



ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Annual Report for Fiscal Year 2023  
Under the  
Notification and Federal Employee Antidiscrimination  
and Retaliation Act of 2002 (No FEAR Act)

Report Prepared for:

Speaker of the U.S. House of Representatives

President Pro Tempore of the U.S. Senate

Committee on Homeland Security and Governmental Affairs, US. Senate

Committee on Oversight and Accountability, U.S House of Representatives

Committee on the Judiciary, U.S. Senate

Committee on the Judiciary, U.S. House of Representatives

U.S. Equal Employment Opportunity Commission

U.S. Attorney General

Dated March 5, 2024, by:

The Administrative Conference of the United States



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A. Introduction

This report is prepared by the Administrative Conference of the United States (ACUS) pursuant to the requirements of Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act or Act). The Act requires federal agencies to submit an annual report to the Speaker of the U.S. House of Representatives; the President Pro Tempore of the U.S. Senate; the Senate Committee on Homeland Security and Governmental Affairs; the House Committee on Oversight and Accountability; the Senate Committee on the Judiciary; the House Committee on the Judiciary; the U.S. Equal Employment Opportunity Commission; and the US. Attorney General.

This report contains data and analysis concerning equal employment opportunity (EEO) complaints activity at ACUS (zero formal or informal complaints for the current reporting year, FY 2023). ACUS is 100% committed to maintaining an environment that provides equal employment opportunity to its total approximate workforce of 11 full-time employees, as well as job applicants.

B. Federal Court Cases Arising under the Federal Antidiscrimination or Whistleblower Laws

1. As shown below in Table 1, ACUS had **zero** Federal Court Cases Pending or Resolved in FY 2023.

**TABLE 1**  
**Federal Court Cases Pending or Resolved in FY 2023, Separated by Statute**

Title VII of the Civil Rights Act of 1964	0
Age Discrimination in Employment Act of 1967	0
Rehabilitation Act of 1973	0
Whistleblower Protection Act	0
Equal Pay Act of 1963	0

2. Status or Disposition of Federal Court Cases Including the Amount of Money Required to be Reimbursed to the Judgement Fund and any Budget Adjustments Relating to the Judgement Fund.

Table 2 shows the status and disposition of federal court cases, by statute. Since there were no federal court cases and no data to report, the numerical values are all zero.

**TABLE 2**  
**Status of Federal Court Cases in FY 2023, by Statute**

<b>Title VII of the Civil Rights Act of 1964</b>	0
Pending	0
Dismissed	0
Settled	0
<b>Age Discrimination in Employment Act of 1967</b>	0
Pending	0
Dismissed	0
Settled	0
<b>Rehabilitation Act of 1973</b>	0
Pending	0
Dismissed	0
Settled	0
<b>Whistleblower Protection Act</b>	0
Pending	0
Dismissed	0
<b>Settled</b>	0
<b>Equal Pay Act of 1963</b>	0
Pending	0
Dismissed	0
Settled	0

C. Employees Disciplined for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws

Table 3 shows that there were zero findings of discrimination, and therefore, zero employees disciplined for having been found to have engaged in discrimination in violation of civil rights laws.

**TABLE 3**  
**Employees Disciplined for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws in FY 2023**

<b>Employees Disciplined in Connection with Federal Court Cases</b>	
Number of Findings	0
Number of Employees Disciplined	0
<b>Employees Disciplined Whether or Not in Connection with Federal Court Cases</b>	
Number of Employees Disciplined	0

D. Final Year-End No FEAR Act Data for FY 2023

Attached as Appendix 1 is ACUS’s final year-end No Fear Act Data for FY 2023.

E. ACUS’s Discipline Policy for Conduct Inconsistent with Federal Antidiscrimination or Whistleblower Laws

ACUS’s FY 2023 policy statement in support of this section is attached as Appendix 2. ACUS takes seriously its obligations to maintain a professional, anti-discriminatory, and anti-retaliatory workplace. The agency’s annual policy statement is issued to current employees, new employees upon onboarding, and posted on its website to notify job applicants. Employees engaging in prohibited conduct may be subject to appropriate disciplinary action.

