

BRB No. 87-3114 BLA
Case No. 86-BLA-675

HENRY R. BROWN)	
)	
Claimant)	
)	
v.)	
)	
ENOXY COAL, INCORPORATED)	DATE ISSUED:
)	
Employer)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	RESPONSE TO REQUEST FOR
)	DIRECTION PURSUANT TO
Party-in-Interest)	REMAND ORDER

Administrative Law Judge Vivian Schreter-Murray has filed a Request for Direction Pursuant to Remand Order, requesting clarification, another order, procedural instructions and further legal authority regarding the Board's Decision and Order in Brown v. Enoxy Coal, Inc., BRB No. 87-3114 BLA (July 27, 1989) (unpublished). The administrative law judge's request is denied. The provisions of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, 30 U.S.C. §901 et seq. and the regulations appurtenant thereto do not authorize the administrative law judge to request, nor grant the Board jurisdiction to

issue, such a supplemental order. Moreover, the Board's Decision and Order requires no clarification. The administrative law judge indicated at the hearing that her file contained Dr. Kimak's report and that she would consider it with the other medical reports of record. Hearing Transcript at 14, 29. She is directed to do so on remand. See Brown, supra; see generally 33 U.S.C. §921(b)(4), incorporated by reference into 30 U.S.C. §932(a); 20 C.F.R. §802.405; Hall v. Director, OWCP, 12 BLR 1-80 (1988).

ROY P. SMITH
Administrative Appeals Judge

NANCY S. DOLDER
Administrative Appeals Judge

LEONARD N. LAWRENCE
Administrative Law Judge*

*Sitting as a temporary Board member by designation pursuant to the Longshore and Harbor Workers' Compensation Act as amended in 1984, 33 U.S.C. §921(b)(5)(1988).