



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

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	protection laws. These additional facts underscore the seriousness of OSC's violations and the need for an independent investigation to ensure accountability and transparency.
Allegation	Danger to Public Health
What action did they take?	Actions Taken in Danger to Public Health: Systematic Obstruction of Justice Denied the existence of whistleblower complaint DI-12112024134 despite documented confirmation of its filing. Provided contradictory responses, creating delays and confusion regarding the status of the complaint and associated FOIA requests. Failure to Address Medicaid Program Mismanagement Neglected oversight and enforcement of standards in Medicaid-funded programs, including the ABI Waiver Program, which supports individuals with brain injuries and disabilities. Allowed potential fraud, waste, and abuse in federally funded health programs to go unchecked, increasing the risk of harm to vulnerable populations. Suppression of Critical Public Health Disclosures Failed to process whistleblower complaints regarding systemic failures in Medicaid and public health programs. Ignored or obstructed disclosure of mismanagement and violations of law that could directly impact public health outcomes. Neglecting ADA Mandates Denied ADA-compliant accommodations, obstructing access to information for individuals with disabilities and impeding their ability to participate in oversight and accountability processes. Created systemic barriers for disabled individuals to access critical healthcare and complaint resolution processes. Gross Mismanagement of FOIA Requests Mishandled FOIA-2025-063, obstructing access to vital records related to Medicaid programs and public health oversight. Refused to conduct thorough searches or provide sworn affidavits detailing search methodologies, thereby delaying transparency and accountability. Endangerment of Public Health and Safety Allowed systemic failures in oversight to persist, potentially exacerbating risks to the health and safety of Medicaid beneficiaries reliant on adequate care



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	and services. Failed to investigate and rectify structural issues within state and federal programs critical to public health. Concealment of Key Records and Evidence Obstructed access to evidence that could reveal systemic negligence, regulatory violations, and mismanagement within Medicaid programs, further endangering public health. Actively delayed the release of critical documentation by misrepresenting the validity of DI-12112024134 and other associated records. Collective Impact: The actions above represent deliberate obstruction and systemic neglect, leading to heightened risks for vulnerable populations dependent on transparent and accountable Medicaid services. These actions directly endanger public health by delaying oversight, exacerbating inequities, and preventing corrective measures.
When did this occur?	Timeline of Events: Initial Filing of Complaint December 11, 2024, 8:34 AM: Complaint DI-12112024134 was filed with the U.S. Office of Special Counsel (OSC). Confirmation of receipt was provided via email, with an acknowledgment of the filing and the assignment of a case number. Subsequent FOIA Requests December 16, 2024: FOIA request #FOIA-2025-063 was submitted to OSC, seeking all records and correspondence related to complaint DI-12112024134. OSC Contradictory Response December 18, 2024: OSC claimed that complaint DI-12112024134 was invalid and denied having records related to the FOIA request, despite previous confirmations of receipt. Ongoing Non-Compliance Between December 11, 2024, and December 19, 2024, OSC failed to provide requested records, obstructed justice, and did not comply with ADA-mandated accommodations, such as accessible formats and plain-language summaries. Impact on Public Health The actions occurred over the course of multiple days and continue as of Decemb
How did you discover this action?	How the Action Was Discovered: Direct Communication: On December 11, 2024, I received a confirmation email from the U.S. Office of Special Counsel (OSC)



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	acknowledging the filing of complaint DI-12112024134. The email included detailed filing information and confirmed that the complaint had been received and logged into their system. FOIA Request Responses: On December 16, 2024, I submitted a FOIA request (#FOIA-2025-063) to obtain records related to my complaint. This request was confirmed by OSC. Contradictory Correspondence: On December 18, 2024, OSC issued a response denying the existence of complaint DI-12112024134, contradicting their initial acknowledgment. This inconsistency highlighted a systemic failure in record-keeping, transparency, and adherence to legal obligations. Pattern of Non-Compliance: Follow-up communications revealed OSC's refusal to address ADA accommodations, disclose records, or provide clarity on the contradictory responses. These actions directly indicated mismanagement and obstruction. Escalation to Oversight Bodies: Analysis of OSC's actions in the context of whistleblower protections, FOIA statutes, and ADA compliance revealed gross mismanagement, deliberate obstruction, and violations of constitutional rights, further corroborated by OSC's own contradictory statements. Evidence Supporting Discovery: Email records from OSC confirming receipt of the complaint. FOIA correspondence highlighting discrepancies in OSC's responses. Documented communications requesting ADA accommodations and whistleblower protections, which were ignored or denied.
What additional facts support your allegation?	Additional Facts Supporting Allegations: Contradictory Documentation: On December 11, 2024, OSC confirmed receipt of complaint DI-12112024134 through an automated email, assigning it a tracking number and confirming its entry into their system. On December 18, 2024, OSC denied the existence of the same complaint in response to FOIA request #FOIA-2025-063. This directly contradicts their earlier confirmation, demonstrating gross mismanagement of case records and possible deliberate obstruction. Failure to Provide ADA Accommodations: OSC ignored multiple requests for



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	ADA-compliant communication, including accessible formats, plain-language summaries, and exclusive email correspondence. These omissions are violations of the Americans with Disabilities Act (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Non-Compliance with FOIA Obligations: OSC failed to produce requested records within the statutory timeframe, as required by 5 U.S.C. § 552. Their refusal to acknowledge or locate records, despite proof of submission, constitutes a breach of federal transparency laws. Pattern of Obstruction and Retaliation: The denial of the complaint's existence raises concerns about deliberate retaliation or negligence by OSC personnel. This obstructs whistleblower protections outlined under 5 U.S.C. § 1213 and may deter other whistleblowers from reporting critical issues. Danger to Public Health and Safety: The mismanagement and suppression of whistleblower disclosures undermine accountability and oversight mechanisms. This has the potential to allow unchecked violations of law or harmful practices within federal agencies, posing a broader risk to public health, safety, and trust in government. Financial Implications: Gross waste of federal funds is evident in the failure to manage whistleblower disclosures, ADA requests, and FOIA compliance. These actions erode taxpayer confidence and increase the risk of undetected fraud or mismanagement within OSC operations. Supporting Evidence: Emails confirming submission and acknowledgment of DI-12112024134. FOIA correspondence (Request #FOIA-2025-063) highlighting OSC's contradictory statements. Documented requests for ADA accommodations, which were ignored or inadequately addressed. Legal analysis showing violations of constitutional rights, FOIA obligations, and ADA requirements. Conclusion: The evidence reveals systemic failures within OSC, including gross mismanagement, obstruction, and non-compliance with legal and constitutional obligations. These actions demand immediate investigation and corrective measures to
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	prevent further harm to whistleblowers, public trust, and government accountability.
Allegation	Danger to Public Safety
What action did they take?	2. What Action Did They Take? Henry Kerner (Special Counsel, OSC): Action Taken: Failed to ensure the proper handling, acknowledgment, and investigation of whistleblower disclosure DI-12112024134. Specifically, Kerner's office obstructed justice by denying the existence of a documented submission while simultaneously confirming its receipt in earlier communications. The refusal to process or act on the disclosure created systemic barriers to oversight. Impact: Undermined OSC's statutory duty to protect whistleblowers, investigate disclosures, and ensure accountability for agency wrongdoing. Michael E. Horowitz (Inspector General, DOJ): Action Taken: Neglected to enforce accountability for OSC's non-compliance with FOIA and whistleblower statutes, despite receiving detailed complaints highlighting systemic obstruction of justice and non-compliance with federal laws. Failed to initiate or escalate an investigation into OSC's handling of whistleblower submissions. Impact: Allowed systemic failures within OSC to persist, creating a chilling effect on whistleblowers and compromising oversight mechanisms. Alina M. Semo (Director, OGIS): Action Taken: Failed to mediate or intervene effectively in the FOIA dispute between the complainant and OSC. Did not address OSC's refusal to provide requested records or adhere to ADA accommodations, despite OGIS's mandate to resolve such disputes. Impact: Prolonged the delay in accessing critical records and failed to enforce government transparency requirements. Barbara Wheeler Jones (Acting Chief FOIA Officer, OSC): Action Taken: Provided contradictory responses to FOIA request #FOIA-2025-063, confirming receipt of DI-12112024134 and later denying its existence. Refused to disclose records or justify exemptions as required by FOIA. Impact: Directly obstructed justice and undermined public confidence in government accountability. Xavier Becerra (Secretary,



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	HHS): Action Taken: Failed to act on whistleblower disclosures related to public health concerns, including systemic non-compliance within Medicaid-funded programs. Did not coordinate with OSC to address overlapping issues affecting public health. Impact: Increased risks to public health by neglecting whistleblower disclosures and failing to enforce compliance with Medicaid oversight requirements. Chiquita Brooks-LaSure (Administrator, CMS): Action Taken: Neglected to investigate or address disclosures involving systemic issues within Medicaid-funded programs. Failed to collaborate with OSC or provide guidance on health and safety violations highlighted in the complaint. Impact: Allowed potential harm to public health to escalate due to lack of intervention and oversight. Merrick Garland (Attorney General, DOJ): Action Taken: Did not enforce compliance or investigate OSC's failures to handle whistleblower complaints, respond to FOIA requests, or honor ADA accommodations. Failed to address systemic misconduct despite being the head of the DOJ, which oversees
When did this occur?	3. When Did This Occur? Initial Submission and Confirmation: Date: December 11, 2024, at approximately 8:34 AM (EST). Event: Whistleblower disclosure DI-12112024134 was submitted to the U.S. Office of Special Counsel (OSC) and immediately acknowledged via email. A confirmation document was also attached, providing detailed filing information. Contradictory Responses Begin: Date: December 16, 2024. Event: OSC acknowledged receipt of FOIA request #FOIA-2025-063, referencing the associated whistleblower disclosure DI-12112024134. However, no substantive response was provided regarding the status of the disclosure or records requested. Denial of Records and Obstruction: Date: December 18, 2024. Event: OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting earlier confirmations of its receipt and existence. This marked a significant escalation in the obstruction of justice.



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	Continued Failure to Respond or Act: Ongoing: As of December 19, 20
How did you discover this action?	4. How Did You Discover This Action? I discovered this series of actions through direct engagement with the Office of Special Counsel (OSC) and their documented responses to my complaint and Freedom of Information Act (FOIA) request. Specifically: Initial Confirmation of Submission: On December 11, 2024, I submitted whistleblower disclosure DI-12112024134 to OSC via their online filing portal. I received an immediate email confirmation acknowledging receipt, along with a detailed PDF document confirming the submission and filing number (DI-12112024134). FOIA Request and Confirmation: On December 16, 2024, I submitted FOIA request #FOIA-2025-063 to access records related to my whistleblower disclosure. OSC confirmed receipt of my FOIA request via email, stating that it had been assigned tracking number #FOIA-2025-063 and acknowledging the subject of the request. Contradictory Denial: On December 18, 2024, OSC issued a contradictory response claiming that the whistleblower disclosure DI-12112024134 "is not a valid OSC record number." This denial directly conflicted with their previous confirmations of receipt and acknowledgment. Failure to Provide Substantive Responses: Repeated follow-ups to OSC, including communications with named individuals such as Barbara Wheeler Jones and Jennifer Wheeler, yielded no resolution. Their responses either ignored critical inquiries or continued to deny the existence of the submission. Discovery Through Documentation: The pattern of mismanagement, obstruction, and non-compliance became apparent as I analyzed the documented communications from OSC. These include: Email confirmations of the whistleblower submission. FOIA tracking and acknowledgment correspondence. Contradictory responses denying the existence of the disclosed filing. This series of actions raised significant concerns about systemic failures, negligence, and potential misconduct within OSC's operations.



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What additional facts support your allegation?	5. Additional Facts Supporting the Allegation Documented Evidence of Submission and Confirmation On December 11, 2024, I received an email from OSC confirming the submission of whistleblower disclosure DI-12112024134. The email included: A PDF titled "OSCFiling-MedeirosDavid-DI-12112024134" that details the content of the disclosure. Confirmation of receipt, stating that changes to the filing could only be made through OSC. This acknowledgment is indisputable evidence that the filing was received and recorded by OSC. OSC's FOIA Acknowledgment Confirms Relevant Records On December 16, 2024, OSC confirmed receipt of FOIA request #FOIA-2025-063, explicitly referencing the subject matter and the submission. This acknowledgment demonstrates that OSC was aware of and had begun processing records related to my whistleblower disclosure. Contradictory Responses Indicating Obstruction On December 18, 2024, OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting their earlier acknowledgment of receipt and detailed record creation. This sudden denial raises serious concerns about intentional suppression, obstruction of justice, or gross mismanagement of whistleblower disclosures. Failure to Comply with FOIA and ADA Obligations OSC failed to provide requested records under FOIA, despite statutory requirements to do so within the prescribed timeline. OSC ignored my ADA accommodation requests, including accessible document formats, simplified summaries, and email-only correspondence. This failure constitutes systemic discrimination and violates federal disability rights laws. Pattern of Non-Compliance and Evasion Follow-up communications with OSC personnel, including Acting Chief FOIA Officer Barbara Wheeler Jones and Jennifer Wheeler, yielded no clarification or resolution. Their repeated failures to address the contradictions or provide valid explanations suggest intentional evasion rather than administrative error. Potential Retaliation and Systemic Misconduct As a
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	whistleblower, I am entitled to protections under federal law. The denial of my disclosure and refusal to process my complaint undermine these protections, raising concerns of systemic retaliation or neglect. These actions not only violate whistleblower protection laws but also obstruct oversight and accountability mechanisms meant to safeguard public trust. Harm to Public Safety and Accountability By obstructing my disclosure and denying access to critical records, OSC has jeopardized efforts to expose gross mismanagement, waste, and violations of federal law. This obstruction directly harms public oversight of government operations, particularly in the enforcement of whistleblower protections and taxpayer-funded programs. Supporting Documentation: Email confirmations from OSC acknowledging receipt of DI-12112024134 and FOIA-2025-063. PDF document containing the complete details of DI-12112024134. Correspondence with OSC personnel, documenting
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DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing OSC's FOIA operations and compliance. As the Acting Chief FOIA Officer, B
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Office of the Clerk	Member of the OSC FOIA team, responsible for processing FOIA requests. Likely delegated tasks to res
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of	Head of the U.S. Office of Special Counsel. As the leader of OSC, Kerner is ultimately accountable f



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		Special Counsel (OSC)	
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	FOIA Officer, Office of Special Counsel (OSC), accountable for overseeing the proper management and
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Tasked with processing FOIA requests and ensuring proper response under 5 U.S.C. § 552.
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Special Counsel, OSC	Overall leader of the OSC, with responsibility for ensuring the organization complies with its statu
Michael E. Horowitz	Michael E. Horowitz	Inspector General, U.S. Department of Justice (DOJ)	Responsible for overseeing accountability at federal agencies, including potential systemic failures
Kristen Clarke	Kristen Clarke	Assistant Attorney General, Civil Rights Division, DOJ	Oversees federal enforcement of ADA compliance and civil rights violations in public agencies.
Xavier Becerra	Xavier Becerra	Secretary, U.S. Department of Health and Human Services (HHS)	HHS oversees CMS (Centers for Medicare & Medicaid Services), which has a vested interest in whistlebl
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, CMS (Centers for Medicare & Medicaid Services)	Oversee Medicaid-related compliance and investigations potentially connected to your whistleblower
James Comer	James Comer	Chair, House Committee on	Congressional oversight of federal agency compliance



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		Oversight and Accountability	with FOIA and whistleblower protection laws.
Gary Peters	Gary Peters	Chair, Senate Committee on Homeland Security and Governmental Affairs	Responsible for investigating systemic failures and mismanagement in federal agencies.
Jamie Raskin	Jamie Raskin	Chair, House Subcommittee on Civil Rights and Civil Liberties	Investigates civil rights and whistleblower retaliation claims in federal agencies.
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Senior leadership overseeing FOIA requests, ADA compliance, and whistleblower-related disclosures at
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Staff member responsible for processing FOIA requests, maintaining records, and corresponding with w
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Special Counsel, U.S. Office of Special Counsel	Chief official responsible for the oversight, management, and enforcement of whistleblower protectio
Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Inspector General, U.S. Department of Justice	Oversight authority for misconduct, systemic issues, and whistleblower retaliation across federal ag
Erica Hamrick	Erica Hamrick	Deputy Special Counsel for	Directly responsible for overseeing investigations of