F. Data Analysis

Introduction

This section is intended to provide data and trend analysis on the bases and issues in formal EEO complaints for FY 2022 and FY 2023. The bases protected by EEO statutes are race, color, religion, national origin, sex, disability, age, genetic information, and retaliation. Table 4 shows that no complaints were filed.

**Number of Formal EEO Complaints and Number of Filers**

<b>Fiscal Year</b>	<b>Number of Complaints Filed</b>	<b>Number of Complainants</b>	<b>Repeat Filers</b>
2023	0	0	0
2022	0	0	0

1. Trends

Due to insufficient data (i.e., a single complaint in approximately ten years), no trends can be identified other than the fact that complaints are very rare at ACUS.

2. Causal Analysis

Again, there is insufficient data to make a causal assessment except to note that complaint activity is likely the result of a culture of agency compliance.

3. Knowledge Gained

An assessment conducted by agency leaders and supervisors revealed no particular concerns relative to the agency’s performance. The main takeaway from the agency’s historical data

is that complaints are rare. The agency continues to be vigilant in its efforts to comply with EEO, antiretaliation, and whistleblower laws.

#### 4. Actions Planned to Improve ACUS's Equal Employment Opportunity Program

ACUS will continue to educate its leaders and employees about the importance of EEO principles and requirements in order to maintain its nearly complaint-free history. ACUS also pledges to hold its entire workforce accountable for maintaining high standards in EEO.

#### G. No FEAR Act Training Plan

The No FEAR Act requires agencies to provide training for their employees on the rights and remedies under Federal antidiscrimination, retaliation, and whistleblower protection laws. New employees are required to complete interactive training on the No FEAR Act within the first week of their employment. The annual policy notice also serves as a training tool, as do EEO posters that are posted in frequently accessed areas of the agency.

**Appendix 1**

**ACUS No FEAR Data for FY 2023**

Complaint Activity	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Number of Complaints Filed	0	0	1	0	0	0
Number of Complainants	0	0	1	0	0	0
Repeat Filers	0	0	0	0	0	0
Complaints by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Race	0	0	1	0	0	0
Color	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Reprisal	0	0	1	0	0	0
Sex	0	0	1	0	0	0
National Origin	0	0	0	0	0	0
Equal Pay Act	0	0	0	0	0	0
Age	0	0	0	0	0	0
Disability	0	0	0	0	0	0
Genetic Information	0	0	0	0	0	0
Non-EEO basis	0	0	0	0	0	0
Complaints by Issue <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Appointment/Hire	0	0	0	0	0	0

<b>Complaints by Issue</b> <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	<b>Comparative Data</b> <b>Previous Fiscal Year Data</b>					<b>2023</b>
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	
Assignment of Duties	0	0	0	0	0	0
Awards	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0
Removal	0	0	1	0	0	0
Suspension	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0
<b>Harassment</b>						
Non-Sexual	0	0	0	0	0	0
Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0
<b>Reassignment</b>						
Denied	0	0	0	0	0	0
Directed	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0



<b>Complaints by Issue</b> <i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>	<b>Comparative Data Previous Fiscal Year Data</b>					<b>2023</b>
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	
Retirement	0	0	0	0	0	0
Termination	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0
Training	0	0	0	0	0	0
Other	0	0	0	0	0	0
<b>Processing Time</b>	<b>Comparative Data Previous Fiscal Year Data</b>					<b>2023</b>
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	
<b>Complaints pending (for any length of time) during fiscal year</b>	0	0	1	0	0	0
Average number of days in investigation stage	N/A	N/A	N/A	N/A	N/A	N/A
Average number of days in final action stage	N/A	N/A	N/A	N/A	N/A	N/A
<b>Complaints pending (for any length of time) during fiscal year where hearing was requested</b>	0	0	0	0	0	0
Average number of days in investigation stage	N/A	N/A	N/A	N/A	N/A	N/A
Average number of days in final action stage	N/A	N/A	N/A	N/A	N/A	N/A
<b>Complaints pending (for any length of time) during fiscal year where hearing was not requested</b>	0	0	1	0	0	0
Average number of days in investigation stage	N/A	N/A	N/A	N/A	N/A	N/A
Average number of days in final action stage	N/A	N/A	N/A	N/A	N/A	N/A

