

DEPARTMENTAL GRANT APPEALS BOARD

Department of Health and Human Services

SUBJECT: California Department of Social Services DATE: September 27, 1988
of Social Services
Docket No. 88-86
Audit Control Nos. 62612-09, 62614-09
Decision No. 988

DECISION

The California Department of Social Services (California/State) appealed a disallowance by the Office of Refugee Resettlement (ORR) of \$3,823,421, for payments to refugees residing in California. The disallowance results from two audits of the Refugee Resettlement Program (RRP) for the period October 1, 1982 through December 31, 1984, in Los Angeles County (Audit Control No. 62612-09 - \$3,105,483) and in Orange County (Audit Control No. 62614-09 - \$717,938). The RRP costs were disallowed primarily because of allegedly inadequate documentation and eligibility determinations.

In its brief, California conceded that the issues here were identical to those appealed by the State in California Dept. of Social Services, DGAB No. 816 (1986). In that decision we upheld a similar disallowance by ORR for the period April 1, 1981 through September 30, 1982. California appealed DGAB No. 816 to the U.S. District Court for the Eastern District of California.*

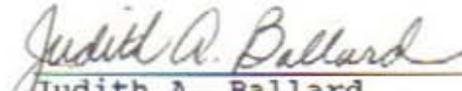
California then requested a "ruling" for consolidation with the case now in district court if the Board was "not moved toward a reconsideration of these issues." California Brief, p. 1. In effect, California requested a summary decision.

California presented no new argument or evidence which would cause us to reconsider our holding in DGAB No. 816. Upon review of California's brief and discussions with the State, ORR agreed that the issues here were identical to those addressed in DGAB No. 816. Consequently, ORR agreed

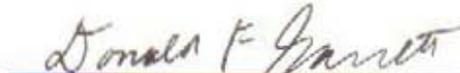
*/California v. Bowen, CIV S-88-609-LKK-EM.

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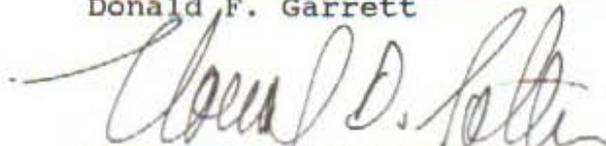
that a summary decision would be appropriate. Accordingly, based on our analysis in DGAB No. 816, incorporated by reference here, we uphold this disallowance in its entirety.



Judith A. Ballard



Donald F. Garrett



Norval D. (John) Settle
Presiding Board Member