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In the Matter of :  
:   
CARLOS ROMERO-BARCELO, :  
GOVERNOR OF PUERTO RICO, and: Case No. 84-JTPA-09  
the ADMINISTRATION de :  
Derecho al Trabajo, :  
Complainants, :  
:   
v. :  
:   
RAYMOND J. DONOVAN, :  
Secretary of Labor of the:   
United States of America, :  
Respondent :  
.....

Clifford S. Robbins,  
Attorney for Complainants

E. Kathleen Shahan, Office of the Solicitor  
Attorney for the Respondent

Before: GLENN ROBERT LAWRENCE  
Administrative Law Judge

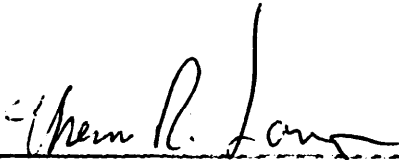
DECISION AND ORDER

Complainants having filed a motion for summary decision in accordance with 48 Fed. Reg. 32547 (1983) (to be codified at 29 C.F.R. §§18.40 and 18.41). I having considered such motion, memorandum, incorporated stipulations, agreements and attachment in support thereof, respondent's opposition to summary decision, and I have found: that there is no genuine issue as to any material fact; that on August 3, 1984 the comptroller General of the United States in decision docketed of File B-214937 found:

The Department of Labor may restore deobligated withdrawn funds as it proposes. The Joint Training Partnership Act, 29 U.S.C. §§1501-1781, requires payments to State Governors based on formulae stated within the Act. Entitlements based on such statutory formulae may be considered as obligated under authority of 31 U.S.C. §1501 (a)(S) whether or not formal recordation takes place. 31 U.S.C. §1552 (a)(2) provides authority for the Government to restore withdrawn funds considered as obligated under section 1531 (a)(S).

E-ALJ-000335

This **satisfies the requirements for** such an opinion in paragraphs II, 2 and 3 of the agreement of the parties embodied in the Decision and Order signed by me on April 27, 1984; and that complainants are entitled to a decision and order in their favor. It is ORDERED that complainants motion for summary decision be and hereby is granted, and most **respectfully ordered** that **the** respondent **take** all necessary steps to effectuate this order and restore to the Governor of Puerto Rico, for use by Puerto Rico **service delivery areas under the** JTPA, the \$902,193.00 of CETA funds voluntarily transferred by Puerto Rico prime sponsors for such purpose.

  
GLENN ROBERT LAWRENCE  
Administrative Law Judge

Dated: **AUG 24 1984**  
Washington, D.C.

SERVICE SHEET

Case Name: **Carlos** Romero-Barcelo

Case No. : **84-JTPA-09**

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