



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Office of Federal Operations
P.O. Box 77960
Washington, DC 20013

████████████████████
Maxwell M.,¹
Complainant,

v.

Alejandro N. Mayorkas,
Secretary,
Department of Homeland Security
(Transportation Security Administration),
Agency.

Appeal No. 2021005299

Hearing No. 510-2020-00218X

Agency No. HS-TSA-01221-2019

DECISION

On September 30, 2021, Complainant filed an appeal with the Equal Employment Opportunity Commission (EEOC or Commission), pursuant to 29 C.F.R. § 1614.403(a), from the Agency's August 30, 2021, final decision concerning his equal employment opportunity (EEO) complaint alleging employment discrimination in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. § 2000e et seq. and Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. § 791 et seq. For the following reasons, the Commission VACATES in part the Agency's final decision with respect to one claim and REMANDS the claim back to the Agency for a supplemental investigation, but AFFIRMS the Agency's final decision in all other respects.

ISSUES PRESENTED

Whether the AJ properly dismissed Complainant's request for a hearing and whether Complainant was subjected to discrimination and a hostile work environment on the bases of his race, sex, disability, and/or reprisal.

¹ This case has been randomly assigned a pseudonym which will replace Complainant's name when the decision is published to non-parties and the Commission's website.

BACKGROUND

At the time of events giving rise to this complaint, Complainant worked as a Transportation Security Officer at the Agency's Orlando International Airport in Orlando, Florida.

On August 14, 2019, Complainant filed an EEO complaint alleging that the Agency discriminated against him on the bases of race (Caucasian), sex (male, bisexual), disability (unspecified), and reprisal for prior protected EEO activity when:

1. In September 2018, a manager told Complainant that he was going to lose his job and would not advance in the agency;
2. From October 2018 to June 2019, management talked down to Complainant while working on the lane, asked Complainant "if he has a problem," and told colleagues that Complainant is an idiot who should not be trusted;
3. On December 30, 2018, management denied Complainant a bathroom break;
4. On December 30, 2018, Complainant felt threatened physically by a manager when he put his hands on his belt and directed him to sit down;
5. On January 6, 2019, a manager told Complainant that he was on thin ice;
6. In January 2019, a manager made comments about Complainant being White;
7. On January 19, 2019, a colleague called Complainant derogatory names;
8. On January 26, 2019, a colleague said that Complainant was a "privileged White guy,"
9. On February 6, 2019, a manager stated that Complainant was late in front of his colleagues;
10. On various dates from March 2019, until April 2019, management delayed processing the Complainant's CA-7 form and informed managers without a need to know about his medical condition;
11. On or around April 6, 2019, a colleague told Complainant that he had a creepy face and complained to management that he was staring at her.
12. On April 7, 2019, a TSA employee grabbed Complainant and management did not intervene;
13. On April 8, 2019, a colleague told Complainant that management hired him as a tax break because he was mentally disabled;
14. On April 13, 2019, a colleague told Complainant that he was "extremely White;"
15. On April 15, 2019, a colleague repeatedly used the word "N**ga" and physically threatened to knock out Complainant;
16. On April 17, 2019, a colleague called him names and said that she was not a fan of his;
17. On June 28, 2019, management did not select Complainant for the position of On-the-Job Training (OJT) Coach.

Complainant stated during EEO counseling that he is bisexual and that he has a disability but he did not specify what the disability is nor is there any medical documentation of Complainant having a disability.² The record indicates that Complainant began his employment with the Agency on March 18, 2018. See Report of Investigation (ROI) at 65. During EEO counseling, Complainant alleged that he had engaged in prior EEO activity in February 2018 but there is no information about that in the record.³ See ROI at 57. Complainant's formal complaint stated that on March 3, 2019, he suffered an incident where he was stuck by a needle and was evaluated for hepatitis and HIV and his coworkers have asked him if he has AIDS and called him a "faggot."⁴ See ROI at 19.