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		Investigation and Prosecution	whistleblower disclosures and allegations of m
William Reukauf	William Reukauf	Associate Special Counsel	Senior official managing legal and procedural compliance for OSC operations. Played a role in determ
Kristen Clarke Title: Assistant Attorney General, Civil Rights Division Position in Chain of Comman	Kristen Clarke Title: Assistant Attorney General, Civil Rights Division Position in Chain of Comman	Assistant Attorney General, Civil Rights Division	Responsible for ensuring ADA compliance and investigating systemic violations of civil rights within
Alina M. Semo Title: Director, Office of Government Information Services (OGIS) Position in Chain o	Alina M. Semo Title: Director, Office of Government Information Services (OGIS) Position in Chain o	Director, Office of Government Information Services (OGIS)	Federal FOIA Ombudsman tasked with resolving disputes, ensuring compliance, and addressing systemic
Xavier Becerra Title: Secretary, U.S. Department of Health and Human Services (HHS) Position in Cha	Xavier Becerra Title: Secretary, U.S. Department of Health and Human Services (HHS) Position in Cha	Secretary of Health and Human Services	Chief executive of HHS, ultimately accountable for oversight of Centers for Medicare & Medicaid Serv
Chiquita Brooks-LaSure Title: Administrator, Centers for Medicare & Medicaid Services (CMS)	Chiquita Brooks-LaSure Title: Administrator, Centers for Medicare & Medicaid Services (CMS)	Administrator, CMS	Directly responsible for oversight of Medicaid-funded programs, including ADA accommodations and com



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Andrea Barton Reeves Title: Commissioner, Connecticut Department of Social Services (DSS)	Andrea Barton Reeves Title: Commissioner, Connecticut Department of Social Services (DSS)	Commissioner, Connecticut Department of Social Services (DSS)	Responsible for implementing the Acquired Brain Injury Medicaid Waiver Program and ensuring ADA comp
William Tong Title: Attorney General Position in Chain of Command: Chief Legal Officer, State of Co	William Tong – Attorney General, Connecticut	Connecticut Attorney General	Legal oversight for state agencies and responsible for addressing potential violations of state and
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Oversees FOIA compliance and record management within the OSC.
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Directly responsible for processing FOIA requests and ensuring accurate responses to records request
Henry J. Kerner	Henry J. Kerner	Special Counsel of the U.S. Office of Special Counsel	The ultimate authority overseeing the operations and accountability of the OSC, including FOIA compl
Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Inspector General, U.S. Department of Justice (DOJ)	Responsible for overseeing systemic accountability within federal agencies, including OSC. His overs
Alina M. Semo	Alina M. Semo	Director, Office of Government Information	Provides mediation services and ensures compliance with FOIA processes across federal agencies, incl



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		Services (OGIS)	
Merrick B. Garland	Merrick B. Garland	Attorney General of the United States	As the head of the DOJ, he oversees the actions of federal entities like OSC. Neglecting systemic ac
Chiquita Brooks- LaSure	Chiquita Brooks- LaSure	Administrator, Centers for Medicare & Medicaid Services (CMS)	Administrator, Centers for Medicare & Medicaid Services (CMS)
OSC Administrative Division	OSC Administrative Division	Departmental Unit within OSC	Manages internal administrative resources, funding allocations, and processes related to recordkeepi
Oversight Committees	Oversight Committees	House Committee on Oversight and Accountability	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme
Senate Committee on Homeland Security and Governmental Affairs	Senate Committee on Homeland Security and Governmental Affairs	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing FOIA compliance and ensuring timely and accurate responses to requests re
Jennifer Wheeler	Jennifer Wheeler	FOIA Team, Office of the Clerk	Assigned to handle the processing of FOIA request #FOIA-2025-063 and to provide records related to c



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Henry J. Kerner	Henry J. Kerner	Special Counsel	Overall responsible for the agency's compliance with statutory mandates, including whistleblower pro
Michael E. Horowitz	Michael E. Horowitz	Inspector General, Department of Justice (DOJ)	Oversight authority for systemic failures in whistleblower protection and compliance with transparen
Henry J. Kerner	Henry J. Kerner	Special Counsel, U.S. Office of Special Counsel (OSC)	Ultimately accountable for ensuring that all whistleblower disclosures and FOIA requests are properl
Ned Lamont	Ned Lamont	Governor, State of Connecticut	Responsible for oversight of state agencies involved in federally funded programs related to Medicaid
Andrea Barton Reeves	Andrea Barton Reeves	Commissioner, Connecticut Department of Social Services (DSS)	Direct oversight of Medicaid-funded programs, including the ABI Waiver. Mismanagement or failure to
William Tong	William Tong	Attorney General, State of Connecticut	Legal oversight for ensuring that state agencies comply with constitutional and statutory requiremen
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, Centers for Medicare & Medicaid Services (CMS)	Responsible for overseeing federal programs related to Medicaid, including enforcing compliance with
Kristen Clarke	Kristen Clarke	Assistant Attorney General, Civil Rights Division, DOJ	Oversight of ADA compliance and ensuring access for individuals with disabilities to government prog



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Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing FOIA requests and ensuring compliance with federal transparency laws.
Jennifer Wheeler	Jennifer Wheeler	FOIA Team, Office of the Clerk	Directly involved in responding to FOIA requests and providing status updates.
Henry J. Kerner	Henry J. Kerner	Special Counsel, U.S. Office of Special Counsel	Head of OSC, ultimately responsible for all agency operations and compliance with whistleblower and
Michael E. Horowitz	Michael E. Horowitz	Inspector General, U.S. Department of Justice (DOJ)	Oversees DOJ investigations, including compliance with whistleblower protection statutes and agency
Alina M. Semo	Alina M. Semo	Director, Office of Government Information Services (OGIS)	Responsible for mediating FOIA disputes and ensuring government agencies comply with transparency ob
Henry Kerner's Deputy or Designee	Henry Kerner's Deputy or Designee	Deputy Special Counsel or Senior Leadership Member of OSC	Directly assists the Special Counsel in managing agency operations and compliance.
Xavier Becerra	Xavier Becerra	Secretary, U.S. Department of Health and Human Services (HHS)	Responsible for overseeing public health-related programs and ensuring federal agencies comply with
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, Centers for Medicare &	Manages Medicaid programs and ensures



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		Medicaid Services (CMS)	compliance with federal regulations.
Merrick Garland	Merrick Garland	Attorney General, DOJ	Provides oversight and leadership for DOJ operations, including FOIA compliance and civil rights enf

REQUESTED OSC ACTION

What action would you like OSC to take?

I have attached all relevant documents, detailed requests, and supporting evidence to this communication. These include:

Complaint Submissions: Copies of my initial filings, including complaint DI-12112024134, and the associated acknowledgments from the U.S. Office of Special Counsel (OSC).

Evidence of Mismanagement and Violations: Detailed records and communications highlighting the violations, contradictions, and failures to act in compliance with legal and constitutional mandates.

Document Requests and Responses: Correspondence related to FOIA-2025-063, including OSC's contradictory and non-compliant responses.

Legal and Procedural Frameworks: References to the laws, regulations, and constitutional protections violated, alongside a timeline of relevant events.

These materials substantiate my allegations and provide the necessary context for immediate and comprehensive action. If additional information is required, I am prepared to furnish further documentation upon request.

I urge you to act with integrity, courage, and an unwavering commitment to justice. The path forward demands not just adherence to the law, but a moral duty to uphold the principles that define fairness, accountability, and equality.

Do what is right—not because it is easy, but because it is necessary. Honor the trust placed in your position to safeguard the truth, protect the vulnerable, and ensure that no voice is silenced by injustice. Every action taken to correct these wrongs sends a powerful message: that the system works for the people, that accountability matters, and that justice prevails.



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The opportunity to restore faith in the process and affirm the values of transparency and equality is before you. I trust that you will rise to meet this challenge with the dignity and resolve it deserves. Let this be a moment where doing what is right becomes a beacon for lasting change.

David Medeiros

ABI Resources

DB.42.131.Inf.

WHERE ELSE DID YOU REPORT THIS MATTER?

I have also disclosed this information to:

Other Action Type	Action Taken Date
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Additional information about reports to Inspectors General, if applicable.

First Name:

Last Name:

Title:

Address:

Email Address:

Telephone Number:

Case ID #:

a. **What is the status of the matter?**

NOTE: MATTERS INVESTIGATED BY AN OFFICE OF INSPECTOR GENERAL

It is the general policy of OSC not to transmit allegations of wrongdoing to the head of the agency involved if the agency's Office of Inspector General has fully investigated, or is currently investigating, the same allegations.

ATTACHMENTS

Please note that the space available for attachments is limited. Therefore, DO NOT attach every document and email that may be relevant to your claim. You will have an opportunity to make additional submissions at a later date. We recommend limiting attachments to



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official forms and correspondence that document the action(s) at issue in your disclosure if these documents are relevant to your allegations.

I have attached the following documents to my filing:

File Name
12.19.2024 Violation of Civil Rights or Liberties Complaint _ U.S. Department of Justice Office of the Inspector General 548805-RXF .pdf
OSCFiling-MedeirosDavid-DI-12112024134 (3).pdf
OSCFiling-MedeirosDavid-DI-12072024240.pdf
DI-25-000325 FDL 12.9.2024.pdf
OSC case number_ DI-12112024134 the Office of Special Counsel (OSC).zip
Information for FBI Director Christopher A. Wray.zip
Comprehensive Grievance Report and Request for Clarity Whistleblower Report Mediciad ABI Waiver Programs.pdf
12.19.2024 Enforce Federal and Constitutional Compliance Without Delay HHS CMS OCR OIG DOJ GAO USC FOIA ADA DSS OSC DAS OAG FOIC CGS DB.42.131.Inf. ABI Medeiros Connecticut DOGE .pdf
12.19.2024 548805-RXF DI-12112024134 Violation of Civil Rights or Liberties Complaint _ U.S. Department of Justice Office of the Inspector General 548805-RXF .zip

CONSENT



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*Denotes required fields.

Do you consent to the disclosure of your identity to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity.

Yes

I do not consent to disclosure of my identity. (Even if you do not consent, OSC may disclose your identity if necessary due to an imminent danger to public health or safety or imminent violation of any criminal law. See 5 U.S.C. § 1213(h).)

No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*

Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S. Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218, Washington, DC 20036-4505.

This Disclosure of Information was Received by OSC on: 12/19/2024



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PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS THAT YOU SEND TO OSC NOW OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING. REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT YOU PROVIDED TO OSC.



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IMPORTANT INFORMATION ABOUT FILING A DISCLOSURE

OSC WHISTLEBLOWER DISCLOSURE CHANNEL

Under 5 U.S.C. § 1213 and related provisions, the Office of Special Counsel (OSC) serves as a secure channel for federal employees, former federal employees, and applicants for federal employment with reliable knowledge of the wrongdoing to disclose:

- a violation of law, rule or regulation;
- gross mismanagement;
- gross waste of funds;
- an abuse of authority;
- a substantial and specific danger to public health or safety; and/or
- censorship related to scientific research.

OSC JURISDICTION

OSC has no jurisdiction over disclosures filed by:

- employees of the U.S. Postal Service and the Postal Regulatory Commission;
- members of the armed forces of the United States (*i.e.*, non-civilian military employees);
- state employees operating under federal grants;
- employees of federal contractors;
- other employees or federal agencies that are exempt under federal law; and
- Congressional or judicial branch employees.

ANONYMOUS SOURCES

While OSC will protect the identity of persons who make disclosures, it will not consider anonymous disclosures. If a disclosure is filed by an anonymous source, the disclosure will be referred to the Office of Inspector General in the appropriate agency. OSC will take no further action.

RETALIATION

Do you believe you suffered retaliation by your agency for disclosing wrongdoing? If yes, you may file a complaint of retaliation by navigating back to "My Cases" and selecting "New Complaint." Select Option 1 to complete and submit a Complaint of Prohibited Personnel Practice or other Prohibited Activity (PPPs). *If you have already completed the Complaint of Prohibited Personnel Practice or other Prohibited Activity above, please continue with this Disclosure.* PPPs are employment-related activities that are banned in the federal workforce.



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PPPs generally involve some type of personnel decision or action and may result in personal relief for people who have been subject to a PPP. For example, if we find that you were removed from federal service in retaliation for whistleblowing, OSC may act to get your job back. PPPs can also include allegations of harassment, failure to issue appraisals, and improper hiring. Do not file a disclosure to report retaliation or other PPPs.

CONTACT INFORMATION

Title:

First Name:* David

Middle Initial:

Last Name:* Medeiros

International Address?: No

Address:*

215 Mountain St
Willimantic, CT 06226

Cell Phone Number:

Home Phone Number:

Office Phone Number:

Ext.

Email Address:* aabiwr@live.com

Preferred means of contact:

Email: Yes

Cell phone: No

Home phone: No

Office phone: No

REPRESENTATIVE INFORMATION

Do you have representation? No

Information about representative, if applicable.

First Name:*

Middle Initial:

Last Name:*

International Address?:

Address: *



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Office Phone Number:

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:

EMPLOYMENT INFORMATION

Name of Department/Agency about which you are making a disclosure.

Department:* Other/Independent Agency

Agency:* Office Of Special Counsel

Agency subcomponent: FOIA Office / Whistleblower Protection Program

Street Address: 1730 M Street, N.W., Suite 218

City: Washington

State: DC

Zip Code: 20201

Employment Status:* Applicant For Federal Employment

Title	Series	Grade

Please provide your dates of employment in this position.

Employment Service Type	Employment Service Subtype	If Other (specify)
Excepted Service	Other	Applicant for Federal Employment Private Citizen, Advocate, and Whistleblower
Other	Other	Applicant for Federal Employment Private Citizen, Advocate, and Whistleblower

Are you covered by a collective bargaining agreement?



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DETAILS OF YOUR DISCLOSURES

Please identify the type of wrongdoing that you are alleging. You can make multiple disclosures, but you **MUST** choose one option. If you check "violation of law, rule, or regulation," specify, if you can, the particular law, rule or regulation violated (by name, subject, and/or legal citation). For each allegation, please answer the following questions (be as specific as possible). Please keep in mind that you will have an opportunity to provide more information and someone from OSC will contact you.

If OSC determines there is a substantial likelihood of wrongdoing, OSC will refer your disclosures to the involved agency for an investigation and report. To meet the substantial likelihood standard, there must be a significant probability that the information reveals wrongdoing that falls within one or more of the categories above. In its evaluation, OSC considers the strength, reliability, and credibility of the disclosures. If the substantial likelihood determination cannot be made, OSC will determine whether there is sufficient information to exercise its discretion to refer the allegations.

DISCLOSURES

Allegation	Violation of Law, Rule or Regulation
What action did they take?	The U.S. Office of Special Counsel (OSC), through Barbara Wheeler Jones, Jennifer Wheeler, and associated personnel, took the following actions: Denied the Existence of Valid Records: Refused to acknowledge the existence of whistleblower complaint DI-12112024134, despite documented confirmations of receipt via email and attached filings. Obstructed Justice: Provided contradictory responses regarding the status of the whistleblower complaint and related FOIA request (#FOIA-2025-063), impeding transparency and accountability. Delayed and hindered access to critical records required for whistleblower protections and federal oversight. Violated Federal Disclosure Laws: Failed to comply with FOIA requirements under 5 U.S.C. § 552, including timely processing and the provision of



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	records related to whistleblower disclosures and ADA accommodations. Failed to Process a Whistleblower Disclosure: Neglected their statutory duty under 5 U.S.C. § 1213 to review, process, and act upon the whistleblower disclosure associated with DI-12112024134, thereby undermining protections for reporting misconduct. Violated ADA and Rehabilitation Act Requirements: Refused to provide requested accommodations for a documented disability, including: Accessible, screen-reader-compatible formats for all documents. Plain-language summaries for complex records. Exclusive email communication as requested. Failed to Identify Responsible Personnel: Did not disclose the names, titles, or roles of the individuals involved in the search, review, and handling of the FOIA and whistleblower requests, further obstructing accountability. These actions collectively violated federal laws, constitutional rights, whistleblower protections, taxpayer rights, and ADA mandates.
When did this occur?	This occurred between December 11, 2024, and December 19, 2024, with key events as follows: December 11, 2024: The whistleblower complaint DI-12112024134 was submitted and acknowledged by the U.S. Office of Special Counsel (OSC) via email. OSC sent confirmation of receipt, including the detailed filing document, confirming the complaint submission and case number. December 16, 2024: OSC acknowledged receipt of FOIA request #FOIA-2025-063 and assigned it a tracking number. This acknowledgment confirmed the request for records related to DI-12112024134. December 18, 2024: OSC provided a contradictory response, claiming that complaint DI-12112024134 was not a valid record and requested clarification, despite prior confirmation of its existence and processing. December 19, 2024: As of this date, OSC has continued to deny the existence of complaint DI-12112024134, obstructing justice, violating whistleblower and ADA laws, and failing to comply with FOIA and constitutional requirements.



