

OFFICE OF COMPLIANCE

LA 200 John Adams Building, 110 Second Street, S.E.
Washington, DC 20540-1999

| | |
|--------------------------------|---|
| Wayne R. Moore, |) |
| Appellant, |) |
| |) |
| v. |) |
| |) |
| Office of the Architect of the |) |
| Capitol, |) |
| Appellee. |) |
| |) |
| |) |

Case Number: 12-AC-14 (CV, AG, RP)

Before the Board of Directors: Barbara L. Camens, Chair: Alan V. Friedman, Roberta L. Holzwarth, Susan S. Robfogel, Barbara Childs Wallace, Members.

DECISION OF THE BOARD OF DIRECTORS

This case is before the Board of Directors (“Board”) pursuant to a petition for review filed by Wayne R. Moore, (“Appellant”) of an order granting the Motion to Dismiss filed by the Office of the Architect of the Capitol (“Appellee”). On August 2, 2012, Hearing Officer Susan R. Winfield issued her Order dismissing Appellant’s complaint for failure to comply with the time requirements of section 402(a) of the Congressional Accountability Act (“Act”), 2 U.S.C. § 1402(a).

The Board has considered the Hearing Officer’s Opinion and Order, in light of the record, and the parties’ filings. The Board finds that the Hearing Officer’s conclusions that Appellant failed to satisfy the time limits in the Act and that he was not entitled to equitable tolling of those limits were neither inconsistent with law nor an abuse of discretion. 2 U.S.C. § 1406.

The judgment of the Hearing Officer is therefore affirmed.

It is so ordered.

Issued: at Washington, D.C., October 31, 2012