section effective Apr. 1, 1978, see section 108(b)(4) of Pub. L. 96–222, set out as a note under section 192 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 3(e) of Pub. L. 95–227 provided that: ''This section [enacting section 934a of this title and amending this section] shall take effect on April 1, 1978.''

§934a. Repealed. Pub. L. 97–119, title I, §103(b), Dec. 29, 1981, 95 Stat. 1638

Section, Pub. L. 95–227, §3(a)–(c), Feb. 10, 1978, 92 Stat. 12; Pub. L. 96–88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695; Pub. L. 96–222, title I, §108(b)(2)(A), (3)(A), Apr. 1, 1980, 94 Stat. 226, established a Black Lung Disability Trust Fund, designated trustees for the fund, and provided for operation of the fund. See section 9501 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1982, see section 103(d)(1) of Pub. L. 97–119, set out as an Effective Date note under section 9501 of Title 26, Internal Revenue Code.

PROVISIONS RELATING TO PAYMENT OF BENEFITS TO MINERS AND ELIGIBLE SURVIVORS OF MINERS TO TAKE EFFECT AS RULES AND REGULATIONS OF SECRETARY OF LABOR

Pub. L. 95–239, §20(b), Mar. 1, 1978, 92 Stat. 106, provided that in the event that the payment of benefits to miners and to eligible survivors of miners cannot be made from the Black Lung Disability Trust Fund established by section 3(a) of the Black Lung Benefits Revenue Act of 1977 [former subsec. (a) of this section], the provisions of the Act relating to the payment of benefits to miners and to eligible survivors of miners, as in effect immediately before the date of the enactment of this Act [Mar. 1, 1978], shall take effect, as rules and regulations of the Secretary of Labor until such provisions are revoked, amended, or revised by law, and that the Secretary of Labor may promulgate additional rules and regulations to carry out such provisions and shall make benefit payments to miners and to eligible survivors of miners in accordance with such provisions.

§935. Utilization of services of State and local agencies

With the consent and cooperation of State agencies charged with administration of State workmen's compensation laws, the Secretary may, for the purpose of carrying out his functions and duties under section 932 of this title, utilize the services of State and local agencies and their employees and, notwithstanding any other provision of law, may advance funds to or reimburse such State and local agencies and their employees for services rendered for such purposes.

(Pub. L. 91–173, title IV, §425, Dec. 30, 1969, 83 Stat. 798.)

§936. Regulations and reports

(a) Promulgation; applicability of section 553 of title 5

The Secretary of Labor and the Secretary of Health and Human Services are authorized to issue such regulations as each deems appropriate to carry out the provisions of this subchapter. Such regulations shall be issued in conformity with section 553 of title 5, notwithstanding subsection (a) thereof.

(b) Annual reports to Congress

At the end of fiscal year 2003 and each succeeding fiscal year, the Secretary of Labor shall submit to the Congress an annual report on the subject matter of this part and part B of this subchapter. Each such report shall be prepared and submitted to Congress in accordance with the requirement with respect to submission under section 942 of title 33.

(c) Compliance with State workmen's compensation laws; conflicts between State and Federal provisions

Nothing in this subchapter shall relieve any operator of the duty to comply with any State workmen's compensation law, except insofar as such State law is in conflict with the provisions of this subchapter and the Secretary by regulation, so prescribes. The provisions of any State workmen's compensation law which provide greater benefits than the benefits payable under this subchapter shall not thereby be construed or held to be in conflict with the provisions of this subchapter.

(Pub. L. 91–173, title IV, §426, Dec. 30, 1969, 83 Stat. 798; Pub. L. 92–303, §5(3), May 19, 1972, 86 Stat. 155; Pub. L. 103–296, title I, §108(i)(3), Aug. 15, 1994, 108 Stat. 1488; Pub. L. 104–66, title I, §1102(b)(2), Dec. 21, 1995, 109 Stat. 723; Pub. L. 107–275, §2(b)(4), Nov. 2, 2002, 116 Stat. 1926.)

REFERENCES IN TEXT

Section 942 of title 33, referred to in subsec. (b), was in the original ''section 42 of the Longshore Harbor Worker's Compensation Act'' and was translated as reading ''section 42 of the Longshore and Harbor Workers' Compensation Act'' to reflect the probable intent of Congress.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–275, §2(b)(4)(A), struck out '', the Commissioner of Social Security,'' after ''The Secretary of Labor''.

Subsec. (b). Pub. L. 107–275, §2(b)(4)(B), amended first sentence generally. Prior to amendment, first sentence read as follows: ''At the end of each fiscal year, the Commissioner of Social Security shall submit to the Congress an annual report upon the subject matter of part B of this subchapter, and, after January 1, 1974, the Secretary of Labor shall also submit such a report upon the subject matter of this part.''

1995—Subsec. (b). Pub. L. 104–66 substituted ''At the end of each fiscal year, the'' for ''Within 120 days following the convening of each session of Congress the'' and inserted at end ''Each such report shall be prepared and submitted to Congress in accordance with the requirement with respect to submission under section 942 of title 33.''

1994—Subsec. (a). Pub. L. 103–296, §108(i)(3)(A), substituted '', the Commissioner of Social Security, and the Secretary of Health and Human Services'' for ''and the Secretary of Health, Education, and Welfare''.

Subsec. (b). Pub. L. 103–296, §108(i)(3)(B), substituted ''Commissioner of Social Security'' for ''Secretary of Health, Education, and Welfare''.

1972—Subsec. (b). Pub. L. 92–303 substituted ''January 1, 1974'' for ''January 1, 1973''.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–275 effective 90 days after Nov. 2, 2002, see section 4 of Pub. L. 107–275, set out as a note under section 902 of this title.

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.