



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

[REDACTED]  
Roman G,<sup>1</sup>  
Complainant,

v.

Denis R. McDonough,  
Secretary,  
Department of Veterans Affairs,  
Agency.

Appeal No. 2022000508

Hearing No. 541-2019-00093X

Agency No. 2003-741C-2018103182

**DECISION**

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 October 5, 2021 final order concerning an equal employment opportunity (EEO) complaint claiming employment discrimination in violation of Section 501 of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended, 29 U.S.C. § 791 et seq.

**BACKGROUND**

During the period at issue, Complainant worked for the Agency in Denver, Colorado.

On February 26, 2018, Complainant contacted an EEO Counselor, and filed a formal EEO complaint on August 15, 2018, alleging that the Agency discriminated against him based on disability. By letter dated November 29, 2018, the Agency issued a letter accepting the formal complaint and determining that it was comprised of the following claims:

---

<sup>1</sup> 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.

Whether Complainant was subjected to a hostile work environment based on disability, as evidenced by the following events:

1. From July 2016 thru March 2018, [Complainant's Supervisor] failed to forward Complainant's documentation to human resources officials for his worker's compensation claim.
2. From July 2016 through March 2018, Acting Deputy Director made negative comments to Complainant about his workplace injury and disability.
3. On or about January 28, 2017, Complainant's supervisor and the Acting Deputy Director denied Complainant's reasonable accommodation request to telework.
4. On July 25, 2017 through March 2018, Complainant's Supervisor and the Acting Deputy Director failed to take corrective action and refused to address the harassment Complainant endured from a named Human Resources Specialist.
5. On January 8, 2018, a named Program Analyst failed to acknowledge and address Complainant's concerns about the tampering of his worker's compensation documentation.
6. On May 29, 2018, a supervisor made comments to Complainant about filing an EEO complaint.
7. On August 3, and 8, 2018, Complainant learned that [his supervisor] did not properly forward his documentation to a named Human Resources Specialist for his worker's compensation claim.
8. On November 21, 2018, a human resources Specialist gave Complainant erroneous information related to the submission of his worker's compensation claim.<sup>2</sup>

The Agency's November 29, 2018 letter set forth that claim (3) was accepted for investigation as an independently actionable claim, and part of the overall harassment claim.<sup>3</sup>

---

<sup>2</sup> The record reflects that incident (8) was accepted as an amendment to the original complaint.

<sup>3</sup> However, the record contains a partial acceptance letter dated October 29, 2018. Therein, the October 29, 2018 letter dismissed claim (3) as an independently actionable claim for untimely EEO Counselor contact. The October 29, 2018 letter, however, set forth that claim (3) would be considered as part of Complainant's overall hostile work environment claim.

After an investigation, Complainant was provided a copy of the investigative file and requested a hearing before an EEOC Administrative Judge (AJ).

On April 20, 2020, the AJ issued an Order Following Initial Conference. Therein, the AJ granted the Agency's oral motion to dismiss claim (3) as an independently actionable claim for untimely EEO Counselor contact. However, the AJ found that claim (3) remained as part of Complainant's overall hostile work environment claim.

On August 19, 2020, the Agency issued a Motion for Summary Judgment (Agency's Motion). Regarding claim (1), the Agency asserted that Complainant's supervisor acknowledged that he made a mistake when he did not forward Complainant's OWCP documents to human resources, but the problem was corrected. Thus, the Agency found that this matter was not based on Complainant's protected classes. Regarding claim (2), the Agency asserted that the Deputy Director instructed Complainant to follow a Human Resources Specialist's instructions regarding the OWCP process. The Agency set forth that Complainant failed to establish that this matter was based on his protected class.

Regarding claim (3), the Agency's Motion reiterated that the AJ found that this claim was untimely as an independently actionable claim. The Agency's Motion also set forth that the Agency was unaware of this reasonable accommodation request (situational telework). Agency's Motion at 10. The Agency set forth that "[e]ven assuming that Complainant did make a telework request, he was not discriminated against due to his disability when it was denied. Complainant lists several employees with disabilities who were granted partial or full telework access...During the claimed events in this complaint, no less than eleven other voucher examiners under the [Acting Deputy Director's] supervision were granted telework as a reasonable accommodation. Thus, discrimination is unlikely to have been a motivation in this decision." Agency's Motion at 11.

Regarding claim (4), that Agency officials did not take action regarding a human resources specialist's harassing behavior toward Complainant, the Agency set forth that the named Human Resources Specialist provided Complainant with information on submitting information pertaining to his OWCP claim. The Agency found that Complainant failed to show that this matter was based on is protected class.

