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COPY

By Hand Delivery

March 5, 1993

Honorable Patrick McFarland
Inspector General
U.S. Office of Personal Management
1900 E Street, N.W.
Room 6400
Washington, D.C. 20415

Re: Transmittal of Report
The Failure to Put People First at OPM

Dear Mr. McFarland:

I herewith present my report concerning *The Failure To Put People First At OPM: A Report Concerning the Abuse of Power by OPM Officials in the Disability Retirement Program*. This report was prepared entirely by me at my own impetus, and I take full responsibility for its contents.

The report focuses on a long-standing, consistent pattern of abuse of power by those government officials responsible for managing OPM's disability retirement program. I request that you investigate the allegations raised and that you take such remedial action as is warranted to promote the efficiency of the service and the public good.

This report may raise some issues over which you do not have jurisdiction. One such possible issue is the repeated violation of the Freedom of Information Act by OPM officials documented throughout. I request that as to any issue over which you do not have jurisdiction, you either refer such issue to the proper authority or identify that authority for me so that I may make the referral.

As you can imagine, this report has been time consuming. It has been undertaken

on a completely *pro bono* basis. It's something that most lawyers in private practice usually might not undertake, and for a host of reasons, not the least of which is the potential for retaliation against clients by those charged with wrongdoing. While I'm not looking for any Brownie points in having undertaken it, I am looking for serious consideration of the issues presented and reform of a governmental process gone awry.

While I have quoted liberally from documentation in my case files, due to time constraints I have not provided copies of the documents themselves. If that would be of assistance, please let me know, and I will be happy to make available copies of all of the documents cited. As to documentation on disability retirement cases beyond the four discussed in my report, your office has access to all of OPM's disability retirement case files, and therefore access to the best documentation available. I urge you to undertake a comprehensive review of those cases in connection with the issues raised here.

However you may decide to proceed, I cannot allow this report to fall victim to benign neglect. Therefore, within 30 days from your receipt of this report, I ask that you please inform me whether or not you intend to affirmatively pursue this matter. If I do not hear from you, I shall act on the assumption that you do not intend to do so. In that case, I shall take those additional steps necessary to bring this matter to the attention of others who may better be able to achieve a just resolution to it.

In closing, I want to commend those members of your staff who took time to meet with me. Especially helpful was your Special Counsel, E. Jeremy Hutton, Esq. He patiently heard me out on many of the concerns expressed here. Because of his concern, I have taken the liberty of providing him with a copy of this report.

I look forward to hearing from you.

Sincerely,



Harvey Friedman

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