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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:)
)
Each Case Pending Before the USDA)
Office of Administrative Law Judges)
)

**BLANKET ORDER AMENDING TO FEBRUARY 11, 2019 FILING
DEADLINES OCCURRING DURING THE FURLOUGH PERIOD IN
ALL CASES PENDING BEFORE USDA ADMINISTRATIVE LAW JUDGES**

The United States Department of Agriculture Office of Administrative Law Judges (“OALJ”), including the undersigned and the Office of the Hearing Clerk, and much of the Office of the General Counsel involved in proceedings before OALJ were on furlough beginning December 22, 2018, with the first day back January 28, 2019, due to a funding lapse.

Pursuant to my January 11, 2019 “Blanket Order Extending Filing Deadlines Occurring During Furlough In All Cases Pending Before the USDA Administrative Law Judges,” all deadlines for the filing of any document that was required to be filed with the Office of the Hearing Clerk in cases pending before the Office of Administrative Law Judges¹ on or during the furlough period were amended to ten business days after the end of the furlough period (*i.e.*, February 11, 2019).² This order is intended to establish and give notice of a specific date certain

¹ Note that the blanket amendment provided in this Order applies only to cases currently pending before USDA Administrative Law Judges. It does not apply to any other USDA proceedings or any court proceedings. For instance, the amendment provided in this order does not apply to proceedings pending before the USDA Judicial Officer. It does not apply to any court of appeals of USDA Judicial Officer/Administrative Law Judge decisions. It does not apply to cases with the USDA National Appeals Division. Parties intending to rely on the amended due date provided in this Order are advised to assure that it applies to his or her case with caution.

² As noted, the first post-furlough working day for all USDA employees was on January 28, 2019. Therefore, February 11, 2019 marks ten business days (excluding weekends and holidays) from the end of the furlough period.

under the January 11, 2019 order. This extension pertains only to filing deadlines. Other procedural dates—such as, but not limited to, scheduled hearings—will be addressed case-by-case. If parties have requests in this regard, they should be filed with the Hearing Clerk. In the event that the amended filing deadline established herein would cause hardship to an affected party, that party may file a motion for specific relief as appropriate.

WHEREFORE, all filing deadlines in cases pending before the Office of Administrative Law Judges that occurred on or during the furlough period, December 22, 2018 through January 28, 2019, are amended to **February 11, 2019**.

This Order shall be filed with the Hearing Clerks Office and published immediately thereafter to the Office of Administrative Law Judges website.³ It may be sent to parties in individual cases by request or at the discretion of the Hearing Clerk.

Issued this 29th day of January 2019 in Washington, D.C.



Channing D. Strother
Chief Administrative Law Judge

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³See <https://oalj.oaha.usda.gov/>.