



**In the Matter of:**

**TEXAS WORKFORCE COMMISSION,**

**ARB CASE NO. 06-056**

**COMPLAINANT,**

**ALJ CASE NO. 2004-OAA-1**

**v.**

**DATE: August 11, 2006**

**UNITED STATES DEPARTMENT OF LABOR,**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**FINAL ORDER DISMISSING CASE WITH PREJUDICE**

This case concerns a grant under Title V of the Older Americans Act (OAA), the Senior Community Service Employment Program, 42 U.S.C.A. §§ 3056, 3056a through 3056n (West 2003), with implementing regulations at 20 C.F.R. Part 641 (2006) and 29 C.F.R. Part 96, subpart F (2005). The Grant Officer sought repayment of \$536,189.62 in disallowed costs from the Texas Workforce Commission (TWC). On December 29, 2005, the Administrative Law Judge issued a Decision and Order Granting Summary Judgment in favor of the Grant Officer. TWC appealed, and the Administrative Review Board accepted this case for review on February 17, 2006.

The Secretary of Labor has delegated her authority to issue final administrative decisions in cases arising under Title V of the OAA to the Administrative Review Board. Secretary's Order 1-2002 (Delegation of Authority and Responsibility to the Administrative Review Board), 67 Fed. Reg. 64,272 (Oct. 17, 2002); 20 C.F.R. § 641.415(c)(5).

On August 4, 2006, counsel for the Solicitor of Labor filed a Joint Stipulation of Dismissal with Prejudice executed by the parties. The parties indicate that they have entered into a Settlement Agreement dated August 4, 2006, that resolves this case.

Absent specific authority mandating our review and approval of settlement agreements reached under Title V of the OAA, we **DISMISS** this case with prejudice.

**SO ORDERED.**

**WAYCE C. BEYER**  
**Administrative Appeals Judge**

**OLIVER M. TRANSUE**  
**Administrative Appeals Judge**