Complaints Dismissed by Agency	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Total Complaints Dismissed by Agency	0	0	0	0	0	0
Average days pending prior to dismissal	N/A	N/A	N/A	N/A	N/A	N/A
<b>Complaints Withdrawn by Complainants</b>						
Total complaints Withdrawn by Complainants	0	0	0	0	0	0

Total Final Actions Finding Discrimination	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0		0	
Without Hearing	0		0		0		0		0		0	
With Hearing	0		0		0		0		0		0	

Findings of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	Comparative Data (Sec. 1614.705) Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings	0		0		0		0		0		0	
Race	0		0		0		0		0		0	
Color	0		0		0		0		0		0	
Religion	0		0		0		0		0		0	
Reprisal	0		0		0		0		0		0	
Sex	0		0		0		0		0		0	
National Origin	0		0		0		0		0		0	

Findings of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	Comparative Data (Sec. 1614.705 Previous Fiscal Year Data)										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Age	0		0		0		0		0		0	
Disability	0		0		0		0		0		0	
Genetic Information	0		0		0		0		0		0	
Non-EEO	0		0		0		0		0		0	
Findings After Hearing	0		0		0		0		0		0	
Race	0		0		0		0		0		0	
Color	0		0		0		0		0		0	
Religion	0		0		0		0		0		0	
Reprisal	0		0		0		0		0		0	
Sex	0		0		0		0		0		0	
National Origin	0		0		0		0		0		0	
Equal Pay Act	0		0		0		0		0		0	
Age	0		0		0		0		0		0	
Disability	0		0		0		0		0		0	
Genetic Information	0		0		0		0		0		0	
Non-EEO	0		0		0		0		0		0	
Findings Without Hearing	0		0		0		0		0		0	
Race	0		0		0		0		0		0	
Color	0		0		0		0		0		0	
Religion	0		0		0		0		0		0	
Reprisal	0		0		0		0		0		0	
Sex	0		0		0		0		0		0	

