U.S. Department of Labor

Benefits Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001

BRB No. 24-0423 BLA

LARRY L. COLLINS	)	
	)	
Claimant-Respondent	)	
	)	
v.	)	
	)	**NOT-PUBLISHED**
ARCELORMITTAL/XMV, INCORPORATED	)	
	)	
Employer-Petitioner	)	DATE ISSUED: 09/23/2025
	)	
DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, UNITED STATES DEPARTMENT OF LABOR	)	
	)	
Party-in-Interest	)	DECISION and ORDER

Appeal of the Decision and Order on Remand Granting Modification and Awarding Benefits of Jonathan C. Calianos, Administrative Law Judge, United States Department of Labor.

Joseph E. Wolfe and Cameron Blair (Wolfe Williams & Austin), Norton Virginia, for Claimant.

Mark J. Grigoraci (Robinson & McElwee PLLC), Charleston, West Virginia, for Employer.

William M. Bush, Acting Counsel for Administrative Appeals (Jonathan Snare, Deputy Solicitor of Labor; Jennifer Feldman Jones, Acting Associate Solicitor), Washington, D.C., for the Acting Director, Office of Workers' Compensation Programs, United States Department of Labor.

Before: GRESH, Chief Administrative Appeals Judge, ROLFE, Administrative Appeals Judge, and ULMER, Acting Administrative Appeals Judge.

PER CURIAM:

Employer appeals Administrative Law Judge (ALJ) Jonathan C. Calianos's Decision and Order on Remand Granting Modification and Awarding Benefits (2020-BLA-05271), rendered on a subsequent claim filed on August 28, 2015,[1] pursuant to the provisions of the Black Lung Benefits Act, as amended, 30 U.S.C. §§901-944 (2018) (Act). This case is before the Benefits Review Board for a second time.[2]

In his initial Decision and Order, the ALJ credited Claimant with twenty-nine years of underground coal mine employment, found Claimant established a totally disabling respiratory impairment and therefore invoked the rebuttable presumption of total disability due to pneumoconiosis at Section 411(c)(4) of the Act,[3] 30 U.S.C. §921(c)(4) (2018). He further found Employer failed to establish rebuttal of the presumption and awarded benefits.

In consideration of Employer's appeal, the Board affirmed the ALJ's finding that Claimant invoked the Section 411(c)(4) presumption.[4] 30 U.S.C. §921(c)(4) (2018); *Collins v. Arcelormittal/XMV, Inc.*, BRB No. 21-0612 BLA, slip op. at 3 (May 26, 2023) (unpub.); *see* 20 C.F.R. §718.305. The Board vacated the ALJ's conclusion that Employer failed to rebut the presumption by establishing Claimant does not have legal

[1] Claimant filed his first claim for benefits on June 24, 2009. Director's Exhibit 1. The district director denied benefits for failing to establish any element of entitlement. *Id.*

[2] We incorporate the procedural history of this case as set forth in *Collins v. Arcelormittal/XMV, Inc.*, BRB No. 21-0612 BLA (May 26, 2023) (unpub.). Acting Administrative Appeals Judge Glenn E. Ulmer is substituted on the panel for Administrative Appeals Judge Judith S. Boggs, who is no longer a member of the Board.

[3] Section 411(c)(4) of the Act provides a rebuttable presumption that a miner is totally disabled due to pneumoconiosis if he has at least fifteen years of underground or substantially similar surface coal mine employment and a totally disabling respiratory or pulmonary impairment. 30 U.S.C. §921(c)(4) (2018); *see* 20 C.F.R. §718.305.

[4] The Board affirmed, as unchallenged, the ALJ's determination that Claimant established twenty-nine years of underground coal mine employment and a totally disabling respiratory impairment. *Collins*, BRB No. 21-0612 BLA, slip op. at 3 n.3.

pneumoconiosis, however, because he did not consider Dr. McSharry's opinion on the issue. *Collins*, BRB No. 21-0612 BLA, slip op. at 4-5, 11-12; 20 C.F.R. §718.305(d)(1)(A). Additionally, although the majority of the panel affirmed the ALJ's determination that Employer failed to rebut the presumption by establishing Claimant does not have clinical pneumoconiosis, it held that the ALJ failed to address whether Employer rebutted the presumption that Claimant's clinical pneumoconiosis arose out of his coal mine employment. *Collins*, BRB No. 21-0612 BLA, slip op. at 9-10; *see* 20 C.F.R. §§718.203(b), 718.305(d)(1)(B). Thus, the Board vacated the ALJ's finding that Employer failed to rebut the Section 411(c)(4) presumption and remanded the case for further consideration. *Collins*, BRB No. 21-0612 BLA, slip op. at 10.

