

## FEDERAL PREVAILING RATE ADVISORY COMMITTEE

638th FPRAC

**JANICE R. LACHANCE**, Chair, Presiding

Thursday, May 19, 2022

Virtual Meeting via Microsoft Teams  
Office of Personnel Management  
Washington, D.C. 20415**ATTENDANCE:****Members/Alternates:****Management Members:**Mark Allen, OPM  
Nancy Anderson Speight, DoD  
Mandy Laughlin, Army  
Kimberly Eidson, Air Force  
Ophelia A. Vicks, VA**Labor Members:**Carisa Carmack, NAGE  
Travis Kielty, ACT**Staff Specialists and Visitors:**Brenda Roberts, Designated Federal Officer, OPM  
Ana Paunoiu, OPM  
Samantha Bono, OPM  
Christopher Lynch, DoD  
Karl Fendt, DoD  
Gary Kistner, DoD  
Erica Abiera, DoD  
Chrissy Wlezien, DoD  
Taiwana Smith, DoD  
Kieu Nguyen, DoD  
Lischel Jones, DoD  
JeeYoung Kang, Army  
Sheila Willis, VA  
Keyonna Butler, VA  
Peggy Cleveland, Navy  
Simone Griffin, Navy  
Gene Fuerere, ACT

**Recording Secretary:**  
Mike Eicher, OPM

[Transcript prepared from digital audio produced by FPRAC.]

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## P R O C E E D I N G

CHAIR LACHANCE: Good morning, everyone. Sorry for the technical issues, but it looks as though all of our participants have joined us, so thank you for your patience.

I want to welcome you to the 638th meeting of the Federal Prevailing Rate Advisory Committee. It is now 10:10, and we are recording this session and it is being held virtually. A verbatim transcript will be provided to all of the members for your review at the next meeting.

My name, if we haven't met yet, is Janice Lachance. I'm Chair of the Committee, and I'd like to start with introductions, so we have them on the record and everybody understands which of their colleagues are here and participating in the meeting.

I'd like to start with the Labor members. Is anyone here from the Metal Trades?

[No response.]

CHAIR LACHANCE: Okay. AFGE?

[No response.]

CHAIR LACHANCE: NAGE?

MS. CARMACK: Carisa Carmack from NAGE.

CHAIR LACHANCE: And, Travis, we see you, ACT.

MR. KIELTY: Yes. Travis Kielty with ACT.

CHAIR LACHANCE: Then we'll go ahead into the Management members. OPM is here. Mark, do you want to—

MR. ALLEN: Mark Allen from the OPM staff.

CHAIR LACHANCE: And we'll do the rest of the OPM staff who are here in a minute.

DoD? Nancy, we see you.

[Audio distortion.]

CHAIR LACHANCE: Nancy, you seem to be signed in twice. I can't advise you on how to fix that, but—

MS. SPEIGHT: I tried. How does that work?

CHAIR LACHANCE: Oh, that's much better.

MS. ANDERSON SPEIGHT: All right. I'm Nancy Anderson Speight. I'm the Deputy Assistant Secretary of Defense for Civilian Personnel Policy. Hello, everybody. Sorry.

CHAIR LACHANCE: That's okay.

Army?

MS. LAUGHLIN: Yes. Army is here. This is Mandy

CHAIR LACHANCE: Air Force?

MS. EIDSON: Yes. Air Force is here, but I had to call in via phone.

CHAIR LACHANCE: Okay. Could you tell us your name?

MS. EIDSON: Oh, yeah. Sorry. Kimberly Eidson.

CHAIR LACHANCE: Okay. The VA?

MS. VICKS: Good morning. This is Ann Vicks, and Sheila Willis is also with me from VA.

MS. WILLIS: And we also have Keyonna Butler who is listening in on the call as well.

MS. BUTLER: Hey, everybody. This is Keyonna.

CHAIR LACHANCE: Thank you.

And we're fortunate to have Brenda Roberts here with us in the room. She's here

as the Designated Federal Official under the Federal Advisory Committee Act.

And if the rest of the staff could introduce themselves, and then we'll turn to the guests. Mark, we've heard from you. Ana?

MS. PAUNOIU: This is Ana Paunoiu with OPM.

CHAIR LACHANCE: Mike?

MR. EICHER: Mike Eicher, OPM.

CHAIR LACHANCE: Is there anyone else from the OPM staff on?

MS. BONO: This is Samantha Bono, and I'm from OPM. And it looks like there is currently five people probably are stuck in a waiting room, just so you guys are aware.

CHAIR LACHANCE: Okay. We'll try and sort that out while we're doing introductions.