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How did you discover this action?	I discovered this action through direct correspondence and official communications from the U.S. Office of Special Counsel (OSC). Specifically: December 11, 2024: I submitted whistleblower complaint DI-12112024134 to OSC. Shortly after submission, I received an email confirmation from OSC acknowledging receipt and providing documentation that included the complaint details and case number. December 16, 2024: I submitted a FOIA request (#FOIA-2025-063) seeking records related to the whistleblower complaint. OSC acknowledged receipt of this FOIA request, confirming their obligation to respond under federal law. December 18, 2024: OSC issued a contradictory response, stating that complaint DI-12112024134 was invalid or nonexistent. This claim directly conflicted with their earlier acknowledgment of receipt and confirmation emails. The conflicting responses and refusal to recognize complaint DI-12112024134 exposed OSC's obstruction of justice, non-compliance with whistleblower laws, and violations of ADA and FOIA requirements. These were confirmed through the discrepancies in OSC's official communications, which I tracked and documented.
What additional facts support your allegation?	The following additional facts substantiate my allegation: Official Documentation Contradicting OSC's Denial December 11, 2024 – Confirmation of Complaint Filing (DI-12112024134): Upon submitting whistleblower complaint DI-12112024134, I received an email from OSC's automated system acknowledging receipt of the complaint. Attached to the email was a PDF document confirming the full submission details, including the complaint's specific identifier, DI-12112024134, and advising me of the next steps in the process. December 16, 2024 – FOIA Request Submission (#FOIA-2025-063): I submitted a FOIA request seeking all records related to DI-12112024134. OSC confirmed receipt of this request and assigned tracking number #FOIA-2025-063, indicating their responsibility to process the request under the Freedom of Information Act (5 U.S.C. § 552). December 18, 2024 – Contradictory Response from OSC:



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	OSC issued a written response stating that complaint DI-12112024134 did not exist or was invalid. This directly contradicted their prior acknowledgment of the filing and the attached confirmation document. Legal Obligations and OSC's Violations FOIA Requirements (5 U.S.C. § 552): OSC's denial of records and refusal to process a valid FOIA request violates FOIA, which mandates transparency and timely access to government-held information. Their conflicting responses suggest either a failure to conduct a proper search or an intentional suppression of records, constituting obstruction of justice. ADA Compliance: I submitted ADA accommodation requests to OSC, including the provision of accessible formats and simplified summaries. OSC ignored these legally mandated accommodations, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Whistleblower Protection Act Violations (5 U.S.C. § 1213): OSC's denial of the existence of a validly submitted whistleblower complaint indicates a systemic failure to comply with its statutory duty to protect whistleblowers and process their disclosures in good faith. Documented Evidence: Emails and Attachments from OSC: The acknowledgment email and the attached confirmation document (dated December 11, 2024) confirm that complaint DI-12112024134 was successfully filed and entered into OSC's system. The FOIA acknowledgment email (dated December 16, 2024) demonstrates that OSC received my request for records related to this complaint. OSC's Contradictory Statement (December 18, 2024): OSC's claim that the complaint was "invalid" or "nonexistent" directly contradicts their own documented confirmations. Patterns of Obstruction and Neglect: OSC's refusal to process a valid complaint and their contradictory statements suggest intentional suppression of whistleblower disclosures. Their failure to provide legally required accommodations under ADA indicates systemic neglect of accessibility requirements, further obstructing my ability to obtain information. Public Interest and Urge
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Allegation	Gross Mismanagement
What action did they take?	What Action Did They Take? The following actions, or failures to act, demonstrate gross mismanagement at the U.S. Office of Special Counsel (OSC) and related entities: 1. Mishandling of Whistleblower Complaint (DI-12112024134) Refusal to Acknowledge Filing: Despite OSC confirming the submission of complaint DI-12112024134 via email and issuing a detailed filing receipt, it later denied the existence of the case. This constitutes systemic mismanagement and failure to process whistleblower complaints under 5 U.S.C. § 1213. Failure to Assign or Investigate: OSC failed to assign a responsible investigator or attorney to address the complaint, violating whistleblower protection statutes and undermining accountability. Obstruction of Justice: The contradictory claims and lack of progress in handling the complaint suggest intentional suppression or systemic inefficiency, violating 18 U.S.C. § 1505 (obstruction of proceedings). 2. Non-Compliance with FOIA Request (#FOIA-2025-063) Failure to Conduct Adequate Search: OSC's FOIA staff failed to perform a thorough search for records related to DI-12112024134, directly violating 5 U.S.C. § 552. Falsification of Records Status: OSC falsely claimed the complaint did not exist, despite having acknowledged its receipt. This undermines transparency and public trust in government processes. Delays in Responding: OSC failed to comply with statutory timelines for FOIA processing, denying lawful access to records within the required 20 business days. 3. Systemic Non-Compliance with ADA Requirements Failure to Provide Reasonable Accommodations: OSC did not implement requested accommodations under Title II of the ADA and Section 504 of the Rehabilitation Act, including: Providing accessible formats for records (e.g., screen-reader-compatible PDFs). Summarizing technical or complex documents in plain language. Ensuring communication through email-only platforms as requested. Discrimination Against Individuals with Disabilities: The lack of accommodations constitutes



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	systemic exclusion and unequal treatment, violating 42 U.S.C. § 12132. 4. Suppression of Transparency and Accountability Gross Mismanagement of Whistleblower Protections: By failing to process the complaint, OSC has discouraged whistleblower disclosures, undermining public oversight and violating the Whistleblower Protection Act. Lack of Oversight or Escalation: No steps were taken to involve higher authorities (e.g., DOJ Inspector General, Congressional Committees) to address or resolve systemic failures. Failure to Document Decision-Making: OSC has not provided any written justification for its denial of records or its contradictory responses, violating transparency mandates under FOIA and 5 U.S.C. § 1214. 5. Mismanagement of Taxpayer Resources Wasting Public Funds: The failure to process valid whistleblower complaints and FOIA requests has wasted taxpayer dollars and resources, constituting gross mismanagement of funds. Loss of Public Confiden
When did this occur?	When Did This Occur? The gross mismanagement at the U.S. Office of Special Counsel (OSC) occurred over the following timeline: December 11, 2024: Complaint DI-12112024134 was submitted and acknowledged by OSC via email, with a receipt confirmation and filing details sent to the complainant. Supporting evidence was attached, including detailed documentation of whistleblower allegations and violations. December 16, 2024: FOIA request #FOIA-2025-063 was submitted to OSC for records related to DI-12112024134. OSC acknowledged receipt of the FOIA request, assigned a tracking number, and confirmed processing was underway. December 18, 2024: OSC issued a contradictory response denying the existence of complaint DI-12112024134, despite previous acknowledgment and associated documentation. OSC failed to provide any statutory justification for the denial or the inability to locate records. Ongoing: OSC has failed to process the complaint or escalate it to the appropriate investigative autho



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How did you discover this action?	How Did You Discover This Action? The actions constituting gross mismanagement were discovered through the following sequence of events: Acknowledgment of Filing: On December 11, 2024, I received an email confirmation from the U.S. Office of Special Counsel (OSC) acknowledging receipt of my whistleblower complaint DI-12112024134. The acknowledgment included filing details and a reference to OSC's role in processing whistleblower disclosures. FOIA Request Submission: On December 16, 2024, I submitted a FOIA request (#FOIA-2025-063) to OSC seeking records and communications related to DI-12112024134. This request was acknowledged by OSC, confirming its receipt and processing. Contradictory Response: On December 18, 2024, OSC issued a response to the FOIA request, claiming that complaint DI-12112024134 does not exist, despite the previously documented acknowledgment and the provided filing reference. ADA Non-Compliance: Throughout the process, OSC failed to implement requested ADA accommodations (e.g., accessible formats, plain-language summaries) despite repeated and legally justified requests. This pattern revealed systemic deficiencies in OSC's adherence to accessibility standards. Cross-Referencing Documentation: By cross-referencing the complaint confirmation email, FOIA tracking information, and subsequent denials, I identified clear contradictions and failures in OSC's handling of both the complaint and FOIA request. These contradictions revealed severe procedural lapses and possible intentional suppression of records. Ongoing Lack of Action: Continued failure to address the complaint, respond to the FOIA request, or comply with statutory and constitutional obligations further confirmed systemic gross mismanagement within OSC operations.
What additional facts support your allegation?	What Additional Facts Support Your Allegation? The following facts substantiate the allegation of gross mismanagement by the U.S. Office of Special Counsel (OSC): 1. Documented Acknowledgment of Complaint



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	Submission On December 11, 2024, OSC acknowledged the receipt of whistleblower complaint DI-12112024134 through an official confirmation email. This acknowledgment provided: A unique filing number (DI-12112024134). Confirmation of the complaint's submission and details on how OSC would process it. Attached documentation of the filing, establishing its authenticity and receipt by OSC. 2. Contradictory FOIA Responses On December 16, 2024, OSC acknowledged receipt of my FOIA request #FOIA-2025-063, seeking records related to complaint DI-12112024134. On December 18, 2024, OSC issued a contradictory response claiming that complaint DI-12112024134 does not exist, despite the previously documented acknowledgment. The discrepancy indicates either systemic procedural breakdowns or intentional suppression of records. 3. Violations of ADA Accommodations Despite multiple requests for ADA accommodations under Title II of the ADA and Section 504 of the Rehabilitation Act, OSC failed to: Provide records in accessible formats. Include plain-language summaries of complex documents. Respond exclusively through accessible electronic means (e.g., email). This non-compliance with legally mandated accommodations highlights systemic management failures and potential discrimination against individuals with disabilities. 4. Failure to Process Whistleblower Complaint Under 5 U.S.C. § 1213, OSC is mandated to: Accept and process whistleblower disclosures. Conduct investigations or appropriately refer complaints to relevant agencies. OSC has failed to provide any substantive updates, actions, or resolution regarding complaint DI-12112024134, despite legal requirements and my repeated inquiries. 5. Obstruction of Justice The refusal to acknowledge or act upon a valid whistleblower complaint constitutes obstruction under 18 U.S.C. § 1505. This behavior raises serious concerns about intentional efforts to suppress or retaliate against whistleblowers. 6. Systemic Lack of Transparency and Accountability The combination of: Contradictory responses to FOIA
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	requests. Failure to act on the whistleblower complaint. Non-compliance with ADA accommodations. Lack of communication or explanation regarding procedural lapses. This pattern reflects systemic gross mismanagement and a failure to uphold OSC's statutory responsibilities under FOIA, the Whistleblower Protection Act, and the ADA. 7. Economic and Ethical Implications By failing to address whistleblower disclosures, OSC allows potential fraud, waste, and abuse of federal resources to go unchecked. Such failures undermine public trust in OSC's ability to safeguard whistleblower protections and ensure government accountability. Conclusion These facts demonstrate a consistent pattern of gross mismanagement within OSC, including pro
Allegation	Abuse of Authority
What action did they take?	Actions Taken by Individuals Involved in Abuse of Authority: Denial of Records (FOIA and Whistleblower): Falsely claimed that DI-12112024134 does not exist despite documented evidence of its receipt and acknowledgment by the Office of Special Counsel (OSC). Refused to provide requested records under FOIA request FOIA-2025-063, obstructing access to information protected under 5 U.S.C. § 552 (FOIA) and whistleblower protection laws (5 U.S.C. § 1213). Obstruction of Justice: Intentionally delayed or misrepresented the status of the whistleblower complaint (DI-12112024134), preventing timely investigation and enforcement of whistleblower protections. Suppressed whistleblower disclosures by failing to document or act upon reported violations, contravening 18 U.S.C. § 1505. Failure to Implement ADA Accommodations: Ignored explicit requests for ADA-mandated accommodations, including accessible formats for communication, plain-language summaries, and exclusive email communication. This violates Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Systemic Mismanagement and Retaliation: Allowed procedural mismanagement to undermine the integrity of OSC's whistleblower protection and



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	complaint resolution processes. Created an environment of retaliation or neglect, deterring whistleblowers from filing complaints or seeking recourse for misconduct. Misinformation and Lack of Transparency: Misrepresented the chain of custody, procedural steps, and investigative actions related to DI-12112024134. Failed to disclose search methodologies, personnel involved, or databases queried, undermining trust in OSC's operations and violating public accountability standards. Collusion or Neglect in Oversight: Federal and state officials failed to intervene despite evident non-compliance with federal statutes, contributing to systemic failures. Key personnel, including FOIA officers, legal counsel, and program administrators, allowed procedural delays, denials, and suppressions to persist unchallenged. Summary: The actions taken demonstrate a pattern of abuse of authority through procedural obstruction, denial of legal rights under FOIA and whistleblower statutes, systemic mismanagement, and the failure to implement disability accommodations. These actions collectively undermine public trust, transparency, and accountability while violating multiple federal laws and constitutional protections.
When did this occur?	Timeline of Abuse of Authority: Initial Submission and Confirmation (December 11, 2024): Whistleblower complaint DI-12112024134 was submitted to the Office of Special Counsel (OSC) and acknowledged via email. Supporting documents were attached, and acknowledgment emails confirmed receipt of the submission. FOIA Request Submission (December 16, 2024): FOIA request FOIA-2025-063 was submitted, requesting all records related to DI-12112024134. OSC acknowledged receipt of the request, confirming the tracking number. OSC's Denial of Records (December 18, 2024): OSC claimed that DI-12112024134 is "not a valid OSC record number," contradicting earlier acknowledgment emails and submitted evidence. Escalated Communications and ADA Requests (December 19, 2024): Multiple communications were sent



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	demanding compliance with FOIA, ADA accommodations, and whistleblower protection statutes. OSC failed to respond substantively or address the inconsistencies. Ongoing Delays and Obstruction (December
How did you discover this action?	I discovered this abuse of authority through: Confirmation Emails from OSC (December 11, 2024): After submitting my whistleblower complaint DI-12112024134, I received confirmation emails from the OSC acknowledging receipt of the complaint and assigning it a filing identifier. These emails included details of my submission and assured me that further communication would follow. FOIA Submission and Acknowledgment (December 16, 2024): When I submitted FOIA request FOIA-2025-063, OSC acknowledged receipt of the request and provided a tracking number, reaffirming that my complaint and related records existed within their system. Contradictory Response from OSC (December 18, 2024): OSC claimed that DI-12112024134 was "not a valid OSC record number" despite previous confirmations. This directly contradicted the acknowledgment emails and attached supporting documents I had received and provided. Failure to Provide ADA Accommodations and Records (Ongoing): OSC failed to respond to ADA accommodation requests, release records, or address discrepancies in its contradictory claims. This obstruction became evident as I attempted to resolve these issues through direct communication with OSC officials. These actions demonstrated a clear pattern of obstruction, inconsistency, and abuse of authority, which I identified through OSC's own contradictory communications and their failure to fulfill statutory obligations.
What additional facts support your allegation?	Additional facts supporting the allegation of abuse of authority include: Documented Confirmation of Complaint Submission: On December 11, 2024, OSC acknowledged receipt of my whistleblower complaint DI-12112024134 via multiple confirmation emails. These included a detailed record of my submission and the



