

U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR  
WASHINGTON, DC.

DATE: March 27, 1991  
CASE NO. 84-CPA-3

IN THE MATTER OF

CHICANO EDUCATION AND MANPOWER SERVICES,  
AND SEATTLE-KING COUNTY EMPLOYMENT AND  
TRAINING CONSORTIUM,

COMPLAINANTS,

v.

UNITED STATES DEPARTMENT OF LABOR,

RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER OF REMAND

This case under the Comprehensive Employment and Training Act (CETA), 29 U.S.C. §§ 801-999 (Supp. V 1981), and regulations at 20 C.F.R. Parts 675-680 (1990), is before me upon remand. Chicano Educ. and Manpower Serv. v. Department of Labor, 909 F.2d 1320 (9th Cir. 1990). Complainants have moved to reconsider the February 8, 1991, Order Establishing Briefing Schedule and for remand to the Administrative Law Judge (ALJ) to present evidence as to whether special circumstances exist that may excuse repayment of misspent CETA funds. Complainants allege that the record is insufficient to resolve that issue properly and that the record should be supplemented by testimonial and documentary evidence as to the five factors stated in the controlling

regulation, 20 C.F.R. § 676.88(c). Counsel for the Grant Officer has not opposed this motion.

Upon consideration this case is remanded to **ALJ** Henry B. Lasky to allow for submission of all relevant evidence as may be appropriate on the special circumstances issue. The **ALJ** is to issue his decision on remand not later than sixty (60) days after receipt of this Order. In view of this action, the Order Establishing Briefing Schedule is rescinded.

SO ORDERED.



**Secretary** of Labor

Washington, D.C.

CERTIFICATE OF SERVICE

Case Name: In the Matter of Chicano Education and Manpower  
Services, et al. v. U.S. Department of Labor

Case No. : **84-CPA-3**

Document : Order of Remand

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