

U.S. DEPARTMENT OF LABOR

**SECRETARY OF LABOR
WASHINGTON, D.C.**

IN THE MATTER OF)

UNITED STATES DEPARTMENT)
OF LABOR)

v.)

CALIFORNIA HUMAN DEVELOPMENT)
CORPORATION)

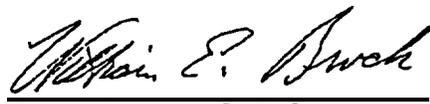
Case No. 84-CTA-20

REMAND ORDER

On May 9, 1986, United States Department of Labor Administrative Law Judge (ALJ) Vivian Skeeter Murray issued a decision in this case dismissing this proceeding. The ALJ's decision was based on the interpretation of Section 106(b) of the Comprehensive Employment and Training Act (CETA), 20 U.S.C. §§ 801, 816(b) (Supp. V 1981), by the United States Court of Appeals for the Ninth Circuit in City of Edmonds v. United States Department of Labor, 749 F.2d 1419 (1984). That decision held that the failure of a Grant Officer to issue a final determination within 120 days from receipt of a complaint or a final audit report was a jurisdictional bar which prevented the Secretary from pursuing a case. The Department appealed the issue of that interpretation to the Supreme Court which, in a unanimous opinion, rejected the Ninth Circuit's interpretation and held that the Secretary does not lose the power to

recover misused CETA funds after the expiration of the 120-day period specified in § 106(b). Brock v. Pierce County, 54 U.S.L.W. 4476 (U.S. May 19, 1986), reversing Pierce County v. United States, 759 F.2d 1398 (9th Cir. 1985).

This case is now REMANDED to ALJ Murray for further proceedings consistent with the Supreme Court's decision.


Secretary of Labor

Dated: June 18, 1986
Washington, D.C.

CERTIFICATE OF SERVICE

Case Name: U.S. Department of Labor v. California Human
Development Corporation.

Case No. : 84-CTA-20

Document : Remand Order

This is to certify that a copy of the above-named document was
sent to the following persons on JUNE 18, 1986.

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