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	assigned filing identifier. These documents demonstrate that the complaint was submitted and recognized by OSC. Contradictory Denial of Complaint's Existence: On December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record number," directly contradicting their earlier acknowledgment emails. This inconsistency suggests intentional misrepresentation or systemic mismanagement. Failure to Respond to FOIA Request: Despite acknowledging receipt of FOIA request FOIA-2025-063 on December 16, 2024, OSC has failed to produce any responsive records. This delay violates FOIA's statutory time limits and suggests deliberate obstruction of transparency. Ignored ADA Accommodation Requests: My requests for ADA-compliant communication formats and plain-language summaries—required under Title II of the ADA and Section 504 of the Rehabilitation Act—have been systematically ignored, further obstructing my ability to participate in the process. OSC's Statutory Responsibilities: As mandated by 5 U.S.C. § 1213, OSC is required to process whistleblower disclosures promptly and ensure transparency. Its failure to address my complaint or provide records undermines its statutory obligations and raises concerns about internal accountability. Pattern of Non-Compliance: OSC's refusal to act on confirmed submissions and its contradictory responses highlight systemic issues of neglect, mismanagement, and potential retaliation against whistleblowers. Impact on Public Trust and Transparency: By obstructing the processing of my disclosure and withholding records, OSC has not only harmed me as a whistleblower but also undermined public trust in its oversight functions. These facts collectively establish a pattern of abuse of authority by OSC officials, who have failed to fulfill their statutory duties, comply with legal obligations, and uphold the principles of transparency and accountability.
Allegation	Gross Waste of Funds



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What action did they take?	Actions Taken Contributing to Gross Waste of Funds: Mismanagement of Whistleblower Complaints Failure to properly process and investigate whistleblower complaints, including DI-12112024134, resulted in prolonged delays, duplicated efforts, and unresolved issues. Resources allocated for complaint handling were misused or underutilized. Denial and Obstruction of Records Systematic denial of FOIA requests (#FOIA-2025-063) and other related disclosures required extensive follow-up, appeals, and escalations, wasting administrative time and taxpayer funds. Non-Compliance with ADA Accommodations OSC failed to provide legally mandated ADA accommodations, resulting in redundant efforts, communication inefficiencies, and the need for escalations to external entities (e.g., DOJ Civil Rights Division, OGIS). This non-compliance caused significant delays and misallocation of resources. Inefficient Recordkeeping and Search Processes OSC's internal disorganization and failure to maintain accessible records led to repeated claims of "no responsive records," requiring additional searches, appeals, and administrative time that could have been avoided. Failure to Utilize Oversight and Accountability Mechanisms OSC neglected its statutory responsibility to ensure proper oversight of whistleblower complaints and resource management. This resulted in unchecked misallocation of funds and lack of resolution for key cases. Improper Resource Allocation to Legal and Administrative Support Resources intended for whistleblower protection and investigation were diverted to address unnecessary legal disputes, FOIA denials, and appeals. These actions reflect a lack of prioritization and accountability. Inadequate Training and Oversight of Staff and Contractors OSC failed to adequately train staff and contractors on compliance with FOIA, ADA, and whistleblower statutes. This led to inefficient complaint processing, record management, and communication practices. Engagement in Repetitive and Unnecessary Correspondence OSC repeatedly sent contradictory responses, including
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	acknowledgment of complaints followed by claims of nonexistence. These actions consumed excessive resources and created confusion, requiring escalations to external oversight bodies. Neglect of Transparency Obligations Systemic lack of adherence to transparency mandates under FOIA and whistleblower statutes undermined trust, requiring unnecessary intervention from higher authorities and advocacy organizations, further wasting public resources. Failure to Collaborate with Other Agencies OSC failed to collaborate effectively with the DOJ, OGIS, and Congressional Oversight Committees to resolve systemic issues, leading to duplication of efforts and misallocation of funds. Consequences of These Actions These actions demonstrate a systemic failure to efficiently manage taxpayer funds, undermining OSC's mission and violating legal obligations under FOIA, ADA, and whistleblower statutes. This gross mismanagem
When did this occur?	Timeline of Actions Contributing to Gross Waste of Funds: Initial Complaint Filing December 11, 2024: Complaint DI-12112024134 submitted to the U.S. Office of Special Counsel (OSC). Confirmation of receipt provided within minutes. FOIA Request Submission December 16, 2024: FOIA request #FOIA-2025-063 submitted, seeking records related to DI-12112024134. Confirmation of receipt was provided the same day. Contradictory Communications Begin December 18, 2024: OSC claims that complaint DI-12112024134 is "not a valid OSC record," despite previously acknowledging its receipt. Contradictory responses ensue, requiring clarification and escalation. ADA Accommodation Failures Persist Throughout December 2024: OSC repeatedly failed to honor ADA accommodation requests for accessible formats and plain-language summaries, resulting in delays and inefficient communication. Repeated Record Search Denials December 19, 2024: OSC denies the existence of records responsive to FOIA request #FOIA-2025-



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How did you discover this action?	How This Action Was Discovered Direct Involvement in Filing and Submission On December 11, 2024, I personally filed a whistleblower complaint (DI-12112024134) with the U.S. Office of Special Counsel (OSC). I received immediate email confirmation acknowledging the filing and detailing its contents. Contradictory Responses from OSC Following the submission, on December 16, 2024, I submitted a Freedom of Information Act (FOIA) request (#FOIA-2025-063) to obtain records related to the complaint. OSC confirmed receipt of the FOIA request. However, on December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record," directly contradicting its initial acknowledgment of the complaint. Review of FOIA and ADA Non-Compliance Upon receiving OSC's contradictory statements and denial of records, I reviewed their responses in detail and found repeated failures to comply with FOIA statutory obligations and ADA accommodation requests. Analysis of Escalation Delays and Repeated Denials Despite documented evidence of complaint submission and FOIA confirmation, OSC's subsequent denial of valid records raised concerns about systemic failures, waste, and abuse. Analysis of their responses revealed a pattern of obstruction and mismanagement. Supporting Documentation Documentation from OSC emails, FOIA responses, and submitted appeals, along with corroborative evidence of ADA accommodation requests and denials, further demonstrated the breadth of mismanagement. These actions were discovered through firsthand experience, official correspondence, and analysis of inconsistencies in OSC's handling of statutory responsibilities.
What additional facts support your allegation?	Additional Facts Supporting the Allegation Contradictory Documentation from OSC Complaint Submission Acknowledged: On December 11, 2024, OSC sent an email confirmation acknowledging the submission of complaint DI-12112024134, attaching a detailed PDF of the filing and indicating that an assigned attorney or investigator would follow up. FOIA Acknowledgment: On



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	December 16, 2024, OSC acknowledged receipt of FOIA request #FOIA-2025-063, indicating compliance with its legal obligation to search for and provide relevant records. Contradictory Claim: On December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record," contradicting their prior acknowledgment and raising concerns about record tampering or intentional obstruction. Violation of FOIA Requirements OSC's refusal to produce records violated the Freedom of Information Act (5 U.S.C. § 552), which mandates timely responses, thorough searches, and transparency in public records. The refusal to acknowledge records they previously confirmed demonstrates systemic non-compliance. Failure to Comply with ADA Accommodations Multiple ADA accommodation requests, including accessible formats, plain-language summaries, and email-only communication, were ignored or denied, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Impact on Whistleblower Protections By refusing to act on DI-12112024134, OSC violated its statutory duties under the Whistleblower Protection Act (5 U.S.C. § 1213), which requires documentation, investigation, and action on whistleblower complaints. Their inaction undermines federal protections and deters others from reporting wrongdoing. Evidence of Systemic Gross Waste of Funds OSC's handling of this matter reflects gross waste of taxpayer funds, as public resources are being used to obstruct rather than fulfill statutory obligations. This undermines the integrity of federal oversight processes. Failure to Address Escalated Appeals Despite multiple appeals and documentation sent to OSC and oversight authorities, there has been no substantive resolution. This pattern of neglect highlights systemic issues and potential abuse of authority within OSC operations. Pattern of Mismanagement and Obstruction OSC's actions and inactions collectively demonstrate a pattern of mismanagement, obstruction of justice, and disregard for legal obligations under FOIA, ADA, and whistleblower
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	protection laws. These additional facts underscore the seriousness of OSC's violations and the need for an independent investigation to ensure accountability and transparency.
Allegation	Danger to Public Health
What action did they take?	Actions Taken in Danger to Public Health: Systematic Obstruction of Justice Denied the existence of whistleblower complaint DI-12112024134 despite documented confirmation of its filing. Provided contradictory responses, creating delays and confusion regarding the status of the complaint and associated FOIA requests. Failure to Address Medicaid Program Mismanagement Neglected oversight and enforcement of standards in Medicaid-funded programs, including the ABI Waiver Program, which supports individuals with brain injuries and disabilities. Allowed potential fraud, waste, and abuse in federally funded health programs to go unchecked, increasing the risk of harm to vulnerable populations. Suppression of Critical Public Health Disclosures Failed to process whistleblower complaints regarding systemic failures in Medicaid and public health programs. Ignored or obstructed disclosure of mismanagement and violations of law that could directly impact public health outcomes. Neglecting ADA Mandates Denied ADA-compliant accommodations, obstructing access to information for individuals with disabilities and impeding their ability to participate in oversight and accountability processes. Created systemic barriers for disabled individuals to access critical healthcare and complaint resolution processes. Gross Mismanagement of FOIA Requests Mishandled FOIA-2025-063, obstructing access to vital records related to Medicaid programs and public health oversight. Refused to conduct thorough searches or provide sworn affidavits detailing search methodologies, thereby delaying transparency and accountability. Endangerment of Public Health and Safety Allowed systemic failures in oversight to persist, potentially exacerbating risks to the health and safety of Medicaid beneficiaries reliant on adequate care



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	and services. Failed to investigate and rectify structural issues within state and federal programs critical to public health. Concealment of Key Records and Evidence Obstructed access to evidence that could reveal systemic negligence, regulatory violations, and mismanagement within Medicaid programs, further endangering public health. Actively delayed the release of critical documentation by misrepresenting the validity of DI-12112024134 and other associated records. Collective Impact: The actions above represent deliberate obstruction and systemic neglect, leading to heightened risks for vulnerable populations dependent on transparent and accountable Medicaid services. These actions directly endanger public health by delaying oversight, exacerbating inequities, and preventing corrective measures.
When did this occur?	Timeline of Events: Initial Filing of Complaint December 11, 2024, 8:34 AM: Complaint DI-12112024134 was filed with the U.S. Office of Special Counsel (OSC). Confirmation of receipt was provided via email, with an acknowledgment of the filing and the assignment of a case number. Subsequent FOIA Requests December 16, 2024: FOIA request #FOIA-2025-063 was submitted to OSC, seeking all records and correspondence related to complaint DI-12112024134. OSC Contradictory Response December 18, 2024: OSC claimed that complaint DI-12112024134 was invalid and denied having records related to the FOIA request, despite previous confirmations of receipt. Ongoing Non-Compliance Between December 11, 2024, and December 19, 2024, OSC failed to provide requested records, obstructed justice, and did not comply with ADA-mandated accommodations, such as accessible formats and plain-language summaries. Impact on Public Health The actions occurred over the course of multiple days and continue as of Decemb
How did you discover this action?	How the Action Was Discovered: Direct Communication: On December 11, 2024, I received a confirmation email from the U.S. Office of Special Counsel (OSC)



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	acknowledging the filing of complaint DI-12112024134. The email included detailed filing information and confirmed that the complaint had been received and logged into their system. FOIA Request Responses: On December 16, 2024, I submitted a FOIA request (#FOIA-2025-063) to obtain records related to my complaint. This request was confirmed by OSC. Contradictory Correspondence: On December 18, 2024, OSC issued a response denying the existence of complaint DI-12112024134, contradicting their initial acknowledgment. This inconsistency highlighted a systemic failure in record-keeping, transparency, and adherence to legal obligations. Pattern of Non-Compliance: Follow-up communications revealed OSC's refusal to address ADA accommodations, disclose records, or provide clarity on the contradictory responses. These actions directly indicated mismanagement and obstruction. Escalation to Oversight Bodies: Analysis of OSC's actions in the context of whistleblower protections, FOIA statutes, and ADA compliance revealed gross mismanagement, deliberate obstruction, and violations of constitutional rights, further corroborated by OSC's own contradictory statements. Evidence Supporting Discovery: Email records from OSC confirming receipt of the complaint. FOIA correspondence highlighting discrepancies in OSC's responses. Documented communications requesting ADA accommodations and whistleblower protections, which were ignored or denied.
What additional facts support your allegation?	Additional Facts Supporting Allegations: Contradictory Documentation: On December 11, 2024, OSC confirmed receipt of complaint DI-12112024134 through an automated email, assigning it a tracking number and confirming its entry into their system. On December 18, 2024, OSC denied the existence of the same complaint in response to FOIA request #FOIA-2025-063. This directly contradicts their earlier confirmation, demonstrating gross mismanagement of case records and possible deliberate obstruction. Failure to Provide ADA Accommodations: OSC ignored multiple requests for



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	ADA-compliant communication, including accessible formats, plain-language summaries, and exclusive email correspondence. These omissions are violations of the Americans with Disabilities Act (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Non-Compliance with FOIA Obligations: OSC failed to produce requested records within the statutory timeframe, as required by 5 U.S.C. § 552. Their refusal to acknowledge or locate records, despite proof of submission, constitutes a breach of federal transparency laws. Pattern of Obstruction and Retaliation: The denial of the complaint's existence raises concerns about deliberate retaliation or negligence by OSC personnel. This obstructs whistleblower protections outlined under 5 U.S.C. § 1213 and may deter other whistleblowers from reporting critical issues. Danger to Public Health and Safety: The mismanagement and suppression of whistleblower disclosures undermine accountability and oversight mechanisms. This has the potential to allow unchecked violations of law or harmful practices within federal agencies, posing a broader risk to public health, safety, and trust in government. Financial Implications: Gross waste of federal funds is evident in the failure to manage whistleblower disclosures, ADA requests, and FOIA compliance. These actions erode taxpayer confidence and increase the risk of undetected fraud or mismanagement within OSC operations. Supporting Evidence: Emails confirming submission and acknowledgment of DI-12112024134. FOIA correspondence (Request #FOIA-2025-063) highlighting OSC's contradictory statements. Documented requests for ADA accommodations, which were ignored or inadequately addressed. Legal analysis showing violations of constitutional rights, FOIA obligations, and ADA requirements. Conclusion: The evidence reveals systemic failures within OSC, including gross mismanagement, obstruction, and non-compliance with legal and constitutional obligations. These actions demand immediate investigation and corrective measures to
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	prevent further harm to whistleblowers, public trust, and government accountability.
Allegation	Danger to Public Safety
What action did they take?	2. What Action Did They Take? Henry Kerner (Special Counsel, OSC): Action Taken: Failed to ensure the proper handling, acknowledgment, and investigation of whistleblower disclosure DI-12112024134. Specifically, Kerner's office obstructed justice by denying the existence of a documented submission while simultaneously confirming its receipt in earlier communications. The refusal to process or act on the disclosure created systemic barriers to oversight. Impact: Undermined OSC's statutory duty to protect whistleblowers, investigate disclosures, and ensure accountability for agency wrongdoing. Michael E. Horowitz (Inspector General, DOJ): Action Taken: Neglected to enforce accountability for OSC's non-compliance with FOIA and whistleblower statutes, despite receiving detailed complaints highlighting systemic obstruction of justice and non-compliance with federal laws. Failed to initiate or escalate an investigation into OSC's handling of whistleblower submissions. Impact: Allowed systemic failures within OSC to persist, creating a chilling effect on whistleblowers and compromising oversight mechanisms. Alina M. Semo (Director, OGIS): Action Taken: Failed to mediate or intervene effectively in the FOIA dispute between the complainant and OSC. Did not address OSC's refusal to provide requested records or adhere to ADA accommodations, despite OGIS's mandate to resolve such disputes. Impact: Prolonged the delay in accessing critical records and failed to enforce government transparency requirements. Barbara Wheeler Jones (Acting Chief FOIA Officer, OSC): Action Taken: Provided contradictory responses to FOIA request #FOIA-2025-063, confirming receipt of DI-12112024134 and later denying its existence. Refused to disclose records or justify exemptions as required by FOIA. Impact: Directly obstructed justice and undermined public confidence in government accountability. Xavier Becerra (Secretary,



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	HHS): Action Taken: Failed to act on whistleblower disclosures related to public health concerns, including systemic non-compliance within Medicaid-funded programs. Did not coordinate with OSC to address overlapping issues affecting public health. Impact: Increased risks to public health by neglecting whistleblower disclosures and failing to enforce compliance with Medicaid oversight requirements. Chiquita Brooks-LaSure (Administrator, CMS): Action Taken: Neglected to investigate or address disclosures involving systemic issues within Medicaid-funded programs. Failed to collaborate with OSC or provide guidance on health and safety violations highlighted in the complaint. Impact: Allowed potential harm to public health to escalate due to lack of intervention and oversight. Merrick Garland (Attorney General, DOJ): Action Taken: Did not enforce compliance or investigate OSC's failures to handle whistleblower complaints, respond to FOIA requests, or honor ADA accommodations. Failed to address systemic misconduct despite being the head of the DOJ, which oversees
When did this occur?	3. When Did This Occur? Initial Submission and Confirmation: Date: December 11, 2024, at approximately 8:34 AM (EST). Event: Whistleblower disclosure DI-12112024134 was submitted to the U.S. Office of Special Counsel (OSC) and immediately acknowledged via email. A confirmation document was also attached, providing detailed filing information. Contradictory Responses Begin: Date: December 16, 2024. Event: OSC acknowledged receipt of FOIA request #FOIA-2025-063, referencing the associated whistleblower disclosure DI-12112024134. However, no substantive response was provided regarding the status of the disclosure or records requested. Denial of Records and Obstruction: Date: December 18, 2024. Event: OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting earlier confirmations of its receipt and existence. This marked a significant escalation in the obstruction of justice.



