

## § 645.525

submit quality project plans (section 403(a)(5)(B)(i) and (iii)).

### **§ 645.525 What special consideration will be given to rural areas and cities with large concentrations of poverty?**

(a) Competitive grant awards will be targeted to geographic areas of significant need. In developing application procedures, special consideration will be given to rural areas and cities with large concentrations of residents living in poverty.

(b) Grant application guidelines will clarify specific requirements for documenting need in the local area (section 403(a)(5)(B)(iv)).

## **Subpart F—Administrative Appeal Process**

### **§ 645.800 What administrative remedies are available under this Part?**

(a) Within 21 days of receipt of a final determination that has directly imposed a sanction or corrective action pursuant to § 645.250(b) of this part, a recipient, subrecipient, or a vendor directly against which the Grant Officer has imposed a sanction or corrective action, may request a hearing before the Department of Labor Office of Administrative Law Judges, pursuant to the provisions of 29 CFR part 96 subpart 96.6.

(b) In accordance with 29 CFR 96.603(b)(2), the rules of practice and procedure published at 29 CFR part 18 shall govern the conduct of hearings under this section, except that a request for hearing under this section shall not be considered a complaint to which the filing of an answer by DOL or a DOL agency is required. Technical rules of evidence shall not apply to a hearing conducted pursuant to this part; however, rules or principles designed to assure production of the most credible evidence available and to subject testimony to cross-examination shall apply.

(c) The decision of the Administrative Law Judge (ALJ) shall constitute final agency action unless, within 20 days of the decision, a party dissatisfied with the decision of the ALJ has filed a petition for review with the Administrative Review Board (ARB) (es-

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tablished pursuant to the provisions of Secretary's Order No. 2–96, published at 61 FR 19977 (May 3, 1996)), specifically identifying the procedure, fact, law or policy to which exception is taken. Any exception not specifically urged shall be deemed to have been waived. A copy of the petition for review must be sent to the opposing party at that time. Thereafter, the decision of the ALJ shall constitute final agency action unless the ARB, within 30 days of the filing of the petition for review, has notified the parties that the case has been accepted for review. Any case accepted by the ARB shall be decided within 120 days of such acceptance. If not so decided, the decision of the ALJ shall constitute final agency action.

EFFECTIVE DATE NOTE: At 66 FR 2711, Jan. 11, 2001, Part 645 was revised, effective February 12, 2001. At 66 FR 9763, Feb. 12, 2001, the effective date of this revision was delayed until April 13, 2001. For the convenience of the user, the superseded text is set forth as follows:

## **PART 645—PROVISIONS GOVERNING WELFARE-TO-WORK GRANTS**

### **Subpart A—Scope and Purpose**

Sec.

- 645.100 What does this subpart cover?
- 645.110 What are the purposes of the Welfare-to-Work program?
- 645.120 What definitions apply to this part?

### **Subpart B—General Program and Administrative Requirements**

- 645.200 What does this subpart cover?
- 645.210 What is meant by the terms “entity” and “project” in the statutory phrase “an entity that operates a project” with Welfare-to-Work funds?
- 645.211 How must Welfare-to-Work funds be spent by the operating entity?
- 645.212 Who may be served as a hard-to-employ individual under the 70 percent provision?
- 645.213 Who may be served as an individual with long-term welfare dependence characteristics under the 30 percent provision?
- 645.214 How will Welfare-to-Work participant eligibility be determined?
- 645.220 What activities are allowable under this part?
- 645.225 How do Welfare-to-Work activities relate to activities provided through TANF and other related programs?
- 645.230 What general fiscal and administrative rules apply to the use of Federal funds?