On remand, the ALJ again found Employer did not rebut the Section 411(c)(4) presumption by either method. He therefore reinstated the award of benefits.

In the current appeal, Employer argues the ALJ applied the wrong standard for establishing rebuttal of the Section 411(c)(4) presumption. On the merits of the claim, it challenges the ALJ's findings that it failed to rebut the presumption. Claimant responds in support of the award of benefits. The Acting Director, Office of Workers' Compensation Programs (the Director), filed a response urging the Board to reject Employer's arguments that the ALJ incorrectly applied the methods for establishing rebuttal of the Section 411(c)(4) presumption and failed to follow the Board's instructions on remand. Employer filed a reply brief reiterating its contentions.

The Board's scope of review is defined by statute. We must affirm the Decision and Order if it is rational, supported by substantial evidence, and in accordance with applicable law.[5] 33 U.S.C. §921(b)(3), as incorporated into the Act by 30 U.S.C. §932(a); *O'Keeffe v. Smith, Hinchman & Grylls Assocs., Inc*., 380 U.S. 359, 361-62 (1965).

Rebuttal of the Section 411(c)(4) Presumption

Because Claimant invoked the Section 411(c)(4) presumption, the burden shifted to Employer to establish Claimant has neither legal nor clinical pneumoconiosis,[6] or that "no

[5] This case arises under the jurisdiction of the United States Court of Appeals for the Fourth Circuit as Claimant performed his coal mine employment in Virginia and West Virginia. *See Shupe v. Director, OWCP*, 12 BLR 1-200, 1-202 (1989) (en banc); Director's Exhibit 3; Hearing Transcript at 15.

[6] "Legal pneumoconiosis" includes any chronic lung disease or impairment and its sequelae arising out of coal mine employment. 20 C.F.R. §718.201(a)(2). The definition includes "any chronic pulmonary disease or respiratory or pulmonary impairment

part of [his] respiratory or pulmonary total disability was caused by pneumoconiosis as defined in [20 C.F.R.] §718.201." 20 C.F.R. §718.305(d)(1)(i), (ii). The ALJ found Employer failed to rebut the presumption by either method. Decision and Order on Remand at 9-10.

Legal Pneumoconiosis

To disprove legal pneumoconiosis, Employer must establish Claimant does not have a chronic lung disease or impairment "significantly related to, or substantially aggravated by, dust exposure in coal mine employment." 20 C.F.R. §§718.201(a)(2), (b), 718.305(d)(1)(i)(A); *see Minich v. Keystone Coal Mining Corp.*, 25 BLR 1-149, 1-155 n.8 (2015).

Noting the Board previously affirmed his credibility determinations regarding the other medical opinion evidence besides Dr. McSharry's opinion, the ALJ considered Dr. McSharry's opinion regarding legal pneumoconiosis. Decision and Order on Remand at 7-9. Dr. McSharry acknowledged that Claimant has "modest" reversible obstruction and significant hypoxemia but opined there is "no evidence" of legal pneumoconiosis. Employer's Exhibits 1 at 4-5; 15 at 4. He stated that Claimant's obstruction is likely due to asthma or smoking, but the cause of his disabling hypoxemia is "obscure;" however, he stated it is unrelated to coal mine dust exposure or cigarette smoking. Employer's Exhibits 1 at 5; 15 at 4. The ALJ discredited Dr. McSharry's opinion as not well-reasoned and inconsistent with the principles underlying the regulations that legal pneumoconiosis can occur notwithstanding a negative x-ray; thus, he concluded that the medical opinion evidence does not rebut the presumption of legal pneumoconiosis. Decision and Order on Remand at 8-9.