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	Continued Failure to Respond or Act: Ongoing: As of December 19, 20
How did you discover this action?	4. How Did You Discover This Action? I discovered this series of actions through direct engagement with the Office of Special Counsel (OSC) and their documented responses to my complaint and Freedom of Information Act (FOIA) request. Specifically: Initial Confirmation of Submission: On December 11, 2024, I submitted whistleblower disclosure DI-12112024134 to OSC via their online filing portal. I received an immediate email confirmation acknowledging receipt, along with a detailed PDF document confirming the submission and filing number (DI-12112024134). FOIA Request and Confirmation: On December 16, 2024, I submitted FOIA request #FOIA-2025-063 to access records related to my whistleblower disclosure. OSC confirmed receipt of my FOIA request via email, stating that it had been assigned tracking number #FOIA-2025-063 and acknowledging the subject of the request. Contradictory Denial: On December 18, 2024, OSC issued a contradictory response claiming that the whistleblower disclosure DI-12112024134 "is not a valid OSC record number." This denial directly conflicted with their previous confirmations of receipt and acknowledgment. Failure to Provide Substantive Responses: Repeated follow-ups to OSC, including communications with named individuals such as Barbara Wheeler Jones and Jennifer Wheeler, yielded no resolution. Their responses either ignored critical inquiries or continued to deny the existence of the submission. Discovery Through Documentation: The pattern of mismanagement, obstruction, and non-compliance became apparent as I analyzed the documented communications from OSC. These include: Email confirmations of the whistleblower submission. FOIA tracking and acknowledgment correspondence. Contradictory responses denying the existence of the disclosed filing. This series of actions raised significant concerns about systemic failures, negligence, and potential misconduct within OSC's operations.



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What additional facts support your allegation?	5. Additional Facts Supporting the Allegation Documented Evidence of Submission and Confirmation On December 11, 2024, I received an email from OSC confirming the submission of whistleblower disclosure DI-12112024134. The email included: A PDF titled "OSCFiling-MedeirosDavid-DI-12112024134" that details the content of the disclosure. Confirmation of receipt, stating that changes to the filing could only be made through OSC. This acknowledgment is indisputable evidence that the filing was received and recorded by OSC. OSC's FOIA Acknowledgment Confirms Relevant Records On December 16, 2024, OSC confirmed receipt of FOIA request #FOIA-2025-063, explicitly referencing the subject matter and the submission. This acknowledgment demonstrates that OSC was aware of and had begun processing records related to my whistleblower disclosure. Contradictory Responses Indicating Obstruction On December 18, 2024, OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting their earlier acknowledgment of receipt and detailed record creation. This sudden denial raises serious concerns about intentional suppression, obstruction of justice, or gross mismanagement of whistleblower disclosures. Failure to Comply with FOIA and ADA Obligations OSC failed to provide requested records under FOIA, despite statutory requirements to do so within the prescribed timeline. OSC ignored my ADA accommodation requests, including accessible document formats, simplified summaries, and email-only correspondence. This failure constitutes systemic discrimination and violates federal disability rights laws. Pattern of Non-Compliance and Evasion Follow-up communications with OSC personnel, including Acting Chief FOIA Officer Barbara Wheeler Jones and Jennifer Wheeler, yielded no clarification or resolution. Their repeated failures to address the contradictions or provide valid explanations suggest intentional evasion rather than administrative error. Potential Retaliation and Systemic Misconduct As a
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	whistleblower, I am entitled to protections under federal law. The denial of my disclosure and refusal to process my complaint undermine these protections, raising concerns of systemic retaliation or neglect. These actions not only violate whistleblower protection laws but also obstruct oversight and accountability mechanisms meant to safeguard public trust. Harm to Public Safety and Accountability By obstructing my disclosure and denying access to critical records, OSC has jeopardized efforts to expose gross mismanagement, waste, and violations of federal law. This obstruction directly harms public oversight of government operations, particularly in the enforcement of whistleblower protections and taxpayer-funded programs. Supporting Documentation: Email confirmations from OSC acknowledging receipt of DI-12112024134 and FOIA-2025-063. PDF document containing the complete details of DI-12112024134. Correspondence with OSC personnel, documenting
Allegation	Violation of Law, Rule or Regulation
What action did they take?	The U.S. Office of Special Counsel (OSC), through Barbara Wheeler Jones, Jennifer Wheeler, and associated personnel, took the following actions: Denied the Existence of Valid Records: Refused to acknowledge the existence of whistleblower complaint DI-12112024134, despite documented confirmations of receipt via email and attached filings. Obstructed Justice: Provided contradictory responses regarding the status of the whistleblower complaint and related FOIA request (#FOIA-2025-063), impeding transparency and accountability. Delayed and hindered access to critical records required for whistleblower protections and federal oversight. Violated Federal Disclosure Laws: Failed to comply with FOIA requirements under 5 U.S.C. § 552, including timely processing and the provision of records related to whistleblower disclosures and ADA accommodations. Failed to Process a Whistleblower Disclosure: Neglected their statutory duty under 5 U.S.C. § 1213 to review, process, and act upon the whistleblower disclosure associated with DI-12112024134, thereby



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	undermining protections for reporting misconduct. Violated ADA and Rehabilitation Act Requirements: Refused to provide requested accommodations for a documented disability, including: Accessible, screen-reader-compatible formats for all documents. Plain-language summaries for complex records. Exclusive email communication as requested. Failed to Identify Responsible Personnel: Did not disclose the names, titles, or roles of the individuals involved in the search, review, and handling of the FOIA and whistleblower requests, further obstructing accountability. These actions collectively violated federal laws, constitutional rights, whistleblower protections, taxpayer rights, and ADA mandates.
When did this occur?	This occurred between December 11, 2024, and December 19, 2024, with key events as follows: December 11, 2024: The whistleblower complaint DI-12112024134 was submitted and acknowledged by the U.S. Office of Special Counsel (OSC) via email. OSC sent confirmation of receipt, including the detailed filing document, confirming the complaint submission and case number. December 16, 2024: OSC acknowledged receipt of FOIA request #FOIA-2025-063 and assigned it a tracking number. This acknowledgment confirmed the request for records related to DI-12112024134. December 18, 2024: OSC provided a contradictory response, claiming that complaint DI-12112024134 was not a valid record and requested clarification, despite prior confirmation of its existence and processing. December 19, 2024: As of this date, OSC has continued to deny the existence of complaint DI-12112024134, obstructing justice, violating whistleblower and ADA laws, and failing to comply with FOIA and constitutional requirements.
How did you discover this action?	I discovered this action through direct correspondence and official communications from the U.S. Office of Special Counsel (OSC). Specifically: December 11, 2024: I submitted whistleblower complaint DI-12112024134 to OSC. Shortly after submission, I received an email



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	confirmation from OSC acknowledging receipt and providing documentation that included the complaint details and case number. December 16, 2024: I submitted a FOIA request (#FOIA-2025-063) seeking records related to the whistleblower complaint. OSC acknowledged receipt of this FOIA request, confirming their obligation to respond under federal law. December 18, 2024: OSC issued a contradictory response, stating that complaint DI-12112024134 was invalid or nonexistent. This claim directly conflicted with their earlier acknowledgment of receipt and confirmation emails. The conflicting responses and refusal to recognize complaint DI-12112024134 exposed OSC's obstruction of justice, non-compliance with whistleblower laws, and violations of ADA and FOIA requirements. These were confirmed through the discrepancies in OSC's official communications, which I tracked and documented.
What additional facts support your allegation?	The following additional facts substantiate my allegation: Official Documentation Contradicting OSC's Denial December 11, 2024 – Confirmation of Complaint Filing (DI-12112024134): Upon submitting whistleblower complaint DI-12112024134, I received an email from OSC's automated system acknowledging receipt of the complaint. Attached to the email was a PDF document confirming the full submission details, including the complaint's specific identifier, DI-12112024134, and advising me of the next steps in the process. December 16, 2024 – FOIA Request Submission (#FOIA-2025-063): I submitted a FOIA request seeking all records related to DI-12112024134. OSC confirmed receipt of this request and assigned tracking number #FOIA-2025-063, indicating their responsibility to process the request under the Freedom of Information Act (5 U.S.C. § 552). December 18, 2024 – Contradictory Response from OSC: OSC issued a written response stating that complaint DI-12112024134 did not exist or was invalid. This directly contradicted their prior acknowledgment of the filing and the attached confirmation document. Legal Obligations and OSC's Violations FOIA Requirements (5 U.S.C. § 552):



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	OSC's denial of records and refusal to process a valid FOIA request violates FOIA, which mandates transparency and timely access to government-held information. Their conflicting responses suggest either a failure to conduct a proper search or an intentional suppression of records, constituting obstruction of justice. ADA Compliance: I submitted ADA accommodation requests to OSC, including the provision of accessible formats and simplified summaries. OSC ignored these legally mandated accommodations, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Whistleblower Protection Act Violations (5 U.S.C. § 1213): OSC's denial of the existence of a validly submitted whistleblower complaint indicates a systemic failure to comply with its statutory duty to protect whistleblowers and process their disclosures in good faith. Documented Evidence: Emails and Attachments from OSC: The acknowledgment email and the attached confirmation document (dated December 11, 2024) confirm that complaint DI-12112024134 was successfully filed and entered into OSC's system. The FOIA acknowledgment email (dated December 16, 2024) demonstrates that OSC received my request for records related to this complaint. OSC's Contradictory Statement (December 18, 2024): OSC's claim that the complaint was "invalid" or "nonexistent" directly contradicts their own documented confirmations. Patterns of Obstruction and Neglect: OSC's refusal to process a valid complaint and their contradictory statements suggest intentional suppression of whistleblower disclosures. Their failure to provide legally required accommodations under ADA indicates systemic neglect of accessibility requirements, further obstructing my ability to obtain information. Public Interest and Urge
Allegation	Gross Mismanagement
What action did they take?	What Action Did They Take? The following actions, or failures to act, demonstrate gross mismanagement at the U.S. Office of Special Counsel (OSC) and related entities: 1. Mishandling of Whistleblower Complaint (DI-



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	12112024134) Refusal to Acknowledge Filing: Despite OSC confirming the submission of complaint DI-12112024134 via email and issuing a detailed filing receipt, it later denied the existence of the case. This constitutes systemic mismanagement and failure to process whistleblower complaints under 5 U.S.C. § 1213. Failure to Assign or Investigate: OSC failed to assign a responsible investigator or attorney to address the complaint, violating whistleblower protection statutes and undermining accountability. Obstruction of Justice: The contradictory claims and lack of progress in handling the complaint suggest intentional suppression or systemic inefficiency, violating 18 U.S.C. § 1505 (obstruction of proceedings). 2. Non-Compliance with FOIA Request (#FOIA-2025-063) Failure to Conduct Adequate Search: OSC's FOIA staff failed to perform a thorough search for records related to DI-12112024134, directly violating 5 U.S.C. § 552. Falsification of Records Status: OSC falsely claimed the complaint did not exist, despite having acknowledged its receipt. This undermines transparency and public trust in government processes. Delays in Responding: OSC failed to comply with statutory timelines for FOIA processing, denying lawful access to records within the required 20 business days. 3. Systemic Non-Compliance with ADA Requirements Failure to Provide Reasonable Accommodations: OSC did not implement requested accommodations under Title II of the ADA and Section 504 of the Rehabilitation Act, including: Providing accessible formats for records (e.g., screen-reader-compatible PDFs). Summarizing technical or complex documents in plain language. Ensuring communication through email-only platforms as requested. Discrimination Against Individuals with Disabilities: The lack of accommodations constitutes systemic exclusion and unequal treatment, violating 42 U.S.C. § 12132. 4. Suppression of Transparency and Accountability Gross Mismanagement of Whistleblower Protections: By failing to process the complaint, OSC has discouraged whistleblower disclosures, undermining
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	public oversight and violating the Whistleblower Protection Act. Lack of Oversight or Escalation: No steps were taken to involve higher authorities (e.g., DOJ Inspector General, Congressional Committees) to address or resolve systemic failures. Failure to Document Decision-Making: OSC has not provided any written justification for its denial of records or its contradictory responses, violating transparency mandates under FOIA and 5 U.S.C. § 1214. 5. Mismanagement of Taxpayer Resources Wasting Public Funds: The failure to process valid whistleblower complaints and FOIA requests has wasted taxpayer dollars and resources, constituting gross mismanagement of funds. Loss of Public Confiden
When did this occur?	When Did This Occur? The gross mismanagement at the U.S. Office of Special Counsel (OSC) occurred over the following timeline: December 11, 2024: Complaint DI-12112024134 was submitted and acknowledged by OSC via email, with a receipt confirmation and filing details sent to the complainant. Supporting evidence was attached, including detailed documentation of whistleblower allegations and violations. December 16, 2024: FOIA request #FOIA-2025-063 was submitted to OSC for records related to DI-12112024134. OSC acknowledged receipt of the FOIA request, assigned a tracking number, and confirmed processing was underway. December 18, 2024: OSC issued a contradictory response denying the existence of complaint DI-12112024134, despite previous acknowledgment and associated documentation. OSC failed to provide any statutory justification for the denial or the inability to locate records. Ongoing: OSC has failed to process the complaint or escalate it to the appropriate investigative autho
How did you discover this action?	How Did You Discover This Action? The actions constituting gross mismanagement were discovered through the following sequence of events: Acknowledgment of Filing: On December 11, 2024, I received an email confirmation from the U.S. Office of Special Counsel (OSC) acknowledging receipt of my



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	whistleblower complaint DI-12112024134. The acknowledgment included filing details and a reference to OSC's role in processing whistleblower disclosures. FOIA Request Submission: On December 16, 2024, I submitted a FOIA request (#FOIA-2025-063) to OSC seeking records and communications related to DI-12112024134. This request was acknowledged by OSC, confirming its receipt and processing. Contradictory Response: On December 18, 2024, OSC issued a response to the FOIA request, claiming that complaint DI-12112024134 does not exist, despite the previously documented acknowledgment and the provided filing reference. ADA Non-Compliance: Throughout the process, OSC failed to implement requested ADA accommodations (e.g., accessible formats, plain-language summaries) despite repeated and legally justified requests. This pattern revealed systemic deficiencies in OSC's adherence to accessibility standards. Cross-Referencing Documentation: By cross-referencing the complaint confirmation email, FOIA tracking information, and subsequent denials, I identified clear contradictions and failures in OSC's handling of both the complaint and FOIA request. These contradictions revealed severe procedural lapses and possible intentional suppression of records. Ongoing Lack of Action: Continued failure to address the complaint, respond to the FOIA request, or comply with statutory and constitutional obligations further confirmed systemic gross mismanagement within OSC operations.
What additional facts support your allegation?	What Additional Facts Support Your Allegation? The following facts substantiate the allegation of gross mismanagement by the U.S. Office of Special Counsel (OSC): 1. Documented Acknowledgment of Complaint Submission On December 11, 2024, OSC acknowledged the receipt of whistleblower complaint DI-12112024134 through an official confirmation email. This acknowledgment provided: A unique filing number (DI-12112024134). Confirmation of the complaint's submission and details on how OSC would process it.



