

U.S. Department of Labor

Office of Administrative Law Judges
800 K Street, N.W.
Washington, D.C. 20001-8002



Date: JAN 25 1994
In The Matter of:

COMANCHE INDIAN TRIBE OF OKLAHOMA
Complainant,

v.

U.S. DEPARTMENT OF LABOR,
Respondent

Case No.: 93-JTP-21

ORDER

This matter arises under the Job Training Partnership Act, 29 U.S.C. 1501 et seq., and the regulations promulgated thereunder at 20 C.F.R. Part 636.

The Comanche Indian Tribe of Oklahoma ("Comanche Tribe") sought to expand its JTPA service delivery area into areas currently and or previously served by other Indian tribes. The Grant Officer denied the Comanche Tribe's request by letter dated March 1, 1993. The Comanche Tribe filed a Request for Hearing on May 14, 1993. This Office issued a Notification of Receipt of Request for Hearing and Prehearing Order on May 20, 1993, in which the undersigned ordered the U.S. Department of Labor ("DOL") to, inter alia, notify all present and former applicants for the grant at issue of their opportunity to participate in the hearing. In response to the notifications sent by DOL, three Indian groups/tribes requested to participate in this proceeding including; the Four Tribes Consortium of Oklahoma, the Caddo Indian Tribe of Oklahoma, and the Kiowa Tribe of Oklahoma (hereinafter referred to collectively as "petitioners").

The regulations at 29 C.F.R. § 18.10 provide an opportunity for interested parties to participate in an action if the party requesting to participate meets certain requirements. These requirements were not initially met by all of the petitioners. Accordingly, On November 8, 1993, I ordered that the Four Tribes Consortium and the Caddo Indian Tribe show cause why they should be allowed to participate in this proceeding and address-all of the relevant requirements of 29 C.F.R. § 18.10. A Motion to Intervene filed-by the Kiowa Indian Tribe which adequately conformed to the regulations was previously received in this Office.

In response to the November 8, 1993 Order, petitions to participate in this proceeding were filed by the Caddo Indian Tribe of Oklahoma and the Four Tribes Consortium of Oklahoma on November 18, 1993 and December 2, 1993, respectively. I have reviewed the administrative files, the petitions, and applicable regulations and find that grounds for participation have been

E-ALJ-000387

sufficiently established by all parties requesting such participation. No objections have been filed. Accordingly, the requests to intervene as a party in interest in this proceeding filed by the Kiowa Tribe, the Caddo Indian Tribe, and the Four Tribes Consortium are hereby GRANTED.


JOHN M. VITTONÉ
Deputy Chief Judge

Washington, DC

JMV/rpf/mb

SERVICE SHEET

Case Name: Comanche Indian Tribe of Oklahoma

Case No.: 93-JTP-21

Title of Document: Order

I hereby certify that a true and correct copy of the above referenced document was mailed by regular mail on January 21, 1993 to the following:

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