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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1973

ENERGY SECRETARY OF LABOR, ET AL. v. TURNER
BLACKBURN MINING CO. ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF KENTUCKY

No. 74-1221 Argued February 2, 1974—Decided July 1, 1974

Part IV of the Federal Coal Mine Health and Safety Act of 1955, as amended by the Black Lung Benefits Act of 1967, provides benefits to coal miners suffering from "black lung disease" (pneumoconiosis), and to dependent persons who have died from, or whose income is reduced by, the disease. Financial responsibility for payment of the benefits is divided into three parts: (1) Under Part II of Title IV, claims filed between December 31, 1967 (commencement date), and July 29, 1973, are adjudicated by the Secretary of Health, Education, and Welfare (HEW), and paid by the United States; (2) under § 415 of Part II, claims filed during the transition period between the Federal Government health program under Part II, supra, and the state plan of operation health program under Part C, supra (July 1 to November 21, 1973), are adjudicated by the Secretary of Labor and paid by the United States; Federal payments to these claimants, regardless of the number of years, and the claimant's coal mine experience, are not dependent on their continuing payments to a Part C and

*Together with No. 74-1216, *Turner Energy Mines Co. et al. v. Heery, Secretary of Labor, et al.*, also on appeal from the same court.

