BRB No. 06-0350

DIANA G. ELEY	)	
	)	
Claimant-Petitioner	)	
	)	
v.	)	
	)	
NEWPORT NEWS SHIPBUILDING AND DRY DOCK COMPANY	)	DATE ISSUED: 03/27/2007
	)	
	)	
Self-Insured Employer-Respondent	)	
	)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR	)	
	)	ORDER on MOTION for RECONSIDERATION
Party-in-Interest	)	

Claimant, who is not represented by counsel, has filed a timely motion for reconsideration of the Board's decision in this case, *Eley v. Newport News Shipbuilding & Dry Dock Co.*, BRB No. 06-0350 (Dec. 15,2006) (unpub.). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Employer has not responded to claimant's motion.

In its decision, the Board affirmed the administrative law judge's granting employer's motion for modification and modifying claimant's award from one for permanent total disability to one for permanent partial disability as of June 10, 2003. Claimant asks the Board to reconsider its decision based on a document from a physician, dated January 11, 2007, which she has attached to her motion for reconsideration. The Board may not accept new evidence. 20 C.F.R. §802.301(b). Claimant may submit this document and a request for modification pursuant to 33 U.S.C. §922 to the district director if she desires to pursue this matter.

Accordingly, claimant's motion for reconsideration is denied and the Board's decision is affirmed. 33 U.S.C. §921(b)(5); 20 C.F.R. §§801.301(c), 802.409.

SO ORDERED.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge