



Dated: March 29, 1994

Case No.: 93-JTP-5

In the Matter of

GRAND RAPIDS INTER-TRIBAL COUNCIL
Complainant

v.

UNITED STATES DEPARTMENT OF LABOR
Respondent

DECISION AND ORDER

This matter arises under the Job Training Partnership Act (JTPA), 29 U.S.C. 51501, and the applicable regulations set forth at 20 C.F.R. Part 636.

On September 30, 1992, the United States Department of Labor (DOL) issued a final determination notifying Grand Rapids Inter-Tribal Council of Deficiencies in Grant Operations as a result of DOL's audit of Complainant's programs under JTPA. By letter filed November 18, 1992, Complainant requested a hearing. On December 15, 1992, this Office issued an Amended Notification of Receipt of Request for Hearing and Prehearing Order which required both parties file certain information relating to this matter. On January 19, 1993, the Respondent filed its Administrative File and Prehearing Exchange, respectively.

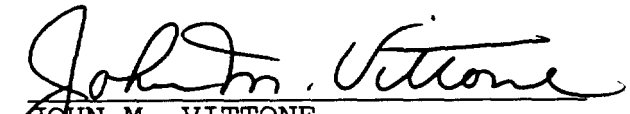
On December 9, 1993, this Office issued an Order to Complainant instructing them to show cause why a default judgment should not be entered in this case. To date, Complainant has failed to respond to Prehearing Order or the Show Cause Order. The regulations provide at 29 C.F.R. §18.6(d) (2) (v) that:

If a party or an officer or agent of a party fails to comply with a subpoena or with an order, ... or any other order of the administrative law judge, the administrative law judge, for the purpose of permitting resolution of the relevant issues and disposition of the proceeding without unnecessary delay despite such failure, may ... [r]ule that a pleading, or part of a pleading, or a motion or other submission by the non-complying party; concerning which the order or subpoena was issued, be stricken, or that decision of the proceeding be rendered against the non-complying party, or both.

E-ALJ-000403

After reviewing the record and considering Complainant's failure to participate in this matter, I hereby ORDER that a Judgment by Default is entered against Complainant. I adopt the findings of fact as set forth in the Final Determination.

In light of the foregoing, Complainant's request for hearing is **DISMISSED** and the Final Determination is **AFFIRMED**.


JOHN M. VITTON
Deputy Chief Judge

Washington, D.C.
JMV/yw

SERVICE SHEET

Case Name: **GRAND RAPIDS INTER-TRIBAL COUNCIL**

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Title of Document: **DECISION AND ORDER**

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