Loper Bright Issues

Employer initially argues the ALJ erroneously applied methods for establishing rebuttal of the Section 411(c)(4) presumption applicable only to the Secretary of Labor. Employer's Brief at 11-15; Employer's Reply at 1-3. It acknowledges that the United States Court of Appeals for the Fourth Circuit upheld the application of the rebuttal provisions to coal mine operators in *West Virginia Coal Workers' Pneumoconiosis Fund*

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significantly related to, or substantially aggravated by, dust exposure in coal mine employment." 20 C.F.R. §718.201(b). "Clinical pneumoconiosis" consists of "those diseases recognized by the medical community as pneumoconioses, *i.e.*, the conditions characterized by permanent deposition of substantial amounts of particulate matter in the lungs and the fibrotic reaction of the lung tissue to that deposition caused by dust exposure in coal mine employment." 20 C.F.R. §718.201(a)(1).

v. Bender, 782 F.3d 129 (4th Cir. 2015). Employer's Brief at 11. But it argues that *Bender* relied on the framework set forth in *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984), to defer to the Department of Labor (DOL)'s interpretation of 20 C.F.R. §718.305, whereas it argues that the United States Supreme Court's holding in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), has invalidated the *Chevron* framework. *Id.* at 11-15. Thus, it contends *Bender* and similar precedent are no longer good law.[7] *Id.* In support of its argument that the rebuttal limitations set forth in the Act are inapplicable to coal mine operators, Employer cites the statutory language of 30 U.S.C. §921(c)(4) and the Supreme Court's holding in *Usery v. Turner-Elkhorn Mining Co.*, 428 U.S. 1 (1976). *Id.* at 12-15. In response, the Director asserts that *Loper Bright* does not call into question prior cases like *Bender* that rely on the framework set forth in *Chevron*. Director's Response at 4-8.

We agree with the Director's position and reject Employer's contention that applying the methods for establishing rebuttal of the Section 411(c)(4) presumption set forth in 20 C.F.R. §718.305(d)(1) improperly restricted Employer to the methods of rebuttal provided to the Secretary of Labor under 30 U.S.C. §921(c)(4).

The Supreme Court in *Loper Bright* explicitly stated that it did "not call into question prior cases that relied on the *Chevron* framework" and it clarified that "[t]he holdings of those cases that specific agency actions are lawful -- including the Clean Air Act holding of *Chevron* itself -- are still subject to *stare decisis* despite [the Court's] change in interpretive methodology." 603 U.S. at 412 (citing *CBOCS W., Inc. v. Humphries*, 553 U.S. 442, 457 (2008)). In *Bender*, the Fourth Circuit held that the "no part" or "rule out" rebuttal standard set forth in 20 C.F.R. §718.305(d)(1)(ii) was a permissible exercise of the DOL's power to fill a gap in the statute. 782 F.3d at 143. Thus, contrary to Employer's contention, *Bender* is still the law in the Fourth Circuit and the Board is bound to apply it. *See Owens v. Lodestar Energy, Inc.*, BLR , BRB Nos. 24-0414 BLA and 25-0012 BLA, slip op. at 6 (Sept. 23, 2025). Further, Employer's argument is substantially similar to the one that the Board rejected in *Owens v. Mingo Logan Coal Co.*, 25 BLR 1-1 (2011) and

[7] In *West Virginia Coal Workers' Pneumoconiosis Fund v. Bender*, 782 F.3d 129, 143 (4th Cir. 2015), the Fourth Circuit held that the Department of Labor permissibly exercised its power to fill a "gap" in the statute when promulgating 20 C.F.R. §718.305, applying the methods for establishing rebuttal of the Section 411(c)(4) presumption to coal mine operators. As Employer acknowledges, the Board also has upheld the application of the rebuttal methods set forth in 20 C.F.R. §718.305 to responsible operators. Employer's Brief at 11 & n.3; *Minich v. Keystone Coal Mining Corp.*, 25 BLR 1-149, 1-155 (2015); *Owens v. Mingo Logan Coal Co.*, 25 BLR 1-1, 1-4 (2011).

we reject it for the same reasons set forth in that decision. 25 BLR at 1-4, *aff'd on other grounds*, 724 F.3d 550 (4th Cir. 2013).

