



**Issue Date: 17 January 2017**

**Case No: 2016-WIA-00005**

*In the Matter of:*

**SACRAMENTO REGIONAL CONSERVATION CORPS**

*Complainant,*

v.

**UNITED STATES DEPARTMENT OF LABOR,**

*Respondent.*

**ORDER OF DISMISSAL**

This matter arises under the Workforce Innovation and Opportunity Act (“WIOA”), Pub. L. No. 113-128, 128 Stat. 1425 (2014).<sup>1</sup> On June 28, 2016, the United States Department of Labor, Employment and Training Administration (“Respondent”), through a Grant Officer, issued a letter denying the application of Sacramento Regional Conservation Corps (“Complainant”) for funding pursuant to the Training to Work 3 – Adult Reentry grant, FOA-ETA-15-07-A. On July 22, 2016, at Complainant’s request, Respondent issued an evaluative feedback letter via email. On September 2, 2016, the Office of Administrative Law Judges (“OALJ” or “Office”) issued a *Notice of Docketing and Prehearing Order* (“Order”) after receiving Complainant’s request for hearing. The Order instructed the Grant Officer, within 30 days, to submit the administrative file to this Office, the Associate Solicitor for Employment and Training Legal Services, and Complainant. The Order also instructed the parties to file prehearing exchanges<sup>2</sup> within 45 days.

On October 20, 2016, I granted a request by Respondent to extend the time for filing the administrative file and prehearing exchanges. On October 31, 2016, Respondent submitted the administrative file. On November 18, 2016, Respondent filed its prehearing exchange. On December 14, 2016, I granted Complainant an extension of time to file its prehearing exchange.

On January 13, 2017, Complainant filed a *Request to Terminate Appeal Proceedings*. Complainant explains that its “staff found that the review of the grant was reasonable and, while

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<sup>1</sup> Implementing regulations can be found at 81 Fed. Reg. 56,072 (Aug. 19, 2016) (codified at 20 C.F.R. Part 683) (effective Oct. 18, 2016).

<sup>2</sup> The prehearing exchange is to include a statement of the issues to be decided and the relief sought; a witness list with expected testimony; a list of documents expected to be used as evidence; a statement identifying other proceedings; an estimate of the amount of time required for hearing; and any preference regarding hearing location.

challenges to the determinations could be brought up, they did not reach the level that would require the reversal of the decision to not fund [Complainant's] grant application.”

Based on the above, Complainant's motion is GRANTED. As all previously contested issues have been resolved, this matter is hereby DISMISSED.

SO ORDERED:

**STEPHEN R. HENLEY**  
Chief Administrative Law Judge