A Supervisory Transportation Security Officer who served as Complainant's supervisor at the beginning of Complainant's employment (Supervisor 1) explained that to his knowledge, Complainant's prior EEO activity concerned a meeting he was asked to join on February 17, 2019 about a passenger complaint filed about Complainant and during the meeting, Complainant stated that he felt harassed and singled out by the Supervisor 1. See ROI at 66. The Supervisor 1 stated that he notified the Transportation Security Manager about the issues and they then talked it out, resulting in a mutual commitment to improve communication.⁵ See ROI at 67. The Supervisor 1 denied ever telling Complainant that he was going to lose his job or calling Complainant an idiot who should not be trusted. See ROI at 68-69. He further denied ever denying Complainant a bathroom break, stating that it is his routine practice to accommodate all such requests. See ROI at 70. The Supervisor 1 explained that the CA-7 is a form that employees must file for compensation after an injury that should be submitted to the workers' compensation representative in Human Resources. See ROI at 73. He denied any knowledge of Complainant filing the CA-7 form. See ROI at 73.

² In Bostock v. Clayton County, the Supreme Court held that discrimination based on sexual orientation or transgender status is prohibited under Title VII. 590 U.S. ___, 140 S. Ct. 1731 (2020); see also Baldwin v. Dep't of Transp., EEOC Appeal No. 0120133080 (July 15, 2015) (an allegation of discrimination based on sexual orientation states a claim of sex discrimination under Title VII because sexual orientation is inherently a sex-based consideration).

³ We also note that this would appear to place Complainant's prior EEO activity prior to the start of Complainant's employment with the Agency.

⁴ We note, however, that all of the witnesses in the investigation stated that they were not aware of Complainant's sexual orientation and, in fact, the Supervisory Transportation Security Officer (Supervisor 1) who was Complainant's supervisor at the start of his employment stated that he understood Complainant to be heterosexual because he had been told by a female Transportation Security Officer that she was happy to assist Complainant with his payroll paperwork at a time when Complainant was out of work due to a car accident because they were dating at the time. See ROI at 65; 118; 122; 127; 132; 137.

⁵ The record includes an internal memorandum of the harassment report filed by Complainant against Supervisor 1 on February 17, 2019, and stating that after a fact-finding inquiry by a Human Resources Officer, the allegation was found to be unsubstantiated and therefore closed. See ROI at 76-92.

Another Supervisory Transportation Security Officer (STSO) who also worked with Complainant explained that on April 7, 2019, another Agency employee (Employee 1) who was traveling on official business passed through the screening checkpoint dressed in civilian clothes. See ROI at 123. She stated that Complainant called her over and stated that Employee 1 had accosted Complainant and “grabbed him” after Complainant told him to get his hands out of his pockets. See ROI at 123. She stated that when she asked Employee 1 what had happened, he answered that he had taken his hands out of his pockets and passed through the security checkpoint again without an alarm and he had told Complainant that he should not be so rude to passengers as he had overheard Complainant’s previous interactions with passengers and he had been very short and brusque with them. See ROI at 123. She stated that both Complainant and Employee 1 claimed the other was lying but eventually Employee 1 departed and went on his way while Complainant, still upset, went to the “OPD office” to file a charge but was dismissed as there was no basis for the charge. See ROI at 123-124. She stated that Complainant also filed a complaint but not through his chain of command and she wrote a written statement for the Transportation Security Manager and a review of the CCTV footage revealed that Employee 1 touched Complainant on the elbow but it was “not a grab or any type of aggressive movement.” See ROI at 124.

A Human Resources Assistant stated that Complainant never submitted a CA-7 form to her nor did Complainant ever submit any compensation forms to HR. See ROI at 138. The record indicates that the On-the-Job Training Coach was an internal airport posting open to E-band Transportation Security Officers to provide training in order for them to serve as a coach for new hire trainees.⁶ See ROI at 160-62.