We also reject Employer's assertion that *Loper Bright* precludes the ALJ's reference to the preamble to the 2001 amended regulations in weighing the medical evidence. Employer's Brief at 23-25. The preamble is not a rule and the ALJ did not apply it as a rule; rather, he permissibly referenced it in determining whether Dr. McSharry's opinion was credible on the issue of legal pneumoconiosis. Decision and Order on Remand at 8; *Extra Energy, Inc. v. Lawson*, 140 F.4th 138, 152-54 (4th Cir. 2025); *Wilgar Land Co. v. Director, OWCP* [*Adams*], 85 F.4th 828, 837-43 (6th Cir. 2023); *see also Blue Mountain Energy v. Director, OWCP* [*Gunderson*], 805 F.3d 1254, 1261 (10th Cir. 2015) (ALJ's reliance on the scientific facts contained in the preamble does not implicate *Chevron*). Contrary to Employer's argument, the ALJ permissibly referenced the preamble in assessing Dr. McSharry's opinion, as Fourth Circuit law permits. *Lawson*, 140 F.4th at 152-54; *Harman Mining Co. v. Director, OWCP* [*Looney*], 678 F.3d 305, 314-16 (4th Cir. 2012).

The ALJ's Credibility Findings

Employer next argues the ALJ erroneously weighed Dr. McSharry's legal pneumoconiosis opinion. Employer's Brief at 17, 23-28. We disagree.

In reaching his conclusion that there was no evidence of legal pneumoconiosis, Dr. McSharry opined that the majority of miners develop no "permanent symptoms" or objective pulmonary impairments and that "purely obstructive" changes from coal dust exposure are "extremely infrequent." Employer's Exhibits 1 at 4; 15 at 4. While Dr. McSharry acknowledged the presence of obstruction and chronic bronchitis symptoms, he noted that given the lack of x-ray evidence of pneumoconiosis and "several more common" explanations for Claimant's symptoms, he did not believe Claimant's symptoms result from coal mine dust. Employer's Exhibit 1 at 4. As noted above, Dr. McSharry also acknowledged Claimant has disabling hypoxemia and, while he noted he was unsure of its etiology, he stated it was not due to coal mine dust exposure. Employer's Exhibits 1 at 5; 15 at 4-5.

The ALJ permissibly discredited Dr. McSharry's opinion for relying in part on the absence of positive x-ray evidence to conclude that there was no evidence of legal pneumoconiosis, contrary to the DOL's recognition that legal pneumoconiosis can occur "notwithstanding a negative X-ray." 65 Fed. Reg. 79,920, 79,945 (Dec. 20, 2000); *see* 20 C.F.R. §718.202(a)(4), (b); *see also Cumberland River Coal Co. v. Banks*, 690 F.3d 477, 488-489 n.5 (6th Cir. 2012) (affirming ALJ's discrediting of physician who relied on

negative x-ray evidence to exclude a diagnosis of legal pneumoconiosis); Decision and Order on Remand at 8; Employer's Exhibits 1 at 4; 15 at 4.

Additionally, the ALJ permissibly accorded no weight to Dr. McSharry's opinion that lung impairments caused by coal mine dust occur infrequently as based on generalizations rather than on the specific facts in this case. *Westmoreland Coal Co. v. Stallard*, 876 F.3d 663, 667 (4th Cir. 2017); *Westmoreland Coal Co. v. Cochran*, 718 F.3d 319, 324 (4th Cir. 2013) (ALJ may find medical opinion unpersuasive if based on statistical generalities rather than specifics of the claimant's case); *Knizner v. Bethlehem Mines Corp.*, 8 BLR 1-5, 1-7 (1985); *see* 65 Fed. Reg. at 79,940-41 (statistical averaging can hide the effect of coal mine dust exposure in individual miners); Decision and Order on Remand at 8; Employer's Exhibits 1 at 4; 15 at 4. We therefore affirm the ALJ's discrediting of Dr. McSharry's opinion.[8]

Employer also asserts the ALJ improperly treated the Board's prior holdings affirming his credibility determinations regarding the other medical opinions[9] as binding and thus erroneously did not weigh or consider Drs. Zaldivar's, Rosenberg's, and Nader's opinions on remand in violation of the principle that the parties are returned to status quo ante on remand when a case is vacated. Employer's Brief at 15-17, 28-32; Employer's Reply at 5-7. The Director and Claimant respond, arguing the ALJ was correct in adhering to his prior determinations that the Board affirmed as they are the law of the case. Director's Response at 10-12; Claimant's Response at 6.

