

Subsec. (i)(1). Pub. L. 107-275, §2(b)(1)(D), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “denied by the Social Security Administration; or”.

1994—Subsec. (c). Pub. L. 103-296 substituted “where used in part C means the Secretary of Labor” for “where used in part B means the Secretary of Health, Education, and Welfare, and where used in part C means the Secretary of Labor”.

1986—Subsecs. (h), (i). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

1981—Subsec. (h). Pub. L. 97-119, §104(b)(1), substituted “by section 9501 of title 26” for “in section 934a(a)(1) of this title”.

Subsec. (i). Pub. L. 97-119, §205(b), added subsec. (i).

1978—Subsec. (b). Pub. L. 95-239, §2(a), substituted “a chronic dust disease of the lung and its sequelae, including respiratory and pulmonary impairments, arising out of coal mine employment” for “a chronic dust disease of the lung arising out of employment in a coal mine”.

Subsec. (d). Pub. L. 95-239, §2(b), substituted “any individual who works or has worked in or around a coal mine or coal preparation facility in the extraction or preparation of coal” for “any individual who is or was employed in a coal mine” and inserted provisions that extended to definition of the term “miner” so as to include also an individual who works or has worked in coal mine construction or transportation in or around a coal mine, to the extent that such individual was exposed to coal dust as a result of such employment.

Subsec. (f). Pub. L. 95-239, §2(c), designated existing provisions as pars. (1)(A) and (1)(C), inserted references in the provisions preceding par. (1)(A) to regulations promulgated by the Secretary of Labor for claims under part C of this subchapter and to the relevant provisions of subsecs. (b) and (d) of section 923 of this title, and added pars. (1)(B), (1)(D), and (2).

Subsec. (h). Pub. L. 95-239, §2(d), added subsec. (h).

1972—Subsec. (a). Pub. L. 92-303, §1(c)(2), expanded definition of “dependent” to include children and wife without reference to section 8110 of title 5.

Subsecs. (b), (d). Pub. L. 92-303, §3(b), substituted “a coal mine” for “an underground coal mine”.

Subsec. (e). Pub. L. 92-303, §1(c)(3), expanded definition of “widow” by reference to title 42 and provided procedure for the determination of the status.

Subsec. (f). Pub. L. 92-303, §4(a), expanded definition of “total disability” to include a miner prevented from engaging in gainful employment by pneumoconiosis.

Subsec. (g). Pub. L. 92-303, §1(c)(4), added subsec. (g).

#### CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in subsec. (f) pursuant to section 509(b) of Pub. L. 96-88 which is classified to section 3508(b) of Title 20, Education.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-275, §4, Nov. 2, 2002, 116 Stat. 1928, provided that: “This Act [amending this section and sections 921 to 924, 925, 932a, and 936 of this title, repealing sections 904, 924a, and 945 of this title, and enacting provisions set out as notes under sections 801 and 921 of this title], and the amendments made by this Act, shall take effect 90 days after the date of enactment of this Act [Nov. 2, 2002].”

#### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-296 effective Mar. 31, 1995, see section 110(a) of Pub. L. 103-296, set out as a note under section 401 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by section 205(b) of Pub. L. 97-119 effective Jan. 1, 1982, except as otherwise provided, see sec-

tion 206(a) of Pub. L. 97-119, set out as a note under section 901 of this title.

#### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-239 effective Mar. 1, 1978, see section 20(a) of Pub. L. 95-239, set out as a note under section 901 of this title.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by section 3(b) of Pub. L. 92-303 effective Dec. 30, 1969, see section 3(c) of Pub. L. 92-303, set out as a note under section 901 of this title.

Amendment by section 4(a) of Pub. L. 92-303 effective Dec. 30, 1969, see section 4(g) of Pub. L. 92-303, set out as a note under section 921 of this title.

### § 903. Field offices

(a) The Secretary of Labor shall establish and operate such field offices as may be necessary to assist miners and survivors of miners in the filing and processing of claims under this subchapter. Such field offices shall, to the extent feasible, be reasonably accessible to such miners and survivors. The Secretary, in connection with the establishment and operation of field offices, may enter into arrangements with other Federal departments and agencies, and with State agencies, for the use of existing facilities operated by such departments and agencies. Where the establishment of separate facilities is not feasible the Secretary may enter into such arrangements as he deems necessary with the heads of Federal departments, agencies, and instrumentalities and with State agencies for the use of existing facilities and personnel under their control.

(b) There are authorized to be appropriated for the purposes of subsection (a) of this section such sums as may be necessary.

(Pub. L. 95-239, §18, Mar. 1, 1978, 92 Stat. 105.)

#### CODIFICATION

Section was enacted as part of the Black Lung Benefits Reform Act of 1977, and not as part of the Federal Mine Safety and Health Act of 1977 which comprises this chapter or the Black Lung Benefits Act which comprises this subchapter.

#### EFFECTIVE DATE

Section effective Mar. 1, 1978, see section 20(a) of Pub. L. 95-239, set out as an Effective Date of 1978 Amendment note under section 901 of this title.

### § 904. Repealed. Pub. L. 107-275, §2(c)(2), Nov. 2, 2002, 116 Stat. 1926

Section, Pub. L. 95-239, §19, Mar. 1, 1978, 92 Stat. 106, related to providing information to potential beneficiaries of changes made by Black Lung Benefits Reform Act of 1977.

#### EFFECTIVE DATE OF REPEAL

Repeal effective 90 days after Nov. 2, 2002, see section 4 of Pub. L. 107-275, set out as an Effective Date of 2002 Amendment note under section 902 of this title.

#### PART B—CLAIMS FOR BENEFITS FILED ON OR BEFORE DECEMBER 31, 1973

### § 921. Regulations and presumptions

#### (a) Promulgation; payment of benefits

The Secretary shall, in accordance with the provisions of this part, and the regulations pro-