

U.S. Department of Labor

Office of Administrative Law Judges
1111 20th Street, N.W.
Washington, D.C. 20036



MAR 1 1984

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In the Matter of :
: U. S. Department of Labor : Case No. 84-JTP-6
: vs :
: Pasqua Yaqui Tribe :
.....



ORDER OF REMAND

On February 6, 1984, a formal hearing was held in the above-captioned case. One of the primary issues for resolution was whether the Pasqua Yaqui Tribe lacked the threshold population to be considered for a federal grant in Fiscal Year 1984 under the Job Training Partnership Act (P.L. 97-300).

At the hearing, the evidence submitted by the Pasqua Yaqui Tribe showed that more than the requisite 1,000 Indian and Native Americans were residing on the reservation at the time of the Pasqua Yaqui Tribe's application for the federal grant. On February 24, 1984, Counsel for the U. S. Department of Labor submitted the attached letter which concedes that the Pasqua Yaqui Tribe possessed the threshold population at the time of their application.

Accordingly, the above-captioned matter is hereby REMANDED to Edward Tomchick, Grant Officer, to reconsider on the merits the application of the Pasqua Yaqui Tribe for a federal grant in light of this factual stipulation.

Na hum Litt

NAHUM LITT
Chief Judge

MS:ajg

Service Sheet

Case Name: u. s. Department of Labor v Pasqua Yaqui Tribe

Case No : 84- JPT-6

Title of Document: ORDER OF REMAND

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Litt

FEB 22 1984

Honorable Nahum Litt
Chief Administrative Law Judge
U.S. Department of Labor
1111 20th Street N.W.
Washington, D.C. 20037

Re: In the Matter of the United States Department
of Labor v. Pascua Yaqui Tribe
Case No. 84-JTP-6

Dear Judge Litt:

At the conclusion of the hearing in the above-referenced matter, Department of Labor officials Melvin Goldberg and Herman **Narcho** accompanied me on a trip to the Pascua Yaqui reservation. We inspected the source data for the population figures to which Ms. Carmen Alvarez testified at the hearing. Our review of that data has satisfied us of the accuracy of Ms. Alvarez's testimony that more than 1,000 Indian and Native Americans resided on the reservation at the time of the Pascua Yaqui Tribe's application to be a grantee for Fiscal Year 1984.

Sincerely,

WILLIAM H. DuROSS, III
Associate Solicitor for
Employment and Training

BY *Chester A. Hurwitz*
CHESTER A. HURWITZ
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