Employer acknowledges in its reply brief that the Board applies the law of the case doctrine unless there is a basis for an exception but argues such exceptions apply here.

[8] As the ALJ provided permissible reasons for discrediting Dr. McSharry's opinion, we need not address Employer's other contentions of error regarding the ALJ's weighing of the physician's opinion. *Kozele v. Rochester & Pittsburgh Coal Co.*, 6 BLR 1-378, 1-382 n.4 (1983); Decision and Order on Remand at 8; Employer's Brief at 27.

[9] The Board previously affirmed the ALJ's discrediting of the opinions of Drs. Zaldivar and Rosenberg, who opined Claimant does not have legal pneumoconiosis, and further affirmed the ALJ's finding that Dr. Nader diagnosed legal pneumoconiosis and thus his opinion does not support Employer's burden of rebuttal. *Collins*, BRB No. 21-0612 BLA, slip op. at 5-6; *see* Director's Exhibit 60; Employer's Exhibits 4, 5, 13, 16, 17. Further, as Employer appears to concede, Drs. Habre's and Raj's opinions also do not support its burden to rebut the existence of legal pneumoconiosis. Decision and Order on Remand at 7; *Collins*, BRB No. 21-0612 BLA, slip op. at 4 n.6; Employer's Brief at 3-5; Director's Exhibit 19; Claimant's Exhibit 2.

Employer's Reply at 7-8. Specifically, it contends 1) the underlying factual situation changed given that the ALJ was required to consider additional evidence -- Dr. McSharry's opinion -- and 2) it is "manifestly unjust" to apply the doctrine because the Board's prior affirmance of the ALJ's credibility findings regarding the other legal pneumoconiosis opinions "posed an impossible barrier" given the Board's instructions to the ALJ to consider Dr. McSharry's opinion in conjunction with these medical opinions on remand. *Id.* (citing *Sejman v. Warner-Lambert Co.*, 845 F.2d 66, 69 (4th Cir. 1988)). We disagree.

As Employer acknowledges, exceptions to the law of the case doctrine include: a change in the underlying factual situation, intervening authority that is contrary to the prior finding, or the prior decision is "clearly erroneous" and letting it stand would produce a "manifest injustice." Employer's Reply at 7 (citing *Sejman*, 845 F.2d at 69); *Williams v. Healy-Ball-Greenfield*, 22 BRBS 234, 237 (1989). However, contrary to Employer's contention, Dr. McSharry's opinion was not "additional" evidence which changed the underlying factual situation. Employer's Reply at 8. In his prior decision, the ALJ admitted and considered Dr. McSharry's opinion on other issues; the ALJ simply failed to consider his opinion when weighing the relevant evidence regarding legal pneumoconiosis. *Collins*, BRB No. 21-0612 BLA, slip op. at 4; Decision and Order at 23-24, 36, 39. Further, Employer has not explained how the Board's prior holdings were clearly erroneous. Although it contends the Board created an "impossible barrier" when it previously affirmed the ALJ's findings regarding the other medical opinions and directed the ALJ to weigh the relevant evidence together on remand, the ALJ followed the Board's instructions.[10] Decision and Order on Remand at 9.

The Board affirmed the ALJ's weighing of the opinions of Drs. Zaldivar, Rosenberg, and Nader, and those holdings are the law of the case.[11] *Collins*, BRB No. 21-

[10] The ALJ noted that the Board affirmed his prior credibility findings regarding the other medical opinion evidence, no new evidence or legal arguments were presented on remand to persuade him to modify his previous findings, and -- considering all the relevant evidence on legal pneumoconiosis -- his conclusion that the evidence does not rebut the presumption of legal pneumoconiosis remained unchanged. Decision and Order on Remand at 9.

[11] Moreover, an ALJ is required to follow the mandate of the Board, without altering, amending, or examining its instructions. *See Sullivan v. Hudson,* 490 U.S. 877, 886 (1989); *Edd Potter Coal Co. v. Director, OWCP* [*Salmons*], 39 F.4th 202, 209-10 (4th Cir. 2022) (explaining that the statute, regulations, and the Board's practice demonstrate that the scope of remand is limited, and they "instruct the ALJ to follow orders rather than go rogue, and they direct the parties to go and do likewise").