Are there any guests who are with us today?

MS. ANDERSON SPEIGHT: I have all the DoD people on the phone who are my primary speakers.

CHAIR LACHANCE Thank you, Nancy.

MS. ANDERSON SPEIGHT: I'd like to introduce them. Chris? Karl?

MR. FENDT: Yes. This is Karl Fendt from Wage, DCPAS.

MR. KISTNER: This is Gary Kistner. Gary Kistner also from DCPAS.

MR. FENDT: Yeah. Chris Lynch is having hard time getting in.

CHAIR LACHANCE: Okay. We're going to work on that and see what we can do.

ATTENDEE: Tawana [phonetic] [unclear].

CHAIR LACHANCE: Tawana? I'm sorry, you're from—

ATTENDEE: She's with me.

CHAIR LACHANCE: Okay.

ATTENDEE: Yes, [unclear].

CHAIR LACHANCE: Anyone else from DoD?

[Simultaneous speaking.]

CHAIR LACHANCE: I'm sorry. Would the last person try one more time? It was hard to hear you.

MR. ALLEN: Was that Erica?

MS. ABIERA: Yeah, that's me, and I—[unclear].

CHAIR LACHANCE: Any other—

MS. CLEVELAND: Good morning. This is Peggy Cleveland from Department of Navy.

CHAIR LACHANCE: Thank you, Peggy.

Anyone else?

MR. FUERERE: Gene Fuerere, ACT.

CHAIR LACHANCE: Anyone else?

[No response.]

CHAIR LACHANCE: And let me just move back because we are working on making sure everyone can get in. Is there anyone here from the Metal Trades or AFGE?

[No response.]

CHAIR LACHANCE: Okay.

MR. ALLEN: Unless this changes, note that there's not a quorum for voting purposes. There are enough members on today to cover some business, such as introducing

documents that have been presented last week to everybody, but as far as voting on anything, we need to wait for the next meeting to vote with a quorum. There has to be at least four members on each side for Labor and Management under the Committee's rules.

CHAIR LACHANCE: Any questions about that?

[No response.]

CHAIR LACHANCE: So any action will have to wait until the next meeting.

If we're ready to get started, have we figured out the waiting room yet?

MS. PAUNOIU: I don't see anyone in the waiting room. There's a problem.

CHAIR LACHANCE: Somehow or another, they're not showing up on our screen. So we'll keep working on that, but I think out of respect for the time of the people who are here, we should probably proceed.

We do have one announcement. OPM staff has conducted a routine periodic review of Labor membership on the Federal Prevailing Rate Advisory Committee for Director Ahuja. There's no change in the allocation of FPRAC's Labor seats as they reflect the numbers of Federal Wage System employees represented by the Labor organizations.

Mark, do you have any additional comments on that?

MR. ALLEN: Just some brief notes. This is something that OPM is required to do under the FPRAC statute. It should be done every couple of years, but we're catching up with something that would have been done in 2020 if we would have had FPRAC meetings at the time.

What 638-OPM-1 shows, is pretty routine. The Labor membership very rarely changes because the number of employees presented doesn't change that often. On the attachment to this memo, there is a list that we obtained both internally from OPM FedScope

data as well as from the Department of Defense for the non-appropriated fund employment. If people take a look at that there, the top several unions representing Federal Wage System employees, exclusively, it would show around 60 percent of the total represented by AFGE, almost 11 percent by Metal Trades Department. National Association of Government Employees has around 6.75, and Association of Civilian Technicians around 5.6 percent. That's how the seats are allocated by the Director. Nothing is changing, and that's all I have on that one.

MR. KIELTY: Mr. Allen, Travis Kielty with the ACT. Was that document sent out just for review purposes that was sent out on Sunday with all the other documents?

MR. ALLEN: Yes. This would have been 638-OPM-1. We can resend it to everybody.

MR. KIELTY: Okay. I might just not be seeing it in my attachments list as I open it up. Thank you.

MR. ALLEN: All right. You're welcome.

CHAIR LACHANCE: Any other comments or questions?

[No response.]

CHAIR LACHANCE: So, if we can, we'd like to move to review the transcript of the last meeting, which was held on April 21st. Are there any changes that anyone wants to bring to our attention?

MR. KIELTY: Nothing from ACT.

CHAIR LACHANCE: Thank you, Travis.

MS. CARMACK: Nothing from NAGE.

CHAIR LACHANCE: Thank you.

Okay. Hearing nothing, is there any objection to adopting the transcript of the last

meeting?

[No response.]

CHAIR LACHANCE: Hearing none, the transcript is adopted. Thank you.