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	Attached documentation of the filing, establishing its authenticity and receipt by OSC. 2. Contradictory FOIA Responses On December 16, 2024, OSC acknowledged receipt of my FOIA request #FOIA-2025-063, seeking records related to complaint DI-12112024134. On December 18, 2024, OSC issued a contradictory response claiming that complaint DI-12112024134 does not exist, despite the previously documented acknowledgment. The discrepancy indicates either systemic procedural breakdowns or intentional suppression of records. 3. Violations of ADA Accommodations Despite multiple requests for ADA accommodations under Title II of the ADA and Section 504 of the Rehabilitation Act, OSC failed to: Provide records in accessible formats. Include plain-language summaries of complex documents. Respond exclusively through accessible electronic means (e.g., email). This non-compliance with legally mandated accommodations highlights systemic management failures and potential discrimination against individuals with disabilities. 4. Failure to Process Whistleblower Complaint Under 5 U.S.C. § 1213, OSC is mandated to: Accept and process whistleblower disclosures. Conduct investigations or appropriately refer complaints to relevant agencies. OSC has failed to provide any substantive updates, actions, or resolution regarding complaint DI-12112024134, despite legal requirements and my repeated inquiries. 5. Obstruction of Justice The refusal to acknowledge or act upon a valid whistleblower complaint constitutes obstruction under 18 U.S.C. § 1505. This behavior raises serious concerns about intentional efforts to suppress or retaliate against whistleblowers. 6. Systemic Lack of Transparency and Accountability The combination of: Contradictory responses to FOIA requests. Failure to act on the whistleblower complaint. Non-compliance with ADA accommodations. Lack of communication or explanation regarding procedural lapses. This pattern reflects systemic gross mismanagement and a failure to uphold OSC's statutory responsibilities under FOIA, the Whistleblower Protection
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	Act, and the ADA. 7. Economic and Ethical Implications By failing to address whistleblower disclosures, OSC allows potential fraud, waste, and abuse of federal resources to go unchecked. Such failures undermine public trust in OSC's ability to safeguard whistleblower protections and ensure government accountability. Conclusion These facts demonstrate a consistent pattern of gross mismanagement within OSC, including pro
Allegation	Abuse of Authority
What action did they take?	Actions Taken by Individuals Involved in Abuse of Authority: Denial of Records (FOIA and Whistleblower): Falsely claimed that DI-12112024134 does not exist despite documented evidence of its receipt and acknowledgment by the Office of Special Counsel (OSC). Refused to provide requested records under FOIA request FOIA-2025-063, obstructing access to information protected under 5 U.S.C. § 552 (FOIA) and whistleblower protection laws (5 U.S.C. § 1213). Obstruction of Justice: Intentionally delayed or misrepresented the status of the whistleblower complaint (DI-12112024134), preventing timely investigation and enforcement of whistleblower protections. Suppressed whistleblower disclosures by failing to document or act upon reported violations, contravening 18 U.S.C. § 1505. Failure to Implement ADA Accommodations: Ignored explicit requests for ADA-mandated accommodations, including accessible formats for communication, plain-language summaries, and exclusive email communication. This violates Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Systemic Mismanagement and Retaliation: Allowed procedural mismanagement to undermine the integrity of OSC's whistleblower protection and complaint resolution processes. Created an environment of retaliation or neglect, deterring whistleblowers from filing complaints or seeking recourse for misconduct. Misinformation and Lack of Transparency: Misrepresented the chain of custody, procedural steps, and investigative actions related to DI-12112024134.



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	Failed to disclose search methodologies, personnel involved, or databases queried, undermining trust in OSC's operations and violating public accountability standards. Collusion or Neglect in Oversight: Federal and state officials failed to intervene despite evident non-compliance with federal statutes, contributing to systemic failures. Key personnel, including FOIA officers, legal counsel, and program administrators, allowed procedural delays, denials, and suppressions to persist unchallenged. Summary: The actions taken demonstrate a pattern of abuse of authority through procedural obstruction, denial of legal rights under FOIA and whistleblower statutes, systemic mismanagement, and the failure to implement disability accommodations. These actions collectively undermine public trust, transparency, and accountability while violating multiple federal laws and constitutional protections.
When did this occur?	Timeline of Abuse of Authority: Initial Submission and Confirmation (December 11, 2024): Whistleblower complaint DI-12112024134 was submitted to the Office of Special Counsel (OSC) and acknowledged via email. Supporting documents were attached, and acknowledgment emails confirmed receipt of the submission. FOIA Request Submission (December 16, 2024): FOIA request FOIA-2025-063 was submitted, requesting all records related to DI-12112024134. OSC acknowledged receipt of the request, confirming the tracking number. OSC's Denial of Records (December 18, 2024): OSC claimed that DI-12112024134 is "not a valid OSC record number," contradicting earlier acknowledgment emails and submitted evidence. Escalated Communications and ADA Requests (December 19, 2024): Multiple communications were sent demanding compliance with FOIA, ADA accommodations, and whistleblower protection statutes. OSC failed to respond substantively or address the inconsistencies. Ongoing Delays and Obstruction (December



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How did you discover this action?	I discovered this abuse of authority through: Confirmation Emails from OSC (December 11, 2024): After submitting my whistleblower complaint DI-12112024134, I received confirmation emails from the OSC acknowledging receipt of the complaint and assigning it a filing identifier. These emails included details of my submission and assured me that further communication would follow. FOIA Submission and Acknowledgment (December 16, 2024): When I submitted FOIA request FOIA-2025-063, OSC acknowledged receipt of the request and provided a tracking number, reaffirming that my complaint and related records existed within their system. Contradictory Response from OSC (December 18, 2024): OSC claimed that DI-12112024134 was "not a valid OSC record number" despite previous confirmations. This directly contradicted the acknowledgment emails and attached supporting documents I had received and provided. Failure to Provide ADA Accommodations and Records (Ongoing): OSC failed to respond to ADA accommodation requests, release records, or address discrepancies in its contradictory claims. This obstruction became evident as I attempted to resolve these issues through direct communication with OSC officials. These actions demonstrated a clear pattern of obstruction, inconsistency, and abuse of authority, which I identified through OSC's own contradictory communications and their failure to fulfill statutory obligations.
What additional facts support your allegation?	Additional facts supporting the allegation of abuse of authority include: Documented Confirmation of Complaint Submission: On December 11, 2024, OSC acknowledged receipt of my whistleblower complaint DI-12112024134 via multiple confirmation emails. These included a detailed record of my submission and the assigned filing identifier. These documents demonstrate that the complaint was submitted and recognized by OSC. Contradictory Denial of Complaint's Existence: On December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record number," directly



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	contradicting their earlier acknowledgment emails. This inconsistency suggests intentional misrepresentation or systemic mismanagement. Failure to Respond to FOIA Request: Despite acknowledging receipt of FOIA request FOIA-2025-063 on December 16, 2024, OSC has failed to produce any responsive records. This delay violates FOIA's statutory time limits and suggests deliberate obstruction of transparency. Ignored ADA Accommodation Requests: My requests for ADA-compliant communication formats and plain-language summaries—required under Title II of the ADA and Section 504 of the Rehabilitation Act—have been systematically ignored, further obstructing my ability to participate in the process. OSC's Statutory Responsibilities: As mandated by 5 U.S.C. § 1213, OSC is required to process whistleblower disclosures promptly and ensure transparency. Its failure to address my complaint or provide records undermines its statutory obligations and raises concerns about internal accountability. Pattern of Non-Compliance: OSC's refusal to act on confirmed submissions and its contradictory responses highlight systemic issues of neglect, mismanagement, and potential retaliation against whistleblowers. Impact on Public Trust and Transparency: By obstructing the processing of my disclosure and withholding records, OSC has not only harmed me as a whistleblower but also undermined public trust in its oversight functions. These facts collectively establish a pattern of abuse of authority by OSC officials, who have failed to fulfill their statutory duties, comply with legal obligations, and uphold the principles of transparency and accountability.
Allegation	Gross Waste of Funds
What action did they take?	Actions Taken Contributing to Gross Waste of Funds: Mismanagement of Whistleblower Complaints Failure to properly process and investigate whistleblower complaints, including DI-12112024134, resulted in prolonged delays, duplicated efforts, and unresolved issues. Resources allocated for complaint handling were



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	misused or underutilized. Denial and Obstruction of Records Systematic denial of FOIA requests (#FOIA-2025-063) and other related disclosures required extensive follow-up, appeals, and escalations, wasting administrative time and taxpayer funds. Non-Compliance with ADA Accommodations OSC failed to provide legally mandated ADA accommodations, resulting in redundant efforts, communication inefficiencies, and the need for escalations to external entities (e.g., DOJ Civil Rights Division, OGIS). This non-compliance caused significant delays and misallocation of resources. Inefficient Recordkeeping and Search Processes OSC's internal disorganization and failure to maintain accessible records led to repeated claims of "no responsive records," requiring additional searches, appeals, and administrative time that could have been avoided. Failure to Utilize Oversight and Accountability Mechanisms OSC neglected its statutory responsibility to ensure proper oversight of whistleblower complaints and resource management. This resulted in unchecked misallocation of funds and lack of resolution for key cases. Improper Resource Allocation to Legal and Administrative Support Resources intended for whistleblower protection and investigation were diverted to address unnecessary legal disputes, FOIA denials, and appeals. These actions reflect a lack of prioritization and accountability. Inadequate Training and Oversight of Staff and Contractors OSC failed to adequately train staff and contractors on compliance with FOIA, ADA, and whistleblower statutes. This led to inefficient complaint processing, record management, and communication practices. Engagement in Repetitive and Unnecessary Correspondence OSC repeatedly sent contradictory responses, including acknowledgment of complaints followed by claims of nonexistence. These actions consumed excessive resources and created confusion, requiring escalations to external oversight bodies. Neglect of Transparency Obligations Systemic lack of adherence to transparency mandates under FOIA and whistleblower statutes
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	undermined trust, requiring unnecessary intervention from higher authorities and advocacy organizations, further wasting public resources. Failure to Collaborate with Other Agencies OSC failed to collaborate effectively with the DOJ, OGIS, and Congressional Oversight Committees to resolve systemic issues, leading to duplication of efforts and misallocation of funds. Consequences of These Actions These actions demonstrate a systemic failure to efficiently manage taxpayer funds, undermining OSC's mission and violating legal obligations under FOIA, ADA, and whistleblower statutes. This gross mismanagem
When did this occur?	Timeline of Actions Contributing to Gross Waste of Funds: Initial Complaint Filing December 11, 2024: Complaint DI-12112024134 submitted to the U.S. Office of Special Counsel (OSC). Confirmation of receipt provided within minutes. FOIA Request Submission December 16, 2024: FOIA request #FOIA-2025-063 submitted, seeking records related to DI-12112024134. Confirmation of receipt was provided the same day. Contradictory Communications Begin December 18, 2024: OSC claims that complaint DI-12112024134 is "not a valid OSC record," despite previously acknowledging its receipt. Contradictory responses ensue, requiring clarification and escalation. ADA Accommodation Failures Persist Throughout December 2024: OSC repeatedly failed to honor ADA accommodation requests for accessible formats and plain-language summaries, resulting in delays and inefficient communication. Repeated Record Search Denials December 19, 2024: OSC denies the existence of records responsive to FOIA request #FOIA-2025-
How did you discover this action?	How This Action Was Discovered Direct Involvement in Filing and Submission On December 11, 2024, I personally filed a whistleblower complaint (DI-12112024134) with the U.S. Office of Special Counsel (OSC). I received immediate email confirmation acknowledging the filing and detailing its contents. Contradictory Responses from OSC Following the



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	submission, on December 16, 2024, I submitted a Freedom of Information Act (FOIA) request (#FOIA-2025-063) to obtain records related to the complaint. OSC confirmed receipt of the FOIA request. However, on December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record," directly contradicting its initial acknowledgment of the complaint. Review of FOIA and ADA Non-Compliance Upon receiving OSC's contradictory statements and denial of records, I reviewed their responses in detail and found repeated failures to comply with FOIA statutory obligations and ADA accommodation requests. Analysis of Escalation Delays and Repeated Denials Despite documented evidence of complaint submission and FOIA confirmation, OSC's subsequent denial of valid records raised concerns about systemic failures, waste, and abuse. Analysis of their responses revealed a pattern of obstruction and mismanagement. Supporting Documentation Documentation from OSC emails, FOIA responses, and submitted appeals, along with corroborative evidence of ADA accommodation requests and denials, further demonstrated the breadth of mismanagement. These actions were discovered through firsthand experience, official correspondence, and analysis of inconsistencies in OSC's handling of statutory responsibilities.
What additional facts support your allegation?	Additional Facts Supporting the Allegation Contradictory Documentation from OSC Complaint Submission Acknowledged: On December 11, 2024, OSC sent an email confirmation acknowledging the submission of complaint DI-12112024134, attaching a detailed PDF of the filing and indicating that an assigned attorney or investigator would follow up. FOIA Acknowledgment: On December 16, 2024, OSC acknowledged receipt of FOIA request #FOIA-2025-063, indicating compliance with its legal obligation to search for and provide relevant records. Contradictory Claim: On December 18, 2024, OSC claimed that DI-12112024134 was "not a valid OSC record," contradicting their prior acknowledgment and raising concerns about record tampering or intentional



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	obstruction. Violation of FOIA Requirements OSC's refusal to produce records violated the Freedom of Information Act (5 U.S.C. § 552), which mandates timely responses, thorough searches, and transparency in public records. The refusal to acknowledge records they previously confirmed demonstrates systemic non-compliance. Failure to Comply with ADA Accommodations Multiple ADA accommodation requests, including accessible formats, plain-language summaries, and email-only communication, were ignored or denied, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Impact on Whistleblower Protections By refusing to act on DI-12112024134, OSC violated its statutory duties under the Whistleblower Protection Act (5 U.S.C. § 1213), which requires documentation, investigation, and action on whistleblower complaints. Their inaction undermines federal protections and deters others from reporting wrongdoing. Evidence of Systemic Gross Waste of Funds OSC's handling of this matter reflects gross waste of taxpayer funds, as public resources are being used to obstruct rather than fulfill statutory obligations. This undermines the integrity of federal oversight processes. Failure to Address Escalated Appeals Despite multiple appeals and documentation sent to OSC and oversight authorities, there has been no substantive resolution. This pattern of neglect highlights systemic issues and potential abuse of authority within OSC operations. Pattern of Mismanagement and Obstruction OSC's actions and inactions collectively demonstrate a pattern of mismanagement, obstruction of justice, and disregard for legal obligations under FOIA, ADA, and whistleblower protection laws. These additional facts underscore the seriousness of OSC's violations and the need for an independent investigation to ensure accountability and transparency.
Allegation	Danger to Public Health
What action did they take?	Actions Taken in Danger to Public Health: Systematic Obstruction of Justice Denied the existence of



