



Issue Date: 01 October 2019

Case No. 2019-WIA-00009

In the Matter of:

QUINSIGAMOND COMMUNITY COLLEGE

Complainant,

v.

**UNITED STATES DEPARTMENT OF LABOR,
EMPLOYMENT AND TRAINING ADMINISTRATION,**

Respondent.

ORDER OF DISMISSAL

This matter arises under the Trade Adjustment Assistance Community College and Career Training (“TAACCCT”) grant program, 19 U.S.C. § 2371, authorized by the Trade Act of 1974, 19 U.S.C. 2101 *et seq.*, as amended by Section 278 of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115; and the regulations at 29 C.F.R. Parts 95 and 96.

On March 19, 2019, the United States Department of Labor, Employment and Training Administration (“ETA” or “Respondent”), through a Grant Officer, issued a Final Determination to Quinsigamond Community College (“QCC” or “Complainant”) finding a total of \$1,000,000.00 in disallowed costs under grant number TC-22505-11-60.¹ On April 11, 2019, Complainant filed a request for hearing with the U.S. Department of Labor, Office of Administrative Law Judges (“Office”) pursuant to 29 C.F.R. § 96.63(b).² On September 27, 2019, Respondent filed a *Joint Motion to Dismiss*, indicating that the parties entered into a

¹ Respondent reviewed questioned costs in the amount of \$1,000,000.00 for the period from October 1, 2011 through September 30, 2017 and found that all of the costs remained disallowed and subject to repayment. Respondent found that Complainant spent \$1,000,000.00 for a marketing services contract that did not benefit its TAACCCT grant.

² Complainant disputed the finding that the questioned costs did not benefit the TAACCCT and that “the marketing promotion did not include content promoting TAACCCT.” Complainant asserted that it complied with all regulations that were in place at the time of performance.

Settlement Agreement resolving all previously disputed issues and requesting that this case be dismissed with prejudice.³

Accordingly, with all issues between the parties having been resolved, and a hearing no longer necessary, the parties' joint motion for dismissal is GRANTED. This matter is hereby DISMISSED with prejudice.

SO ORDERED:

STEPHEN R. HENLEY
Chief Administrative Law Judge

³ Complainant submitted additional material and explanations to ETA to demonstrate its compliance with the cost principles and requirements of Office of Management and Budget Circular A-21. DOL reviewed the documents and determined QCC does not have to repay ETA any TAACCCT grant funds as a consequence of the March 19, 2019 Final Determination and that it is no longer subject to debt collection. ETA further agrees not to seek recovery of any funds stemming from the Final Determination or the OIG findings that QCC improperly spent advertising funds.