

Congress of the United States
Washington, DC 20515

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January 16, 2019

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

On January 2, 2019, the Federal Communications Commission (FCC) released a Public Notice regarding the impact of the government shutdown on the agency's operations. One issue addressed in the letter is employment discrimination filings. The agency asserts that "to preserve the rights employees and other aggrieved individuals may have under Federal employment discrimination statutes, the agency will receive and record receipt of discrimination complaints. Any such complaint must be submitted within forty-five (45) days of the alleged discriminatory action."¹

At a time when furloughed FCC employees are facing the stress and uncertainty of not knowing when they will receive their next paycheck, it is unreasonable that they might also lose employment discrimination protections if they do not file a complaint within this window. I urge you to consider, pursuant to federal regulations, waiving or extending the applicable complaint filing periods for the duration of the shutdown.² If you do not believe you have the authority to do so, please provide your legal analysis supporting that conclusion.

Thank you for your attention to this important matter. Please provide your response by Friday, January 18th, either stating why the FCC does not have the authority to waive or otherwise extend this filing deadline, or with an update with how you will notify employees and the public of the change to the information in the FCC's public notice on this issue. If you have any questions, please contact Charlyn Stanberry directly at 202.225.6231.

Sincerely,


Yvette D. Clarke
Member of Congress

¹ Federal Communications Commission, *Impact of Potential Lapse in Funding on Commission Operations*, Public Notice, DA 19-10 (Jan 2, 2019).

² See 29 C.F.R. §§ 1614.604(c) (2018).