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	whistleblower complaint DI-12112024134 despite documented confirmation of its filing. Provided contradictory responses, creating delays and confusion regarding the status of the complaint and associated FOIA requests. Failure to Address Medicaid Program Mismanagement Neglected oversight and enforcement of standards in Medicaid-funded programs, including the ABI Waiver Program, which supports individuals with brain injuries and disabilities. Allowed potential fraud, waste, and abuse in federally funded health programs to go unchecked, increasing the risk of harm to vulnerable populations. Suppression of Critical Public Health Disclosures Failed to process whistleblower complaints regarding systemic failures in Medicaid and public health programs. Ignored or obstructed disclosure of mismanagement and violations of law that could directly impact public health outcomes. Neglecting ADA Mandates Denied ADA-compliant accommodations, obstructing access to information for individuals with disabilities and impeding their ability to participate in oversight and accountability processes. Created systemic barriers for disabled individuals to access critical healthcare and complaint resolution processes. Gross Mismanagement of FOIA Requests Mishandled FOIA-2025-063, obstructing access to vital records related to Medicaid programs and public health oversight. Refused to conduct thorough searches or provide sworn affidavits detailing search methodologies, thereby delaying transparency and accountability. Endangerment of Public Health and Safety Allowed systemic failures in oversight to persist, potentially exacerbating risks to the health and safety of Medicaid beneficiaries reliant on adequate care and services. Failed to investigate and rectify structural issues within state and federal programs critical to public health. Concealment of Key Records and Evidence Obstructed access to evidence that could reveal systemic negligence, regulatory violations, and mismanagement within Medicaid programs, further endangering public health. Actively delayed the release of critical
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	documentation by misrepresenting the validity of DI-12112024134 and other associated records. Collective Impact: The actions above represent deliberate obstruction and systemic neglect, leading to heightened risks for vulnerable populations dependent on transparent and accountable Medicaid services. These actions directly endanger public health by delaying oversight, exacerbating inequities, and preventing corrective measures.
When did this occur?	Timeline of Events: Initial Filing of Complaint December 11, 2024, 8:34 AM: Complaint DI-12112024134 was filed with the U.S. Office of Special Counsel (OSC). Confirmation of receipt was provided via email, with an acknowledgment of the filing and the assignment of a case number. Subsequent FOIA Requests December 16, 2024: FOIA request #FOIA-2025-063 was submitted to OSC, seeking all records and correspondence related to complaint DI-12112024134. OSC Contradictory Response December 18, 2024: OSC claimed that complaint DI-12112024134 was invalid and denied having records related to the FOIA request, despite previous confirmations of receipt. Ongoing Non-Compliance Between December 11, 2024, and December 19, 2024, OSC failed to provide requested records, obstructed justice, and did not comply with ADA-mandated accommodations, such as accessible formats and plain-language summaries. Impact on Public Health The actions occurred over the course of multiple days and continue as of Decemb
How did you discover this action?	How the Action Was Discovered: Direct Communication: On December 11, 2024, I received a confirmation email from the U.S. Office of Special Counsel (OSC) acknowledging the filing of complaint DI-12112024134. The email included detailed filing information and confirmed that the complaint had been received and logged into their system. FOIA Request Responses: On December 16, 2024, I submitted a FOIA request (#FOIA-2025-063) to obtain records related to my complaint. This request was confirmed by OSC. Contradictory



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	Correspondence: On December 18, 2024, OSC issued a response denying the existence of complaint DI-12112024134, contradicting their initial acknowledgment. This inconsistency highlighted a systemic failure in record-keeping, transparency, and adherence to legal obligations. Pattern of Non-Compliance: Follow-up communications revealed OSC's refusal to address ADA accommodations, disclose records, or provide clarity on the contradictory responses. These actions directly indicated mismanagement and obstruction. Escalation to Oversight Bodies: Analysis of OSC's actions in the context of whistleblower protections, FOIA statutes, and ADA compliance revealed gross mismanagement, deliberate obstruction, and violations of constitutional rights, further corroborated by OSC's own contradictory statements. Evidence Supporting Discovery: Email records from OSC confirming receipt of the complaint. FOIA correspondence highlighting discrepancies in OSC's responses. Documented communications requesting ADA accommodations and whistleblower protections, which were ignored or denied.
What additional facts support your allegation?	Additional Facts Supporting Allegations: Contradictory Documentation: On December 11, 2024, OSC confirmed receipt of complaint DI-12112024134 through an automated email, assigning it a tracking number and confirming its entry into their system. On December 18, 2024, OSC denied the existence of the same complaint in response to FOIA request #FOIA-2025-063. This directly contradicts their earlier confirmation, demonstrating gross mismanagement of case records and possible deliberate obstruction. Failure to Provide ADA Accommodations: OSC ignored multiple requests for ADA-compliant communication, including accessible formats, plain-language summaries, and exclusive email correspondence. These omissions are violations of the Americans with Disabilities Act (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). Non-Compliance with FOIA Obligations: OSC failed to produce requested records within the statutory



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	timeframe, as required by 5 U.S.C. § 552. Their refusal to acknowledge or locate records, despite proof of submission, constitutes a breach of federal transparency laws. Pattern of Obstruction and Retaliation: The denial of the complaint's existence raises concerns about deliberate retaliation or negligence by OSC personnel. This obstructs whistleblower protections outlined under 5 U.S.C. § 1213 and may deter other whistleblowers from reporting critical issues. Danger to Public Health and Safety: The mismanagement and suppression of whistleblower disclosures undermine accountability and oversight mechanisms. This has the potential to allow unchecked violations of law or harmful practices within federal agencies, posing a broader risk to public health, safety, and trust in government. Financial Implications: Gross waste of federal funds is evident in the failure to manage whistleblower disclosures, ADA requests, and FOIA compliance. These actions erode taxpayer confidence and increase the risk of undetected fraud or mismanagement within OSC operations. Supporting Evidence: Emails confirming submission and acknowledgment of DI-12112024134. FOIA correspondence (Request #FOIA-2025-063) highlighting OSC's contradictory statements. Documented requests for ADA accommodations, which were ignored or inadequately addressed. Legal analysis showing violations of constitutional rights, FOIA obligations, and ADA requirements. Conclusion: The evidence reveals systemic failures within OSC, including gross mismanagement, obstruction, and non-compliance with legal and constitutional obligations. These actions demand immediate investigation and corrective measures to prevent further harm to whistleblowers, public trust, and government accountability.
Allegation	Danger to Public Safety
What action did they take?	2. What Action Did They Take? Henry Kerner (Special Counsel, OSC): Action Taken: Failed to ensure the proper handling, acknowledgment, and investigation of whistleblower disclosure DI-12112024134. Specifically,



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	Kerner's office obstructed justice by denying the existence of a documented submission while simultaneously confirming its receipt in earlier communications. The refusal to process or act on the disclosure created systemic barriers to oversight. Impact: Undermined OSC's statutory duty to protect whistleblowers, investigate disclosures, and ensure accountability for agency wrongdoing. Michael E. Horowitz (Inspector General, DOJ): Action Taken: Neglected to enforce accountability for OSC's non-compliance with FOIA and whistleblower statutes, despite receiving detailed complaints highlighting systemic obstruction of justice and non-compliance with federal laws. Failed to initiate or escalate an investigation into OSC's handling of whistleblower submissions. Impact: Allowed systemic failures within OSC to persist, creating a chilling effect on whistleblowers and compromising oversight mechanisms. Alina M. Semo (Director, OGIS): Action Taken: Failed to mediate or intervene effectively in the FOIA dispute between the complainant and OSC. Did not address OSC's refusal to provide requested records or adhere to ADA accommodations, despite OGIS's mandate to resolve such disputes. Impact: Prolonged the delay in accessing critical records and failed to enforce government transparency requirements. Barbara Wheeler Jones (Acting Chief FOIA Officer, OSC): Action Taken: Provided contradictory responses to FOIA request #FOIA-2025-063, confirming receipt of DI-12112024134 and later denying its existence. Refused to disclose records or justify exemptions as required by FOIA. Impact: Directly obstructed justice and undermined public confidence in government accountability. Xavier Becerra (Secretary, HHS): Action Taken: Failed to act on whistleblower disclosures related to public health concerns, including systemic non-compliance within Medicaid-funded programs. Did not coordinate with OSC to address overlapping issues affecting public health. Impact: Increased risks to public health by neglecting whistleblower disclosures and failing to enforce
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	compliance with Medicaid oversight requirements. Chiquita Brooks-LaSure (Administrator, CMS): Action Taken: Neglected to investigate or address disclosures involving systemic issues within Medicaid-funded programs. Failed to collaborate with OSC or provide guidance on health and safety violations highlighted in the complaint. Impact: Allowed potential harm to public health to escalate due to lack of intervention and oversight. Merrick Garland (Attorney General, DOJ): Action Taken: Did not enforce compliance or investigate OSC's failures to handle whistleblower complaints, respond to FOIA requests, or honor ADA accommodations. Failed to address systemic misconduct despite being the head of the DOJ, which oversees
When did this occur?	3. When Did This Occur? Initial Submission and Confirmation: Date: December 11, 2024, at approximately 8:34 AM (EST). Event: Whistleblower disclosure DI-12112024134 was submitted to the U.S. Office of Special Counsel (OSC) and immediately acknowledged via email. A confirmation document was also attached, providing detailed filing information. Contradictory Responses Begin: Date: December 16, 2024. Event: OSC acknowledged receipt of FOIA request #FOIA-2025-063, referencing the associated whistleblower disclosure DI-12112024134. However, no substantive response was provided regarding the status of the disclosure or records requested. Denial of Records and Obstruction: Date: December 18, 2024. Event: OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting earlier confirmations of its receipt and existence. This marked a significant escalation in the obstruction of justice. Continued Failure to Respond or Act: Ongoing: As of December 19, 20
How did you discover this action?	4. How Did You Discover This Action? I discovered this series of actions through direct engagement with the Office of Special Counsel (OSC) and their documented responses to my complaint and Freedom of Information Act (FOIA) request. Specifically: Initial Confirmation of



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	Submission: On December 11, 2024, I submitted whistleblower disclosure DI-12112024134 to OSC via their online filing portal. I received an immediate email confirmation acknowledging receipt, along with a detailed PDF document confirming the submission and filing number (DI-12112024134). FOIA Request and Confirmation: On December 16, 2024, I submitted FOIA request #FOIA-2025-063 to access records related to my whistleblower disclosure. OSC confirmed receipt of my FOIA request via email, stating that it had been assigned tracking number #FOIA-2025-063 and acknowledging the subject of the request. Contradictory Denial: On December 18, 2024, OSC issued a contradictory response claiming that the whistleblower disclosure DI-12112024134 "is not a valid OSC record number." This denial directly conflicted with their previous confirmations of receipt and acknowledgment. Failure to Provide Substantive Responses: Repeated follow-ups to OSC, including communications with named individuals such as Barbara Wheeler Jones and Jennifer Wheeler, yielded no resolution. Their responses either ignored critical inquiries or continued to deny the existence of the submission. Discovery Through Documentation: The pattern of mismanagement, obstruction, and non-compliance became apparent as I analyzed the documented communications from OSC. These include: Email confirmations of the whistleblower submission. FOIA tracking and acknowledgment correspondence. Contradictory responses denying the existence of the disclosed filing. This series of actions raised significant concerns about systemic failures, negligence, and potential misconduct within OSC's operations.
What additional facts support your allegation?	5. Additional Facts Supporting the Allegation Documented Evidence of Submission and Confirmation On December 11, 2024, I received an email from OSC confirming the submission of whistleblower disclosure DI-12112024134. The email included: A PDF titled "OSCFiling-MedeirosDavid-DI-12112024134" that details the content of the disclosure. Confirmation of receipt,



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	stating that changes to the filing could only be made through OSC. This acknowledgment is indisputable evidence that the filing was received and recorded by OSC. OSC's FOIA Acknowledgment Confirms Relevant Records On December 16, 2024, OSC confirmed receipt of FOIA request #FOIA-2025-063, explicitly referencing the subject matter and the submission. This acknowledgment demonstrates that OSC was aware of and had begun processing records related to my whistleblower disclosure. Contradictory Responses Indicating Obstruction On December 18, 2024, OSC claimed that disclosure DI-12112024134 "is not a valid OSC record number," directly contradicting their earlier acknowledgment of receipt and detailed record creation. This sudden denial raises serious concerns about intentional suppression, obstruction of justice, or gross mismanagement of whistleblower disclosures. Failure to Comply with FOIA and ADA Obligations OSC failed to provide requested records under FOIA, despite statutory requirements to do so within the prescribed timeline. OSC ignored my ADA accommodation requests, including accessible document formats, simplified summaries, and email-only correspondence. This failure constitutes systemic discrimination and violates federal disability rights laws. Pattern of Non-Compliance and Evasion Follow-up communications with OSC personnel, including Acting Chief FOIA Officer Barbara Wheeler Jones and Jennifer Wheeler, yielded no clarification or resolution. Their repeated failures to address the contradictions or provide valid explanations suggest intentional evasion rather than administrative error. Potential Retaliation and Systemic Misconduct As a whistleblower, I am entitled to protections under federal law. The denial of my disclosure and refusal to process my complaint undermine these protections, raising concerns of systemic retaliation or neglect. These actions not only violate whistleblower protection laws but also obstruct oversight and accountability mechanisms meant to safeguard public trust. Harm to Public Safety and
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	Accountability By obstructing my disclosure and denying access to critical records, OSC has jeopardized efforts to expose gross mismanagement, waste, and violations of federal law. This obstruction directly harms public oversight of government operations, particularly in the enforcement of whistleblower protections and taxpayer-funded programs. Supporting Documentation: Email confirmations from OSC acknowledging receipt of DI-12112024134 and FOIA-2025-063. PDF document containing the complete details of DI-12112024134. Correspondence with OSC personnel, documenting
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DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing OSC's FOIA operations and compliance. As the Acting Chief FOIA Officer, B
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Office of the Clerk	Member of the OSC FOIA team, responsible for processing FOIA requests. Likely delegated tasks to res
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Head of the U.S. Office of Special Counsel. As the leader of OSC, Kerner is ultimately accountable f
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	FOIA Officer, Office of Special Counsel (OSC), accountable for overseeing the proper management and



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Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Tasked with processing FOIA requests and ensuring proper response under 5 U.S.C. § 552.
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Special Counsel, OSC	Overall leader of the OSC, with responsibility for ensuring the organization complies with its statu
Michael E. Horowitz	Michael E. Horowitz	Inspector General, U.S. Department of Justice (DOJ)	Responsible for overseeing accountability at federal agencies, including potential systemic failures
Kristen Clarke	Kristen Clarke	Assistant Attorney General, Civil Rights Division, DOJ	Oversees federal enforcement of ADA compliance and civil rights violations in public agencies.
Xavier Becerra	Xavier Becerra	Secretary, U.S. Department of Health and Human Services (HHS)	HHS oversees CMS (Centers for Medicare & Medicaid Services), which has a vested interest in whistlebl
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, CMS (Centers for Medicare & Medicaid Services)	Oversee Medicaid-related compliance and investigations potentially connected to your whistleblower
James Comer	James Comer	Chair, House Committee on Oversight and Accountability	Congressional oversight of federal agency compliance with FOIA and whistleblower protection laws.
Gary Peters	Gary Peters	Chair, Senate Committee on Homeland Security and Governmental Affairs	Responsible for investigating systemic failures and mismanagement in federal agencies.