The record indicates that the investigator sent Complainant two emails attempting to obtain his testimony during the investigation, to which Complainant did not respond. See ROI at 164-67. The investigator also contacted Complainant by phone on November 4, 2019 in which he told her that he had not been at work but he would contact her to arrange for an interview. Complainant did not do so. See ROI at 169. Complainant also did not respond to the investigator’s email containing written interrogatories or to the investigator’s email providing Complainant with an opportunity to rebut the Agency’s explanations. In each email, the investigator clearly informed Complainant that his failure to respond could result in the dismissal of his complaint.⁷

At the conclusion of the investigation, the Agency provided Complainant with a copy of the report of investigation and notice of his right to request a hearing. Complainant requested a hearing. On March 31, 2021, the Equal Employment Opportunity Commission Administrative Judge (AJ) issued an Order to Show Cause directing Complainant to provide his affidavit and respond to the Order to Show Cause with an explanation for his failure to cooperate during the

⁶ There is no further information in the record about the On-the-Job Training Coach position.

⁷ The record indicates that on December 6, 2019, during the pendency of the investigation, the Agency terminated Complainant during his probationary period. See ROI at 108-110. Complainant’s termination is not at issue in this appeal.

investigation. Thereafter, Complainant did provide his untimely affidavit and responded to the order to show cause claiming that he did not receive the emails the investigator sent to his personal email address because his email address had been misspelled.⁸ On June 17, 2021, the AJ issued an order finding that Complainant's response to the order to show cause was inadequate because Complainant did not explain why he failed to respond to the investigator's emails sent to his work email address nor did he explain why failed to contact the investigator following the phone conversation in which he promised to set an interview date. The AJ therefore dismissed Complainant's hearing request as a sanction for his failure to cooperate in the investigation. The AJ remanded the complaint to the Agency, and the Agency issued a final decision pursuant to 29 C.F.R. § 1614.110(b). The decision found that the evidence in the record was insufficient to support that any of the alleged incidents of harassment occurred as alleged and concluded that Complainant failed to prove that the Agency subjected him to discrimination as alleged.

CONTENTIONS ON APPEAL

Complainant appealed but did not file any statement on appeal.

In response, the Agency argues that the AJ correctly dismissed the hearing request for Complainant's failure to cooperate in the investigation and on the merits, that the Agency's final decision correctly concluded that Complainant did not establish that he was subjected to discrimination.

ANALYSIS AND FINDINGS

Standard of Review

As this is an appeal from a decision issued without a hearing, pursuant to 29 C.F.R. § 1614.110(b), the Agency's decision is subject to de novo review by the Commission. 29 C.F.R. § 1614.405(a). See Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614, at Chapter 9, § VI.A. (Aug. 5, 2015) (explaining that the de novo standard of review "requires that the Commission examine the record without regard to the factual and legal determinations of the previous decision maker," and that EEOC "review the documents, statements, and testimony of record, including any timely and relevant submissions of the parties, and . . . issue its decision based on the Commission's own assessment of the record and its interpretation of the law").

Dismissal of Hearing Request

⁸ Because Complainant's affidavit was untimely and he did not provide adequate explanation for its untimeliness, it was not accepted as part of the record nor was it addressed in the Agency's final decision.

We will first address the AJ's dismissal of Complainant's hearing request as a sanction for his failure to cooperate in the investigation. The Commission's regulations confer upon its AJs very broad responsibility for adjudicating an EEO complaint once a complainant's hearing request has been granted, and that responsibility gives the AJs wide latitude in directing the terms, conduct, or course of EEO administrative hearings. Chere S. v. Gen. Serv. Admin., EEOC Appeal No. 0720180012 (Nov. 30, 2018). The AJ's discretionary authority includes the power to impose sanctions upon a party that fails to comply with his orders. Id.

Here, the AJ issued an Order to Show Cause ordering Complainant to both file a pleading explaining his failure to cooperate during the investigation and to provide an affidavit. Thereafter, although Complainant did respond to the Order to Show Cause, the AJ found that Complainant's response was not sufficient to explain his failure to respond to any of the investigator's attempts to contact him to obtain an interview. Upon our review of the record, we find that the AJ correctly found that Complainant's response to the Order to Show Cause was inadequate. Complainant provided no explanation or justification for his failure to respond to the numerous emails the investigator sent to his work email address or to his failure to contact the investigator to schedule an interview after his phone conversation with the investigator in which he promised to do so. We also note that in Complainant's Preliminary Case Information submission, he stated that he had no further information or documents that he wanted to add to what was already in the record.