Regarding claim (5), that a named Agency official failed to address Complainant's concerns regarding the alleged tampering of his OWCP documentation, the Agency's Motion asserted that this matter was not sufficiently severe or pervasive to have a material effect on Complainant's employment.

Regarding claim (6), that Complainant's supervisor made comments to Complainant about filing an EEO complaint, the Agency found that Complainant alleged that the supervisor made the comment "well, good luck with that" in response to Complainant filing an EEO complaint. The Agency's Motion sets forth that this statement did not discourage Complainant from filing an EEO complaint or have any relation to his disability.

Regarding claims (7) and (8), that the supervisor did not forward Complainant's documentation to human resources for his OWCP claim and that human resources provided him incorrect information regarding his OWCP claim, the Agency found that there was confusion surrounding the processing of his OWCP claim but the actions were not related to his protected EEO class.

Complainant responded to the Agency's Motion on October 4, 2020 (Response). Complainant asserts that Agency officials have no excuse with respect to their confusion surrounding the OWCP process.

On October 13, 2020, the Agency filed a Reply to Complainant's response. The Agency reiterated that confusion over the OWCP process does not establish that the Agency's actions were discriminatory.

On September 3, 2021, the AJ issued a decision granting the Agency's Motion. The AJ adopted the Agency's Motion and its Reply in their entirety without additional analysis.<sup>4</sup>

The Agency's final action dated October 5, 2021 implemented the AJ's decision.

The instant appeal followed. On appeal, Complainant reiterates that his OWCP compensation has been delayed. Complainant also reasserts that he was denied a reasonable accommodation.

In response, the Agency requests that we affirm its final order implementing the AJ's decision without a hearing finding no discrimination. The Agency reiterates that Complainant has not establish a *prima facie* case of harassment.

### STANDARD OF REVIEW

In rendering this appellate decision, we must scrutinize the AJ's legal *and* factual conclusions, and the Agency's final order adopting them, *de novo*. See 29 C.F.R. § 1614.405(a) (stating that a "decision on an appeal from an Agency's final action shall be based on a *de novo* review . . ."); see also Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), at Chap. 9, § VI.B. (Aug. 5, 2015) (providing that an administrative judge's determination to issue a decision without a hearing, and the decision itself, will both be reviewed *de novo*). This essentially means that we should look at this case with fresh eyes. In other words, we are free to accept (if accurate) or reject (if erroneous) the AJ's, and Agency's, factual conclusions and legal analysis – including on the ultimate fact of whether intentional discrimination occurred, and on the legal issue of whether any federal employment discrimination statute was violated. See id. at Chapter 9, § VI.A. (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").

---

<sup>4</sup> The AJ noted that to the extent Complainant was seeking to raise a retaliation claim, such a request was denied because the deadline to file a motion to amend had passed.

## ANALYSIS AND FINDINGS

The Commission's regulations allow an AJ to issue a decision without a hearing when he or she finds that there is no genuine issue of material fact. 29 C.F.R. § 1614.109(g). This regulation is patterned after the summary judgment procedure set forth in Rule 56 of the Federal Rules of Civil Procedure. The U.S. Supreme Court has held that summary judgment is appropriate where a court determines that, given the substantive legal and evidentiary standards that apply to the case, there exists no genuine issue of material fact. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986). In ruling on a motion for summary judgment, a court's function is not to weigh the evidence but rather to determine whether there are genuine issues for trial. Id. at 249. The evidence of the non-moving party must be believed at the summary judgment stage and all justifiable inferences must be drawn in the non-moving party's favor. Id. at 255. An issue of fact is "genuine" if the evidence is such that a reasonable fact finder could find in favor of the non-moving party. Celotex v. Catrett, 477 U.S. 317, 322-23 (1986); Oliver v. Digital Equip. Corp., 846 F.2d 103, 105 (1st Cir. 1988). A fact is "material" if it has the potential to affect the outcome of the case.

### *Claims (1), (5), (7), and (8): Processing of Complainant's OWCP Claim/Benefits*

Regarding claims (1), (5), (7)-(8), the Agency's Motion and AJ's Decision addressed these matters on the merits. However, we find that these matters are more properly analyzed as to whether they state a claim. The Commission has held that an employee cannot use the EEO complaint process to lodge an attack on another proceeding. See Wills v. Dep't of Def., EEOC Request No. 05970596 (July 30, 1998); Kleinman v. U.S. Postal Serv., EEOC Request No. 05940585 (Sept. 22, 1994); Lingad v. U.S. Postal Serv., EEOC Request No. 05930106 (June 25, 1993).

