

able under this section and the terms and conditions under which, and the area within which, such insurance or reinsurance shall be available and such rates shall apply.

(2) Such premium rates shall be (A) based on a consideration of the risks involved, taking into account differences, if any, in risks based on location, type of operations, facilities, type of coal, experience, and any other matter which may be considered under accepted actuarial principles; and (B) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses.

(3) All premiums received by the Secretary shall be paid into the insurance fund.

**(g) Black Lung Compensation Insurance Fund**

(1) The Secretary may establish in the Department of Labor a Black Lung Compensation Insurance Fund which shall be available, without fiscal year limitation—

(A) to pay claims of miners for benefits covered by insurance or reinsurance issued under this section;

(B) to pay the administrative expenses of carrying out the black lung compensation insurance program under this section; and

(C) to repay to the Secretary of the Treasury such sums as may be borrowed in accordance with the authority provided in subsection (i).

(2) The insurance fund shall be credited with—

(A) premiums, fees, or other charges which may be collected in connection with insurance or reinsurance coverage provided under this section;

(B) such amounts as may be advanced to the insurance fund from appropriations in order to maintain the insurance fund in an operative condition adequate to meet its liabilities; and

(C) income which may be earned on investments of the insurance fund pursuant to paragraph (3).

(3) If, after all outstanding current obligations of the insurance fund have been liquidated and any outstanding amounts which may have been advanced to the insurance fund from appropriations authorized under subsection (i) have been credited to the appropriation from which advanced, the Secretary determines that the moneys of the insurance fund are in excess of current needs, he or she may request the investment of such amounts as he or she deems advisable by the Secretary of the Treasury in public debt securities with maturities suitable for the needs of the insurance fund and bearing interest at prevailing market rates.

**(h) Omitted**

**(i) Authorization of appropriations**

There are authorized to be appropriated to the insurance fund, as repayable advances, such sums as may be necessary to meet obligations incurred under subsection (g). All such sums shall remain available without fiscal year limitation. Advances made pursuant to this subsection shall be repaid, with interest, to the general fund of the Treasury when the Secretary determines that moneys are available in the insurance fund for such repayments. Interest on such advances shall be computed in the same manner

as provided in subsection (b)(2) of section 934a<sup>1</sup> of this title.

(Pub. L. 91-173, title IV, § 433, as added Pub. L. 95-239, § 13, Mar. 1, 1978, 92 Stat. 101.)

**Editorial Notes**

**REFERENCES IN TEXT**

Section 934a of this title, referred to in subsec. (i), was repealed by Pub. L. 97-119, title I, § 103(b), Dec. 29, 1981, 95 Stat. 1638. See section 9501(c) of Title 26, Internal Revenue Code.

**CODIFICATION**

Subsec. (h) of this section, which required the Secretary to report to Congress not later than April 1 of each year on the financial condition and operation of the insurance fund, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 124 of House Document No. 103-7.

**Statutory Notes and Related Subsidiaries**

**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.

**§ 944. Statement of reasons for denial of claim**

Any individual whose claim for benefits under this subchapter is denied shall receive from the Secretary a written statement of the reasons for denial of such claim, and a summary of the administrative hearing record or, upon good cause shown, a copy of any transcript thereof.

(Pub. L. 91-173, title IV, § 434, as added Pub. L. 95-239, § 14, Mar. 1, 1978, 92 Stat. 103.)

**Statutory Notes and Related Subsidiaries**

**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.

**§ 945. Repealed. Pub. L. 107-275, § 2(c)(1), Nov. 2, 2002, 116 Stat. 1926**

Section, Pub. L. 91-173, title IV, § 435, as added Pub. L. 95-239, § 15, Mar. 1, 1978, 92 Stat. 103; amended Pub. L. 103-296, title I, § 108(i)(4), Aug. 15, 1994, 108 Stat. 1488, related to review of claims pending on, or denied on or before, Mar. 1, 1978.

**Statutory Notes and Related Subsidiaries**

**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.

**SUBCHAPTER V—ADMINISTRATIVE PROVISIONS**

**§ 951. Studies and research**

**(a) Appropriate projects**

The Secretary of the Interior and the Secretary of Health and Human Services, as appropriate, shall conduct such studies, research, ex-

<sup>1</sup> See References in Text note below.