Under these particular circumstances and without further explanation from Complainant on appeal, we find that the AJ did not abuse her discretion in dismissing Complainant's hearing request for his failure to cooperate in the investigation.

Adequacy of the Investigation

We must next address the issue of claim 17, whether Complainant was subjected to discrimination when management did not select him for the position of On-the-Job Training Coach.

Investigations of discrimination complaints are governed by 29 C.F.R. § 1614.108 and the instructions contained in the Commission's EEO MD-110. See EEO MD-110, Chap. 6 ("Development of Impartial and Appropriate Factual Records"). An adequate agency investigation is one that is developed impartially and contains an appropriate factual record. 29 C.F.R. § 1614.108(b). "An appropriate factual record is one that allows a reasonable fact finder to draw conclusions as to whether discrimination occurred." 29 C.F.R. § 1614.108(b); EEO MD-110, Chap. 6, § § I, IV.B., IV.C. An investigator must be unbiased, objective and thorough. Id. at § V.C. The investigator must obtain all relevant evidence from all sources regardless of how it may affect the outcome. Id. at § V.D.

We find that the record is inadequate to allow any fact-finder to determine whether discrimination occurred with respect to the non-selection claim, which we note is the sole claim alleging disparate treatment.

While the Agency accepted it as an individual claim and clearly recognized it as such because the record includes a copy of the vacancy announcement, there is no other evidence in the investigation about the claim nor does the Agency appear to have even attempted to investigate the claim further. For example, there is no evidence about who was eventually selected for the position or about the other candidates, let alone who the management officials were who were involved in the selection. There is therefore insufficient evidence in the record to determine whether Complainant could establish a prima facie case with respect to the non-selection or for the Agency to establish a legitimate, nondiscriminatory reason for the non-selection.

We therefore find that claim 17, the non-selection claim alone, must be remanded to the Agency for a supplemental investigation. We remind Complainant that his own failure to cooperate in the initial investigation severely restricted the Agency's ability to investigate his harassment claims and while we find that there is sufficient evidence in the record for us to determine whether Complainant was subjected to unlawful harassment, as will be addressed below, we note that if Complainant again fails to cooperate in the Agency's remanded investigation, the Agency would be within its rights to dismiss the claim entirely pursuant to 29 C.F.R. §1614.107(a)(7).⁹

Hostile Work Environment

To establish a claim of hostile work environment harassment, Complainant must show that: (1) he is a member of a statutorily protected class; (2) he was subjected to harassment in the form of unwelcome verbal or physical conduct involving the protected class; (3) the harassment complained of was based on the statutorily protected class; (4) the harassment affected a term or condition of employment and/or had the purpose or effect of unreasonably interfering with the work environment and/or creating an intimidating, hostile, or offensive work environment; and (5) there is a basis for imputing liability to the employer. See Henson v. City of Dundee, 682 F.2d 897 (11th Cir. 1982); see also Flowers v. Southern Reg'l Physician Serv. Inc., 247 F.3d 229 (5th Cir. 2001); Fox v. General Motors Corp., 247 F.3d 169 (4th Cir. 2001); Humphrey v. U.S. Postal Serv., EEOC Appeal No. 01965238 (Oct. 16, 1998).

Here we find that while the evidence in the record is severely limited due to Complainant's failure to cooperate during the investigation, the evidence is still sufficient to permit us to determine whether Complainant established that he was subjected to unlawful harassment. We find that largely due to Complainant's failure to cooperate during the investigation, the evidence in the record does not indicate that the incidents of harassment occurred as alleged. Complainant did not provide specific details which permitted the investigator to identify any of the coworkers who he alleged in his complaint had called him "faggot" and we note that none of the witnesses interviewed during the investigation stated that they knew of Complainant's sexual orientation. In addition, to the extent there is evidence in the record concerning the alleged incidents of harassment, the record contradicts Complainant's description of the incidents.

⁹ The regulation set forth at 29 C.F.R. § 1614.107(a)(7) provides that an agency may dismiss a complaint for failure to cooperate, or alternatively, adjudicate the complaint if sufficient information for that purpose is available.

