities, and miscellaneous	-	-	-	-	
23.3	charges	651	651	651	0	
24.0	Printing and reproduction	53	53	53	0	
25.1	Advisory and assistance services	0	0	0	0	
25.2	Other services from non-Federal sources	1,744	3,744	4,926	1,182	
	Other goods and services from Federal					
25.3	sources 1/	6,946	11,598	13,021	1,423	
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	7,182	2,080	2,080	0	
26.0	Supplies and materials	268	268	268	0	
31.0	Equipment	188	188	188	0	
41.0	Grants, subsidies, and contributions	0	0	0	0	
42.0	Insurance claims and indemnities	0	0	0	0	
	Total	38,326	39,101	42,194	3,093	
1/Oth	er goods and services from Federal sources					
	Working Capital Fund	6,366	7,518	7,760	242	
	DHS Services	128	128	128	0	
	Services by DOL Agencies	452	3,952	5,133	1,181	

 $^{^3}$ The FY 2021 level reflects the post-sequestration amount. The FY 2022 and FY 2023 levels reflect the presequestration amounts.

CHANGES IN FY 2023

(Dollars in Thousands)

Activity Changes		
Built-In		
To Provide For:		
Costs of pay adjustments		\$363
Personnel benefits		121
Employee health benefits		0
Moving allowance		0
Federal Employees' Compensation Act (FECA)		4
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 cha	arges	0
Printing and reproduction	C	0
Advisory and assistance services		0
Other services from non-Federal sources		0
Working Capital Fund		242
Other Federal sources (Census Bureau)		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		\$730
Dunt-ins Subtotal		\$750
Net Program		\$2,363
Direct FTE		0
Direct 112		ŭ
	Estimate	FTE
Base	\$39,831	150
	•	
Program Increase	\$2,363	0
	,	•
Program Decrease	\$0	0