0612 BLA, slip op. at 5-6, 11. Because Employer has not shown that the Board's prior decision was clearly erroneous or set forth any other valid exception to the law of the case doctrine, we decline to disturb the prior disposition.[12] *Messenger v. Anderson*, 225 U.S. 436 (1912) ("law of the case" doctrine "expresses the practice of courts generally to refuse to reopen what has been decided"); *Brinkley v. Peabody Coal Co.*, 14 BLR 1-147, 1-150-51 (1990); *Bridges v. Director, OWCP*, 6 BLR 1-988, 1-989-90 (1984).

Thus, the ALJ permissibly concluded that Dr. McSharry's opinion, and therefore the medical opinion evidence as a whole, did not satisfy Employer's burden. Decision and Order on Remand at 9; *see Looney*, 678 F.3d at 310; *Piney Mountain Coal Co. v. Mays*, 176 F.3d 753, 756 (4th Cir. 1999). We therefore affirm the ALJ's determination that the medical opinion evidence does not rebut the existence of legal pneumoconiosis and thus his finding that Employer did not rebut the Section 411(c)(4) presumption pursuant to 20 C.F.R. §718.305(d)(1)(i).[13]

Disability Causation

The ALJ next considered whether Employer established "no part of [Claimant's] respiratory or pulmonary total disability was caused by pneumoconiosis as defined in [20 C.F.R.] § 718.201."[14] 20 C.F.R. §718.305(d)(1)(ii); Decision and Order on Remand at 9-10; *see Minich*, 25 BLR at 1-154-56. Contrary to Employer's contention, the ALJ permissibly discredited the disability causation opinions of Drs. McSharry, Rosenberg, and

[12] Thus, we also decline to revisit Employer's argument that the Board's affirmance of the ALJ's findings regarding Dr. Zaldivar's opinion was based on a "factual inaccuracy." Employer's Brief at 17-18. As Employer acknowledges, it raised this argument on reconsideration, which the Board denied, and it raises the issue in its current appeal to the Board to "preserve the issue for appeal." *Id.* at 17.

[13] Because Employer must disprove both legal and clinical pneumoconiosis, rebuttal under 20 C.F.R. §718.305(d)(1)(i) is precluded based on our affirmance of the ALJ's findings on legal pneumoconiosis. We therefore need not address Employer's arguments regarding the ALJ's consideration of clinical pneumoconiosis and the rebuttal of disease causation at 20 C.F.R. §718.203(b). Employer's Brief at 17-23.

[14] As discussed above, we reject Employer's argument that the ALJ erroneously applied the "rule out" standard. Employer's Brief at 11-12, 32-33.

Zaldivar because they did not diagnose legal pneumoconiosis, contrary to his findings.[15] Decision and Order on Remand at 9-10; Employer's Brief at 32-34; *see Hobet Mining, LLC v. Epling*, 783 F.3d 498, 504-05 (4th Cir. 2015); *Toler v. E. Assoc. Coal Corp.*, 43 F.3d 109, 116 (4th Cir. 1995) (where a physician erroneously fails to diagnose pneumoconiosis, an ALJ "may not credit" his or her opinion on causation absent "specific and persuasive reasons" that are independent of the mistaken belief the miner did not have the disease, in which case the opinion is entitled to at most "little weight"); Director's Exhibit 60; Employer's Exhibits 1, 4, 5, 15-17.

We therefore affirm the ALJ's finding that Employer did not rebut the presumption that Claimant's pulmonary disability was caused, at least in part, by pneumoconiosis. 20 C.F.R. §718.305(d)(1)(ii); Decision and Order on Remand at 10. Consequently, we affirm the ALJ's finding that Employer did not rebut the Section 411(c)(4) presumption.

[15] None of these physicians offered an opinion on this subject independent of their reasoning relating to the absence of legal pneumoconiosis. Director's Exhibit 60; Employer's Exhibits 1, 4, 5, 15-17.

Accordingly, we affirm the ALJ's Decision and Order on Remand Granting Modification and Awarding Benefits.

SO ORDERED.

DANIEL T. GRESH, Chief
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge

GLENN E. ULMER
Acting Administrative Appeals Judge