As we pointed out at the last meeting, there are a few items under Old Business, which need to be tackled. We would like to start with item (a), the letter from the American Federation of Government Employees requesting FPRAC review a proposal to not allow Federal Wage System wage area boundaries to split General Schedule locality pay areas and a proposal to redefine Monroe County, Pennsylvania, from the Scranton–Wilkes-Barre, Pennsylvania, wage area to the New York, New York, wage area.

Likewise, AFGE submitted another letter in March of this year requesting Monroe County, Pennsylvania, be redefined to the New York wage area and also requesting FPRAC to review a proposal to limit all non-rest of U.S. General Schedule locality pay areas to no more than one Federal Wage System wage area.

And, similarly, if we can skip over to New Business under item (a) there, we have document 638-OPM-2, a 2022 update to review Monroe County, Pennsylvania, that OPM staff have prepared.

We also have document 638-OPM-3, an updated employment distribution in Tobyhanna, and 638-OPM-4, an updated wage schedule rate versus wage survey rate.

Finally, document 638-OPM-5 is a map of the New York locality pay area.

Mark, do you want to present these documents to the Committee?

MR. ALLEN: Yes. Thank you.

I'll start with—

[Interruption.]

MR. ALLEN: I apologize for the technical glitches. It is what it is these days.

638-OPM-2. Jacque requested that OPM conduct another review of the Monroe County status. The last time this was done and presented to FPRAC was in 2016. We've provided an update based on the most recent information we have, and very little has changed. The criteria for defining wage areas currently in OPM's regulations are they're primarily distanced-based, transportation, geographic features, commuting patterns, and kinds and sizes of private industrial establishments and overall employment. Those are things that were represented several years ago.

We can skip on to page 3 of the document. That does provide a current listing of the number of employees in Monroe County. There are around 1,354 Federal Wage System employees who are all stationed at Tobyhanna Army Depot, whether they're with the Department of the Army or with the Department of Defense. I think that's Defense Logistics Agency most likely.

The next section there, we have metropolitan statistical areas and survey area considerations. Monroe County is a part of the survey area of the Wilkes-Barre wage area. Nothing has changed here.

On page 4, again, we're reiterating that the analysis of the current regulatory criteria shows that distance favors the Scranton wage area that's basically making new recommendation that we see for changing anything. Transportation facilities, geographic features, it doesn't really favor either, Scranton or any other wage area, which would be either Philadelphia or New York, because their interstates connect all three locations. Outgoing commuting patterns for Monroe County favor leaving the county where it currently is because it's a survey county. Similarities, overall population, total private-sector employment, and time

and sizes of private industrial establishments, that again favors maintaining Monroe County in the Scranton wage area because, again, Monroe County is part of the survey area for the Scranton wage area.

Next is maps. They have not been changed since the last review.

Under Attachment 2, we go into an in-depth analysis of the regulatory criteria, and just take a look at the distance. Again, this is something that hasn't changed because distances don't usually change between other things that we've looked at. So what we are looking at is distance from Tobyhanna Army Depot to New York is around 98 miles, 85 miles to host installation for the New York wage area, which is in East Orange, New Jersey. That's 85 miles. That's even further to Philadelphia. It's 114 or 120 miles, depending on the point of measure. The measurement from Monroe County or Tobyhanna Army Depot to Scranton is about 22 miles, 42 miles to Wilkes-Barre. That would be the explanation for why the distance criteria favors leaving Monroe County where it currently is.

The commuting patterns, I have a note here that the commuting patterns down, at the bottom of page 2, indicates that the data for commuting during work come from the U.S. Census Bureau's American Community Survey. The most recently available data are from 2011 to 2015. We're expecting an update to that maybe next year. I understand there have been some problems with analyses of the Census' most recent endeavor. Although I'm hopeful we'll have something next year that would provide an update, I can't promise we'll have something very soon.

The next item we had there for analysis for regulatory criteria was an analysis of overall population, employment, and kinds and sizes of private industrial establishments. This was updated with county business patterns data from 2019. So this is more recent, but this

doesn't show any reason for any changes to be made for Monroe County.

Monroe County is a fairly rural county with a relatively small population and workforce. On page 5 of that attachment, we show a population of 168,000 people, with a workforce of 47,000, which is actually below the population for Lackawanna County and Luzerne County, which are the other two survey counties in the Scranton wage area, but it's definitely dissimilar to the population for the survey area for New York where you see population numbers of 1.5 million to 2.7- or 2.8 million just for one county.

So that's the analysis of the regulatory criteria that we undertook.