For example, the incident on April 7, 2019, when Complainant alleged that Employee 1 grabbed him and management did nothing, the STSO stated that on reviewing the CCTV footage of the incident, the footage showed that Employee 1 only touched Complainant on the elbow but did not grab him or make any aggressive movement. See ROI at 124. Furthermore, concerning Complainant's allegation that management delayed processing his CA-7 form, the HR Assistant stated that there is no record of Complainant ever submitting the CA-7 form for workers' compensation to Human Resources. See ROI at 138. At best, the evidence in the record indicates that Complainant may well have had a contentious interpersonal relationship with his coworkers and that he had disagreements with the Supervisor 1's managerial style. However, the Commission has stated that such common workplace occurrences such as contentious interpersonal relationships with coworkers, and routine work assignments, instructions, and admonishments generally do not rise to the level of an unlawful hostile work environment. See Arthur J. v. Social Sec'y Admin., EEOC Appeal No. 0120142985 (Feb. 28, 2017); see also William S. v. Gen. Svcs. Admin., EEOC Appeal No. 2021001365 (July 12, 2022) (stating that personality conflicts or a supervisor's confrontational manner does not rise to the level of discriminatory harassment); Stevens v. U.S. Postal Serv., EEOC Appeal No. 0120130274 (March 12, 2013) (stating that Title VII is not a civility code). We find that the evidence in the record does not support a finding that Complainant was subjected to an unlawful hostile work environment.

CONCLUSION

Based on a thorough review of the record and the contentions on appeal, including those not specifically addressed herein, we VACATE the Agency's final decision with respect to claim 17 alone and REMAND that claim for a supplemental investigation. In all other respects, we AFFIRM the Agency's final decision finding that Complainant did not establish that he was subjected to discrimination as alleged.

ORDER

Within 90 calendar days of date this decision is issued, the Agency shall take the following action:

1. Conduct and complete a supplemental investigation consistent with the requirements of 29 C.F.R. § 1614.108(b), in EEO MD-110, Chapter 6 and consistent with this decision. The supplemental investigation shall include, but is not limited to: an affidavit or affidavits from any management officials who were involved in the selection for the On-the-Job Training Coach, the application materials of all the candidates for the position, and any evidence concerning the selection process.
2. If Complainant identifies a witness who can provide material and relevant evidence and Complainant makes a proffer of the evidence the witness will provide, the investigator shall obtain the witness' statement or testimony. If the investigator decides not to call a witness identified by Complainant, the investigator shall provide an explanation in the record.

3. If the Agency does not provide information or documentation requested by the investigator or an Agency witness, or an alternate where appropriate, the investigator shall include an explanation in the record.
4. The Agency shall provide Complainant the opportunity to provide a rebuttal affidavit once he has received the supplemental investigative report. Complainant shall cooperate, as appropriate, with the Agency in its actions in supplementing the investigation. If Complainant does not cooperate during the supplemental investigation, the Agency may dismiss the claim pursuant to 29 C.F.R. §1614.107(a)(7) or issue a final decision on the merits without Complainant's cooperation.
5. The Agency shall issue a new decision following the completion of the investigation.
6. A copy of the supplemental investigative report and a new final decision, unless the parties have otherwise resolved this matter, must be provided to the Compliance Officer as referenced below.

IMPLEMENTATION OF THE COMMISSION'S DECISION (K0719)

Under 29 C.F.R. § 1614.405(c) and §1614.502, compliance with the Commission's corrective action is mandatory. Within seven (7) calendar days of the completion of each ordered corrective action, the Agency shall submit via the Federal Sector EEO Portal (FedSEP) supporting documents in the digital format required by the Commission, referencing the compliance docket number under which compliance was being monitored. Once all compliance is complete, the Agency shall submit via FedSEP a final compliance report in the digital format required by the Commission. See 29 C.F.R. § 1614.403(g). The Agency's final report must contain supporting documentation when previously not uploaded, and the Agency must send a copy of all submissions to the Complainant and his/her representative.