The essence of claims (1), (5), (7)-(8) involves the Agency's alleged delay in forwarding OWCP paperwork (resulting in a delay in OWCP compensation) and/or providing misinformation to Complainant on the OWCP process. The proper forum for Complainant to have raised his challenges to actions which occurred during the OWCP process is within that process itself. Thus, these matters are properly dismissed for failure to state a claim for lodging a collateral attack on the proceedings of the OWCP process.

### *Claims (2), (4), and (6): Harassment Claims*

To establish a claim of harassment a complainant must show that: (1) he or she belongs to a statutorily protected class; (2) 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 their 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). Further, the incidents must have been "sufficiently severe or pervasive to alter the conditions of [complainant's] employment and create an abusive working environment."

Harris v. Forklift Systems, Inc., 510 U.S. 17, 21 (1993). The harasser's conduct should be evaluated from the objective viewpoint of a reasonable person in the victim's circumstances. Enforcement Guidance on Harris v. Forklift Systems Inc., EEOC Notice No. 915.002 at 6 (Mar. 8, 1994).

Regarding claims (2) and (4), the Acting Deputy Director making comments about Complainant's disability and a human resources specialist harassing him, Complainant, in his affidavit stated "I informed him that [a named human resources specialist] was requesting I change dates on my pay submission that were outside approved time standards and fraudulent in nature. [The Acting Deputy Director] disregarded my objections and sided with her. He stated that he understood that my original pay documents were submitted correctly, but advised that if I wanted to receive my pay, I align with [the human resources specialist's] instructions."<sup>5</sup> Report of Investigation (ROI) at 72. Complainant failed to establish that this matter was based on his protected class (disability). Complainant further alleged that the human resources specialist provided him with inaccurate information regarding the OWCP process. As set forth above, these matters concerning the OWCP process are outside of the jurisdiction of the Commission.

Regarding claim (6), Complainant alleges that his supervisor stated, in response to him filing an EEO complaint, "well, good luck with that" and laughed. ROI at 75. We concur with the Agency and the AJ that this alleged incident is not sufficiently severe or pervasive to constitute actionable harassment. We further concur that the alleged incident is not reasonably likely to deter Complainant or others from engaging in protected EEO activity.<sup>6</sup>

*Claim (3): Denial of a Reasonable Accommodation Claim-Telework*

We now address claim (3), Complainant's denial of a reasonable accommodation request for situational telework as needed for his medical conditions. We find that the AJ improperly dismissed this matter for untimely EEO Counselor contact.

Complainant asserts that he requested situational telework in January 2017, for his medical conditions from his supervisor and the Acting Deputy Director, which was denied in January 2017. ROI at 72, 80-81. Complainant asserts that the need for situational telework was ongoing. Complainant, in his affidavit, stated that "some of his disabilities are considered permanent." ROI at 68. Complainant, in his affidavit, further asserted that he has medical problems that still need to be addressed and require accommodations that were denied. ROI at 71. The EEOC Compliance Manual, Section 2, "Threshold Issues", p. 2-73, EEOC Notice 915.003 (July 21, 2005), provides that "because an employer has an ongoing obligation to provide a reasonable accommodation failure to provide such accommodation constitutes a violation each time the employee needs it." In the instant matter, we find that Complainant timely initiated EEO contact regarding his ongoing denial of reasonable accommodation claim.

---

<sup>5</sup> Complainant, in his affidavit, also stated that the human resources specialist was bullying him on various matters related to the OWCP process such as CA-7 submissions. ROI at 73.

<sup>6</sup> We note that Complainant did not initially raise reprisal as a basis.

Thus, the AJ should not have dismissed this claim for untimely EEO Counselor contact and should have addressed this matter as an independently actionable claim (rather than merely as part of Complainant's hostile work environment claim).

Under the Commission's regulations, federal agencies may not discriminate against individuals with disabilities and are required to make reasonable accommodations for the known physical and mental limitations of qualified individuals with disabilities, unless an Agency can show that reasonable accommodation would cause undue hardship. See 29 C.F.R. §§ 1630.2(o) and (p). To establish that complainant was improperly denied a reasonable accommodation, complainant must show that: (1) he is an individual with a disability, pursuant to 29 C.F.R. 1630.2(g); (2) he is a "qualified" individual with a disability, pursuant to 29 C.F.R. § 1630.2(m); and (3) the Agency failed to provide a reasonable accommodation. See EEOC Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, EEOC No. 915.002 (Oct. 17, 2002).