There are a couple of other documents to present. There's an update of the employment distribution at Tobyhanna. One set covers the GS employment, and the other covers the Federal Wage System employment. You'll see from that, there are around 1,500 GS employees and then 1,354 Federal Wage System employees.

Next item, 638-OPM-4, this one is just for electronics mechanics and Series 2604. It shows the grade distribution and step distribution and shows the unrestricted rates. These are the wage survey rates at each grade level. They don't necessary represent a market rate for electronics mechanics. They're what DoD collects when they conduct an annual wage survey and aggregates all the information together. Then there's a linear aggression through the data to come out with what an unrestricted rate would be at each grade level for all occupations that we covered.

What we see here is Wage Grade 5. We take a look at Step 2. That's where the market is supposed to be. We see there that the schedule rate is actually a bit above the unrestricted rate. That's because of increases that have been passed along over the years under the four adjustment and appropriations law. Then we go up to the most populous grade levels at

Wage Rate 10 and 11, and we see there that the unrestricted rates are a couple dollars an hour higher than the schedule rates. So what that would mean is there's a pay gap for those grade levels, but there isn't one for the entry-level electronics mechanic work, the Wage Grade 5.

There are a number of employees also at Wage Grade 13, and the pay gap there, Step 2 to Step 2, is around—I think it's almost \$3 an hour.

638-OPM-5 is the map of the General Schedule locality pay area. This is for information purposes.

Does anybody have any questions about these?

[No response.]

CHAIR LACHANCE: Any other discussion?

MR. ALLEN: I'd like to suggest an alternative approach because we've been going back and forth on these individual questions about certain wage areas. What I'm thinking is to establish another working group to take a holistic look at the Federal Wage System. I can't put a motion on the table today to do this because we don't have a quorum for voting purposes. But we'd like everybody to think about establishing—or agreeing to establish a new FPRAC working group as we did back in 2010—between 2010 and 2012, to start taking a holistic view of wage area definitions, identified together, if those match up with economic reality that may be different than it was a decade ago or 15 years ago, but also take a look at things such as survey job descriptions, and industry coverage.

We've been hearing at this Committee and OPM staff have been hearing for a number of years that there's some level of distrust that the industry coverage in the survey jobs are really accurately assessing what prevailing wage levels are in different parts of the country. So I think it would be beneficial for everybody to get a broad understanding of what the reality

really is with the wage survey processes.

I think we should also look at any impediments that we may see to being able to pay prevailing wage levels and take a look at Tobyhanna Army Depot situation there where we see very important, highly trained people doing electronics maintenance work at a rate of pay that's at least \$2 an hour in some cases below what the prevailing wage levels are just for an average. We don't know if the rate of pay for electronics maintenance work should be higher than that.

I suspect if we looked into it, there's a chance that it could be higher than the rates that are currently payable. The question there is, is the annual floor adjustment and pay cap provision actually not benefiting the administration of prevailing wage levels, which is what the Committee is established to look into?

Anybody on the Management side has, anything to add to that?

MR. KIELTY: I mean, it sounds like a good idea. I wasn't around 2010, at least on FPRAC, but I understand everybody would have an oversight and a view of what's going on, and we can all look at it together as a whole rather than try to hash it out in the meetings like this. So I like that idea.

MR. ALLEN: I appreciate it, Travis. I've been around for 30 years, so I've seen a lot.

MR. FENDT: Hey, Mark, this is Karl Fendt and from Wage and Salaries—at the Committee and/or working group's disposal.

MR. ALLEN: Okay. I appreciate it, Karl.

CHAIR LACHANCE: Anyone else?

MS. CARMACK: This is Carisa Carmack from NAGE. I just have a question. So

since I wasn't also around in that time period, how long does something like that take to accomplish, this work group? How long will it take to gather all that information and get all that info that we are looking for?

MR. ALLEN: I would say that that's something that we could work out together—

MS. CARMACK: Okay.

MR. ALLEN: —once we dig into what's needed and what the members are interested in looking at. We'll identify the full scope of it first. The last working group took—I think there were 10 meetings over the course of several months. It may or may not take that amount of effort.

MS. CARMACK: Okay.

CHAIR LACHANCE: Anyone else?

[No response.]

CHAIR LACHANCE: I agree that this has a tremendous amount of potential to break through a lot of the issues that have repeatedly come up within this forum. So, hopefully, we can all work together to make progress on this.

Thank you, Mark.

Are we ready to move to the next agenda item? If we can move to item (b) under Old Business, letter from the American Federation of Government Employees requesting FPRAC recommend redefining San Joaquin County, California, from the Stockton, California, wage area to the San Francisco, California, wage area and review of San Joaquin County, California.