If the Agency does not comply with the Commission's order, the Complainant may petition the Commission for enforcement of the order. 29 C.F.R. § 1614.503(a). The Complainant also has the right to file a civil action to enforce compliance with the Commission's order prior to or following an administrative petition for enforcement. See 29 C.F.R. §§ 1614.407, 1614.408, and 29 C.F.R. § 1614.503(g). Alternatively, the Complainant has the right to file a civil action on the underlying complaint in accordance with the paragraph below entitled "Right to File a Civil Action." 29 C.F.R. §§ 1614.407 and 1614.408. A civil action for enforcement or a civil action on the underlying complaint is subject to the deadline stated in 42 U.S.C. 2000e-16(c) (1994 & Supp. IV 1999). If the Complainant files a civil action, the administrative processing of the complaint, including any petition for enforcement, will be terminated. See 29 C.F.R. § 1614.409.

Failure by an agency to either file a compliance report or implement any of the orders set forth in this decision, without good cause shown, may result in the referral of this matter to the Office of Special Counsel pursuant to 29 C.F.R. § 1614.503(f) for enforcement by that agency.

STATEMENT OF RIGHTS - ON APPEAL
RECONSIDERATION (M0124)

The Commission may, in its discretion, reconsider this appellate decision if Complainant or the Agency submits a written request that contains arguments or evidence that tend to establish that:

1. The appellate decision involved a clearly erroneous interpretation of material fact or law; or
2. The appellate decision will have a substantial impact on the policies, practices, or operations of the agency.

Requests for reconsideration must be filed with EEOC's Office of Federal Operations (OFO) **within thirty (30) calendar days** of receipt of this decision. If the party requesting reconsideration elects to file a statement or brief in support of the request, **that statement or brief must be filed together with the request for reconsideration**. A party shall have **twenty (20) calendar days** from receipt of another party's request for reconsideration within which to submit a brief or statement in opposition. See 29 C.F.R. § 1614.405; Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), at Chap. 9 § VII.B (Aug. 5, 2015).

Complainant should submit his or her request for reconsideration, and any statement or brief in support of his or her request, via the EEOC Public Portal, which can be found at

<https://publicportal.eeoc.gov/Portal/Login.aspx>

Alternatively, Complainant can submit his or her request and arguments to the Director, Office of Federal Operations, Equal Employment Opportunity Commission, via regular mail addressed to P.O. Box 77960, Washington, DC 20013, or by certified mail addressed to 131 M Street, NE, Washington, DC 20507. In the absence of a legible postmark, a complainant's request to reconsider shall be deemed timely filed if OFO receives it by mail within five days of the expiration of the applicable filing period. See 29 C.F.R. § 1614.604.

An agency's request for reconsideration must be submitted in digital format via the EEOC's Federal Sector EEO Portal (FedSEP). See 29 C.F.R. § 1614.403(g). Either party's request and/or statement or brief in opposition must also include proof of service on the other party, unless Complainant files his or her request via the EEOC Public Portal, in which case no proof of service is required. Failure to file within the 30-day time period will result in dismissal of the party's request for reconsideration as untimely, unless extenuating circumstances prevented the timely filing of the request. Any supporting documentation must be submitted together with the request for reconsideration. The Commission will consider requests for reconsideration filed after the deadline only in very limited circumstances. See 29 C.F.R. § 1614.604(f).

COMPLAINANT'S RIGHT TO FILE A CIVIL ACTION (T0610)

This decision affirms the Agency's final decision/action in part, but it also requires the Agency to continue its administrative processing of a portion of your complaint. You have the right to file a civil action in an appropriate United States District Court within ninety (90) calendar days from the date that you receive this decision on both that portion of your complaint which the Commission has affirmed and that portion of the complaint which has been remanded for continued administrative processing. In the alternative, you may file a civil action after one hundred and eighty (180) calendar days of the date you filed your complaint with the Agency, or your appeal with the Commission, until such time as the Agency issues its final decision on your complaint.

If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by his or her full name and official title. Failure to do so may result in the dismissal of your case in court. "Agency" or "department" means the national organization, and not the local office, facility or department in which you work. If you file a request to reconsider and also file a civil action, filing a civil action will terminate the administrative processing of your complaint.

RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs. Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. **You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission.** The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Complainant's Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:



Carlton M. Hadden, Director
Office of Federal Operations

January 24, 2024

Date