We find this matter warrants further development and possible credibility determinations. While the Agency's Motion asserts that Agency officials were not aware of Complainant's reasonable accommodations request (Agency's Motion at 10), Complainant asserts that he met with his supervisor and the Acting Deputy Director in January 2017, and informed them of his reasonable accommodation request for situational telework for his medical conditions. ROI at 72, 80-81. While Agency officials assert that to initiate the reasonable accommodation process, employees must use specified forms and contact the Agency's Topeka, Kansas office (ROI at 145, 162, 166),<sup>7</sup> we disagree. A reasonable accommodation request need not be in writing or use the magic words of "reasonable accommodation." See EEOC Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA, EEOC No. 915.002 at Question 3 (Oct. 17, 2002). The employee need only inform the Agency that he needs an adjustment or change at work for a reason related to a medical condition. See Triplett-Graham v. U.S. Postal Serv, EEOC Appeal No. 01A44720 (Feb, 24, 2006).

The record reflects that the Agency's own policy regarding reasonable accommodation requests provides that the requests may be made verbally to a supervisor. ROI at 278-279. Complainant asserts that he provided medical documentation to Agency officials in support of his reasonable accommodation request for telework<sup>8</sup> (ROI at 92-93) However, the record does not appear to contain a copy of this documentation in its entirety. Complainant further asserts that Agency officials, when denying his request for telework/reasonable accommodation, informed him it was not accepting additional requests to telework from employees. ROI at 81.

---

<sup>7</sup> While the Acting Deputy Director sets forth that the reasonable accommodation process required specified documents and the individual requesting the accommodation needed to go through the Agency's Topeka office, the Acting Deputy Director also asserts, however, that he has granted some accommodations himself as a "compassionate accommodation." ROI at 166, 177).

<sup>8</sup> Complainant referenced various pieces of medical documentation which he asserts supports his request for a reasonable accommodation (ROI at 92-93). However, the record does not contain all the medical documentation referenced by Complainant.

Assuming arguendo that Complainant made this reasonable accommodation request, the record is devoid of evidence that the Agency engaged in the interactive process with Complainant. In addition, the record is devoid of evidence that the Agency made a determination as to whether the requested accommodation would result in undue hardship for the Agency.

To the extent the Agency's Motion argues that the Agency providing other employees with disabilities the opportunity to telework reflects that the motive of denying Complainant telework was not due to discrimination, we find that this argument applies to a disparate treatment analysis rather than an individualized denial of a reasonable accommodation analysis.

In the context of an administrative proceeding, an AJ may properly consider issuing a decision without holding a hearing only upon a determination that the record has been adequately developed for summary disposition. See Petty v. Dep't of Def., EEOC Appeal No. 01A24206 (July 11, 2003). We note that the hearing process is intended to be an extension of the investigative process, designed to ensure that the parties have "a fair and reasonable opportunity to explain and supplement the record and, in appropriate instances, to examine and cross-examine witnesses." See Equal Employment Opportunity Management Directive for 29 C.F.R. Part 1614 (EEO MD-110), 7-1 (Aug. 5, 2015); see also 29 C.F.R. § 1614.109(e). "Truncation of this process, while material facts are still in dispute and the credibility of witnesses is still ripe for challenge, improperly deprives Complainant of a full and fair investigation of her claims." Bang v. U.S. Postal Serv., EEOC Appeal No. 01961575 (March 26, 1998). See also Peavley v. U.S. Postal Serv., EEOC Request No. 05950628 (October 31, 1996); Chronister v. U.S. Postal Serv., EEOC Request No. 05940578 (April 25, 1995). Based on the foregoing, we find that the AJ erred in dismissing this matter as an independent actionable claim and in granting summary judgment on this matter because it warrants further development and possible credibility determinations.

Accordingly, for the reasons set forth herein, we AFFIRM the Agency's final order implementing the AJ's decision without a hearing finding no discrimination regarding claims (1)-(2), (4)-(8). However, we REMAND Claim (3), regarding the alleged denial of Complainant's reasonable accommodation request for situational telework, to the Agency for further processing in accordance with the ORDER below.

### ORDER

Within thirty (30) calendar days from the date this decision is issued, the Agency is directed to resubmit a request for a hearing on Complainant's behalf regarding Claim (3) (denial of a reasonable accommodation for situational telework), along with a copy of the complaint file and a copy of this decision, to the EEOC Hearings Unit for Denver Field Office. The Agency shall provide written notification to the Compliance Officer at the address set forth below that the complaint file has been transmitted to the Hearings Unit. Thereafter, the Administrative Judge shall hold a hearing and issue a decision on the complaint in accordance with 29 C.F.R. § 1614.109 and the Agency shall issue a final action in accordance with 29 C.F.R. § 1614.110.



## 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 (M0920)

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(c).

#### 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

December 15, 2022

Date