Now, AFGE would normally speak to this motion if they were here, but I think

we can say that, even though we didn't have a vote, if the proposed method of moving forward comes to pass that we would, in fact, take care of this issue as well in that analysis and working group.

Anybody else want to comment on this?

MS. LAUGHLIN: Hi. I'm sorry. This is Mandy from Army. I'm not sure. I'm hoping you can hear me. I'm having some difficult hearing and being able to respond because I'm connected via phone.

CHAIR LACHANCE: We can hear you clearly, so go ahead.

MS. LAUGHLIN: Great. Thank you. I apologize for the delay.

I just wanted to—for the previous item, I just wanted to say to Mark that, yes, I think we're in agreement, and thank you.

MR. ALLEN: Thanks, Mandy.

CHAIR LACHANCE: Great. Are there any comments or discussion on San Joaquin County?

[No response.]

CHAIR LACHANCE: If not, we can move on. The next item under Old Business is item (c), which is a letter from the National Association of Government Employees requesting FPRAC reexamine the placement of wage grade employees working in the Salinas–Monterey area and review the Salinas–Monterey, California, wage area and request the abolishment of the Monterey–Salinas wage survey area. This was introduced by NAGE.

Carisa, did you want to comment on that or have anything for us?

MS. CARMACK: Well, I know last time, we had talked about we were going to reach out to the locals, which we've done. We haven't gotten a response back from them yet.

We're still working on getting the updates from them. So, unfortunately, I don't have many updates to provide this meeting, but hopefully, by the next one, we'll be able to square that away and have some updates.

CHAIR LACHANCE: That's great. And I do think if we can proceed with this new working group, this could be incorporated into that, with the information that you're bringing to the table. Thank you for that.

Any other comments?

[No response.]

CHAIR LACHANCE: Great. The last item under Old Business is item (d), and that's a letter from the Association of Civilian Technicians requesting FPRAC consider moving the Puerto Rico wage area into the Special Appropriated Fund Schedule for U.S. Insular Areas.

Does ACT have any updates on this item? It doesn't appear to be related to the issue of using GS locality pay areas in the Federal Wage Schedule. Travis, did you have anything else on that?

MR. KIELTY: No, not today. I'm just getting back with the other members from the ACT for this board and reached out to Puerto Rico to find out if they had anything else to add to it, but I know postponed it to a vote when we had enough from 2020 when that started, postponed it to 2021. So, if I don't hear anything, I'm sure just go into a vote, like we had to postpone to, would be just fine, since I'm sure a lot of that hasn't changed data-wise that OPM got for us.

MR. ALLEN: Yeah. I think when we left off on this, the Management members and the previous Chair were encouraging the Puerto Rico National Guard to look into using pay flexibilities because it was apparent that they were losing National Guard technicians in Puerto

Rico because the economic climate there, among other things—I don't know what's been done, if anything, there. So it would be helpful again to have—I think hear from people from Puerto Rico to see what their current status is.

When we were talking about this before, it was a couple years ago at least.

MR. KIELTY: Yeah. I know that's what it was. We were pushing because I know the D.C. Air Guard in that area all did that too, push from the Management side, special locality, but I know—I think some of the members have left since then and vice versa, but I'll reach out back to the national level in Puerto Rico and see if they have any input on it if they move forward, because I know Terry Garnet, the old ACT president, sent them all this stuff. They needed to do that, but time makes fools of us all, as they say.

CHAIR LACHANCE: Words to live by.

Are there any other comments on that?

[No response.]

CHAIR LACHANCE: We've actually reached the end of our agenda. There are no new items under New Business. So it would be in order for us to adjourn. Is there a motion to adjourn?

MR. KIELTY: I just had one thing to add before we do that.

CHAIR LACHANCE: Great.

MR. KIELTY: Mr. Allen, 638-OPM-1 that I asked about, I was just in the wrong email. I did get that attachment, so I'm good to go with that.

MR. ALLEN: Okay.

CHAIR LACHANCE: That's great. Anything else before we close out?

[No response.]

CHAIR LACHANCE: Can I get a motion to adjourn?

MR. KIELTY: Travis Kielty with ACT. Motion to adjourn.

MR. ALLEN: And I second for OPM.

CHAIR LACHANCE: Anyone opposed to the meeting being adjourned?

[No response.]

CHAIR LACHANCE: Hearing no opposition, we will officially adjourn. Thank you all very much for being with us. Sorry about the technical issues, but welcome to 2022. Thanks, everybody. Appreciate having you here.

MR. KIELTY: Thank you.

[End of recorded session.]