Findings of Discrimination Rendered by Basis <i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints and findings.</i>	Comparative Data (Sec. 1614.705 Previous Fiscal Year Data)										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
National Origin	0		0		0		0		0		0	
Equal Pay Act	0		0		0		0		0		0	
Age	0		0		0		0		0		0	
Disability	0		0		0		0		0		0	
Genetic Information	0		0		0		0		0		0	
Non-EEO	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings</b>	0		0		0		0		0		0	
Appointment/Hire	0		0		0		0		0		0	
Assignment of Duties	0		0		0		0		0		0	
Awards	0		0		0		0		0		0	
Conversion to Full-time	0		0		0		0		0		0	
<b>Disciplinary Action</b>												
Demotion	0		0		0		0		0		0	
Reprimand	0		0		0		0		0		0	
Suspension	0		0		0		0		0		0	
Removal	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
Duty Hours	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Evaluation Appraisal	0		0		0		0		0		0	
Examination/Test	0		0		0		0		0		0	
<b>Harassment</b>												
Non-Sexual	0		0		0		0		0		0	
Sexual	0		0		0		0		0		0	
Medical Examination	0		0		0		0		0		0	
Pay (Including Overtime)	0		0		0		0		0		0	
Promotion/Non-Selection	0		0		0		0		0		0	
<b>Reassignment</b>												
Denied	0		0		0		0		0		0	
Directed	0		0		0		0		0		0	
Reasonable Accommodation	0		0		0		0		0		0	
Reinstatement	0		0		0		0		0		0	
Retirement	0		0		0		0		0		0	
Termination	0		0		0		0		0		0	
Terms/Conditions of Employment	0		0		0		0		0		0	
Time and Attendance	0		0		0		0		0		0	
Training	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
<b>Findings After Hearing</b>	0		0		0		0		0		0	
Appointment/Hire	0		0		0		0		0		0	
Assignment of Duties	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Awards	0		0		0		0		0		0	
Conversion to Full-time	0		0		0		0		0		0	
<b>Disciplinary Action</b>												
Reprimand	0		0		0		0		0		0	
Suspension	0		0		0		0		0		0	
Removal	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
Duty Hours	0		0		0		0		0		0	
Evaluation Appraisal	0		0		0		0		0		0	
Examination/Test	0		0		0		0		0		0	
<b>Harassment</b>												
Non-Sexual	0		0		0		0		0		0	
Sexual	0		0		0		0		0		0	
Medical Examination	0		0		0		0		0		0	
Pay (Including Overtime)	0		0		0		0		0		0	
Promotion/Non-Selection	0		0		0		0		0		0	
<b>Reassignment</b>												
Denied	0		0		0		0		0		0	
Directed	0		0		0		0		0		0	
Reasonable Accommodation	0		0		0		0		0		0	
Reinstatement	0		0		0		0		0		0	
Retirement	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Termination	0		0		0		0		0		0	
Terms/Conditions of Employment	0		0		0		0		0		0	
Time and Attendance	0		0		0		0		0		0	
Training	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
<b>Findings Without Hearing</b>	0		0		0		0		0		0	
Appointment/Hire	0		0		0		0		0		0	
Assignment of Duties	0		0		0		0		0		0	
Awards	0		0		0		0		0		0	
Conversion to Full-time	0		0		0		0		0		0	
<b>Disciplinary Action</b>												
Reprimand	0		0		0		0		0		0	
Suspension	0		0		0		0		0		0	
Removal	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
Duty Hours	0		0		0		0		0		0	
Evaluation Appraisal	0		0		0		0		0		0	
Examination/Test	0		0		0		0		0		0	
<b>Harassment</b>												
Non-Sexual	0		0		0		0		0		0	
Sexual	0		0		0		0		0		0	
Medical Examination	0		0		0		0		0		0	

Findings of Discrimination Rendered by Issue	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
	#	%	#	%	#	%	#	%	#	%	#	%
Pay (Including Overtime)	0		0		0		0		0		0	
Promotion/Non-Selection	0		0		0		0		0		0	
<b>Reassignment</b>												
Denied	0		0		0		0		0		0	
Directed	0		0		0		0		0		0	
Reasonable Accommodation	0		0		0		0		0		0	
Reinstatement	0		0		0		0		0		0	
Retirement	0		0		0		0		0		0	
Termination	0		0		0		0		0		0	
Terms/Conditions of Employment	0		0		0		0		0		0	
Time and Attendance	0		0		0		0		0		0	
Training	0		0		0		0		0		0	
Other	0		0		0		0		0		0	
Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data Previous Fiscal Year Data										2023	
	2018		2019		2020		2021		2022			
Total complaints from previous Fiscal Years	0		0		0		0		0		0	
Total Complainants	0		0		0		0		0		0	
<b>Number complaints pending</b>												
Investigation	0		0		0		0		0		0	
Hearing	0		0		0		0		0		0	
Final Agency Action	0		0		0		0		0		0	
Appeal with EEOC Office of Federal Operations	0		0		0		0		0		0	



Complaint Investigations	Comparative Data Previous Fiscal Year Data					2023
	2018	2019	2020	2021	2022	
Pending Completion Where Investigation Exceeds Required Time Frames	0	0	0	0	0	0

## Appendix 2