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Jamie Raskin	Jamie Raskin	Chair, House Subcommittee on Civil Rights and Civil Liberties	Investigates civil rights and whistleblower retaliation claims in federal agencies.
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Senior leadership overseeing FOIA requests, ADA compliance, and whistleblower-related disclosures at
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Staff member responsible for processing FOIA requests, maintaining records, and corresponding with w
Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Henry J. Kerner – Special Counsel, U.S. Office of Special Counsel (OSC)	Special Counsel, U.S. Office of Special Counsel	Chief official responsible for the oversight, management, and enforcement of whistleblower protectio
Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Inspector General, U.S. Department of Justice	Oversight authority for misconduct, systemic issues, and whistleblower retaliation across federal ag
Erica Hamrick	Erica Hamrick	Deputy Special Counsel for Investigation and Prosecution	Directly responsible for overseeing investigations of whistleblower disclosures and allegations of m
William Reukauf	William Reukauf	Associate Special Counsel	Senior official managing legal and procedural compliance for OSC operations. Played a role in determ



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Kristen Clarke Title: Assistant Attorney General, Civil Rights Division Position in Chain of Command	Kristen Clarke Title: Assistant Attorney General, Civil Rights Division Position in Chain of Command	Assistant Attorney General, Civil Rights Division	Responsible for ensuring ADA compliance and investigating systemic violations of civil rights within
Alina M. Semo Title: Director, Office of Government Information Services (OGIS) Position in Chain of Command	Alina M. Semo Title: Director, Office of Government Information Services (OGIS) Position in Chain of Command	Director, Office of Government Information Services (OGIS)	Federal FOIA Ombudsman tasked with resolving disputes, ensuring compliance, and addressing systemic
Xavier Becerra Title: Secretary, U.S. Department of Health and Human Services (HHS) Position in Chain of Command	Xavier Becerra Title: Secretary, U.S. Department of Health and Human Services (HHS) Position in Chain of Command	Secretary of Health and Human Services	Chief executive of HHS, ultimately accountable for oversight of Centers for Medicare & Medicaid Services
Chiquita Brooks-LaSure Title: Administrator, Centers for Medicare & Medicaid Services (CMS)	Chiquita Brooks-LaSure Title: Administrator, Centers for Medicare & Medicaid Services (CMS)	Administrator, CMS	Directly responsible for oversight of Medicaid-funded programs, including ADA accommodations and compliance
Andrea Barton Reeves Title: Commissioner, Connecticut Department of Social Services (DSS)	Andrea Barton Reeves Title: Commissioner, Connecticut Department of Social Services (DSS)	Commissioner, Connecticut Department of Social Services (DSS)	Responsible for implementing the Acquired Brain Injury Medicaid Waiver Program and ensuring ADA compliance
William Tong Title: Attorney General Position	William Tong – Attorney General, Connecticut	Connecticut Attorney General	Legal oversight for state agencies and responsible for



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in Chain of Command: Chief Legal Officer, State of Co			addressing potential violations of state and
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Oversees FOIA compliance and record management within the OSC.
Jennifer Wheeler	Jennifer Wheeler	FOIA Team Member, Office of the Clerk	Directly responsible for processing FOIA requests and ensuring accurate responses to records request
Henry J. Kerner	Henry J. Kerner	Special Counsel of the U.S. Office of Special Counsel	The ultimate authority overseeing the operations and accountability of the OSC, including FOIA compl
Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Michael E. Horowitz Title: Inspector General Position in Chain of Command: Department of Justice, o	Inspector General, U.S. Department of Justice (DOJ)	Responsible for overseeing systemic accountability within federal agencies, including OSC. His overs
Alina M. Semo	Alina M. Semo	Director, Office of Government Information Services (OGIS)	Provides mediation services and ensures compliance with FOIA processes across federal agencies, incl
Merrick B. Garland	Merrick B. Garland	Attorney General of the United States	As the head of the DOJ, he oversees the actions of federal entities like OSC. Neglecting systemic ac
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, Centers for Medicare &	Administrator, Centers for Medicare & Medicaid Services (CMS)



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		Medicaid Services (CMS)	
OSC Administrative Division	OSC Administrative Division	Departmental Unit within OSC	Manages internal administrative resources, funding allocations, and processes related to recordkeepi
Oversight Committees	Oversight Committees	House Committee on Oversight and Accountability	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme
Senate Committee on Homeland Security and Governmental Affairs	Senate Committee on Homeland Security and Governmental Affairs	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme	Failure to ensure OSC accountability allows systemic waste of taxpayer funds to persist without reme
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing FOIA compliance and ensuring timely and accurate responses to requests re
Jennifer Wheeler	Jennifer Wheeler	FOIA Team, Office of the Clerk	Assigned to handle the processing of FOIA request #FOIA-2025-063 and to provide records related to c
Henry J. Kerner	Henry J. Kerner	Special Counsel	Overall responsible for the agency's compliance with statutory mandates, including whistleblower pro
Michael E. Horowitz	Michael E. Horowitz	Inspector General, Department of Justice (DOJ)	Oversight authority for systemic failures in whistleblower protection and compliance with transparen



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Henry J. Kerner	Henry J. Kerner	Special Counsel, U.S. Office of Special Counsel (OSC)	Ultimately accountable for ensuring that all whistleblower disclosures and FOIA requests are proper
Ned Lamont	Ned Lamont	Governor, State of Connecticut	Responsible for oversight of state agencies involved in federally funded programs related to Medicaid
Andrea Barton Reeves	Andrea Barton Reeves	Commissioner, Connecticut Department of Social Services (DSS)	Direct oversight of Medicaid-funded programs, including the ABI Waiver. Mismanagement or failure to
William Tong	William Tong	Attorney General, State of Connecticut	Legal oversight for ensuring that state agencies comply with constitutional and statutory requirements
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, Centers for Medicare & Medicaid Services (CMS)	Responsible for overseeing federal programs related to Medicaid, including enforcing compliance with
Kristen Clarke	Kristen Clarke	Assistant Attorney General, Civil Rights Division, DOJ	Oversight of ADA compliance and ensuring access for individuals with disabilities to government programs
Barbara Wheeler Jones	Barbara Wheeler Jones	Acting Chief FOIA Officer	Responsible for overseeing FOIA requests and ensuring compliance with federal transparency laws.
Jennifer Wheeler	Jennifer Wheeler	FOIA Team, Office of the Clerk	Directly involved in responding to FOIA requests and providing status updates.
Henry J. Kerner	Henry J. Kerner	Special Counsel, U.S.	Head of OSC, ultimately responsible for all agency



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		Office of Special Counsel	operations and compliance with whistleblower and
Michael E. Horowitz	Michael E. Horowitz	Inspector General, U.S. Department of Justice (DOJ)	Oversees DOJ investigations, including compliance with whistleblower protection statutes and agency
Alina M. Semo	Alina M. Semo	Director, Office of Government Information Services (OGIS)	Responsible for mediating FOIA disputes and ensuring government agencies comply with transparency ob
Henry Kerner's Deputy or Designee	Henry Kerner's Deputy or Designee	Deputy Special Counsel or Senior Leadership Member of OSC	Directly assists the Special Counsel in managing agency operations and compliance.
Xavier Becerra	Xavier Becerra	Secretary, U.S. Department of Health and Human Services (HHS)	Responsible for overseeing public health-related programs and ensuring federal agencies comply with
Chiquita Brooks-LaSure	Chiquita Brooks-LaSure	Administrator, Centers for Medicare & Medicaid Services (CMS)	Manages Medicaid programs and ensures compliance with federal regulations.
Merrick Garland	Merrick Garland	Attorney General, DOJ	Provides oversight and leadership for DOJ operations, including FOIA compliance and civil rights enf

REQUESTED OSC ACTION



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What action would you like OSC to take?

I have attached all relevant documents, detailed requests, and supporting evidence to this communication. These include:

Complaint Submissions: Copies of my initial filings, including complaint DI-12112024134, and the associated acknowledgments from the U.S. Office of Special Counsel (OSC).

Evidence of Mismanagement and Violations: Detailed records and communications highlighting the violations, contradictions, and failures to act in compliance with legal and constitutional mandates.

Document Requests and Responses: Correspondence related to FOIA-2025-063, including OSC's contradictory and non-compliant responses.

Legal and Procedural Frameworks: References to the laws, regulations, and constitutional protections violated, alongside a timeline of relevant events.

These materials substantiate my allegations and provide the necessary context for immediate and comprehensive action. If additional information is required, I am prepared to furnish further documentation upon request.

I urge you to act with integrity, courage, and an unwavering commitment to justice. The path forward demands not just adherence to the law, but a moral duty to uphold the principles that define fairness, accountability, and equality.

Do what is right—not because it is easy, but because it is necessary. Honor the trust placed in your position to safeguard the truth, protect the vulnerable, and ensure that no voice is silenced by injustice. Every action taken to correct these wrongs sends a powerful message: that the system works for the people, that accountability matters, and that justice prevails.

The opportunity to restore faith in the process and affirm the values of transparency and equality is before you. I trust that you will rise to meet this challenge with the dignity and resolve it deserves. Let this be a moment where doing what is right becomes a beacon for lasting change.

David Medeiros

ABI Resources

DB.42.131.Inf.



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WHERE ELSE DID YOU REPORT THIS MATTER?

I have also disclosed this information to:

Other Action Type	Action Taken Date
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Additional information about reports to Inspectors General, if applicable.

First Name:

Last Name:

Title:

Address:

Email Address:

Telephone Number:

Case ID #:

a. **What is the status of the matter?**

NOTE: MATTERS INVESTIGATED BY AN OFFICE OF INSPECTOR GENERAL

It is the general policy of OSC not to transmit allegations of wrongdoing to the head of the agency involved if the agency's Office of Inspector General has fully investigated, or is currently investigating, the same allegations.

ATTACHMENTS

Please note that the space available for attachments is limited. Therefore, DO NOT attach every document and email that may be relevant to your claim. You will have an opportunity to make additional submissions at a later date. We recommend limiting attachments to official forms and correspondence that document the action(s) at issue in your disclosure if these documents are relevant to your allegations.

I have attached the following documents to my filing:

File Name
12.19.2024 Violation of Civil Rights or Liberties Complaint _ U.S. Department of Justice Office of the Inspector General 548805-RXF .pdf



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OSCFiling-MedeirosDavid-DI-12112024134 (3).pdf
OSCFiling-MedeirosDavid-DI-12072024240.pdf
DI-25-000325 FDL 12.9.2024.pdf
OSC case number_ DI-12112024134 the Office of Special Counsel (OSC).zip
Information for FBI Director Christopher A. Wray.zip
Comprehensive Grievance Report and Request for Clarity Whistleblower Report Mediciad ABI Waiver Programs.pdf
12.19.2024 Enforce Federal and Constitutional Compliance Without Delay HHS CMS OCR OIG DOJ GAO USC FOIA ADA DSS OSC DAS OAG FOIC CGS DB.42.131.Inf. ABI Medeiros Connecticut DOGE .pdf
12.19.2024 548805-RXF DI-12112024134 Violation of Civil Rights or Liberties Complaint _ U.S. Department of Justice Office of the Inspector General 548805-RXF .zip
OSCFiling-MedeirosDavid-DI-12192024714.pdf

CONSENT

Do you consent to the disclosure of your identify to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity.

Yes

I do not consent to disclosure of my identity. (Even if you do not consent, OSC may disclose your identity if necessary due to an imminent danger to public health or safety or imminent violation of any criminal law. See 5 U.S.C. § 1213(h).)



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No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*

Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S. Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218, Washington, DC 20036-4505.

This Disclosure of Information was Received by OSC on: 12/20/2024

PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS THAT YOU SEND TO OSC NOW OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING. REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT YOU PROVIDED TO OSC.



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IMPORTANT INFORMATION ABOUT FILING A DISCLOSURE

OSC WHISTLEBLOWER DISCLOSURE CHANNEL

Under 5 U.S.C. § 1213 and related provisions, the Office of Special Counsel (OSC) serves as a secure channel for federal employees, former federal employees, and applicants for federal employment with reliable knowledge of the wrongdoing to disclose:

- a violation of law, rule or regulation;
- gross mismanagement;
- gross waste of funds;
- an abuse of authority;
- a substantial and specific danger to public health or safety; and/or
- censorship related to scientific research.

OSC JURISDICTION

OSC has no jurisdiction over disclosures filed by:

- employees of the U.S. Postal Service and the Postal Regulatory Commission;
- members of the armed forces of the United States (*i.e.*, non-civilian military employees);
- state employees operating under federal grants;
- employees of federal contractors;
- other employees or federal agencies that are exempt under federal law; and
- Congressional or judicial branch employees.

ANONYMOUS SOURCES

While OSC will protect the identity of persons who make disclosures, it will not consider anonymous disclosures. If a disclosure is filed by an anonymous source, the disclosure will be referred to the Office of Inspector General in the appropriate agency. OSC will take no further action.

RETALIATION

Do you believe you suffered retaliation by your agency for disclosing wrongdoing? If yes, you may file a complaint of retaliation by navigating back to "My Cases" and selecting "New Complaint." Select Option 1 to complete and submit a Complaint of Prohibited Personnel Practice or other Prohibited Activity (PPPs). *If you have already completed the Complaint of Prohibited Personnel Practice or other Prohibited Activity above, please continue with this Disclosure.* PPPs are employment-related activities that are banned in the federal workforce.



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PPPs generally involve some type of personnel decision or action and may result in personal relief for people who have been subject to a PPP. For example, if we find that you were removed from federal service in retaliation for whistleblowing, OSC may act to get your job back. PPPs can also include allegations of harassment, failure to issue appraisals, and improper hiring. Do not file a disclosure to report retaliation or other PPPs.

CONTACT INFORMATION

Title:

First Name:* David

Middle Initial:

Last Name:* Medeiros

International Address?: No

Address:*

215 Mountain St
Willimantic, CT 06226

Cell Phone Number:

Home Phone Number:

Office Phone Number:

Ext.

Email Address:* aabiwr@live.com

Preferred means of contact:

Email: Yes

Cell phone: No

Home phone: No

Office phone: No

REPRESENTATIVE INFORMATION

Do you have representation? No

Information about representative, if applicable.

First Name:*

Middle Initial:

Last Name:*

International Address?:

Address: *



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*Denotes required fields.

Office Phone Number:

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:

EMPLOYMENT INFORMATION

Name of Department/Agency about which you are making a disclosure.

Department:* Health and Human Services

Agency:* Centers For Medicare & Medicaid Services

Agency subcomponent: Medicaid Oversight for the Connecticut Acquired Brain Injury (ABI) Waiver

Street Address: 7500 Security Blvd. Baltimore, MD 21244

City: Baltimore

State: MD

Zip Code: 21244

Employment Status:* Non-Federal Employee (please specify)

Title	Series	Grade

Please provide your dates of employment in this position.

Employment Service Type	Employment Service Subtype	If Other (specify)
Excepted Service	Other	Private Citizen, Advocate, and Whistleblower
Other	Other	Private Citizen, Advocate, and Whistleblower

Are you covered by a collective bargaining agreement?



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DETAILS OF YOUR DISCLOSURES

Please identify the type of wrongdoing that you are alleging. You can make multiple disclosures, but you **MUST** choose one option. If you check "violation of law, rule, or regulation," specify, if you can, the particular law, rule or regulation violated (by name, subject, and/or legal citation). For each allegation, please answer the following questions (be as specific as possible). Please keep in mind that you will have an opportunity to provide more information and someone from OSC will contact you.

If OSC determines there is a substantial likelihood of wrongdoing, OSC will refer your disclosures to the involved agency for an investigation and report. To meet the substantial likelihood standard, there must be a significant probability that the information reveals wrongdoing that falls within one or more of the categories above. In its evaluation, OSC considers the strength, reliability, and credibility of the disclosures. If the substantial likelihood determination cannot be made, OSC will determine whether there is sufficient information to exercise its discretion to refer the allegations.

DISCLOSURES

Allegation	Gross Waste of Funds
What action did they take?	Failed to Conduct a Reasonable FOIA Search: CMS improperly claimed no responsive federal records existed for my FOIA request (No. 110620247022), despite its statutory oversight of Medicaid programs. Improperly Deferred Responsibility to State Agencies: CMS instructed me to contact Connecticut state agencies for Medicaid-related records, even though my request pertains to federal oversight, communications, and compliance activities. Violated ADA Accommodations: CMS ignored explicit accommodations for my traumatic brain injury (TBI), including exclusive MuckRock communication, accessible formats, and simplified summaries. Obstructed Transparency and Accountability: CMS's inadequate response delayed access to records critical for Medicaid program oversight, whistleblower protections, and public accountability.



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When did this occur?	When Did This Occur? Initial FOIA Request Submission: October 29, 2024 Acknowledgment of Request: November 7, 2024 CMS's Adverse Response: November 12, 2024 Continued Non-Compliance: CMS has not addressed follow-up requests for ADA accommodations, clarification of search methodology, or its oversight role.
How did you discover this action?	I discovered CMS's failures and misconduct through its official response to my FOIA request. The response: Claimed no responsive records existed. Directed me to state agencies despite the federal nature of the request. Did not acknowledge or implement required ADA accommodations. These actions revealed systemic issues in CMS's FOIA processing, accessibility practices, and oversight responsibilities.
What additional facts support your allegation?	FOIA Obligations Ignored: CMS failed to fulfill its responsibilities under 5 U.S.C. § 552, which requires agencies to search for and provide records in their possession or control. CMS's oversight role for Medicaid programs, including the ABI Waiver, inherently involves federal communications, audits, and compliance documentation. ADA Accommodations Violated: CMS ignored explicit accommodations outlined in my FOIA request, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). My accommodations included exclusive communication via the MuckRock platform, accessible document formats, and simplified summaries. Potential Mismanagement and Abuse of Authority: CMS's refusal to disclose records involving contractors (Accenture and Manatt) raises concerns about the misuse of federal funds and inadequate oversight. The requested records are critical for assessing Medicaid program integrity, particularly the ABI Waiver, which serves vulnerable populations. Constitutional Rights Violations: CMS's inadequate response infringes upon my First Amendment right to petition the government and my Fourteenth Amendment right to equal protection and due process. Delayed Transparency Impacts Public Accountability: CMS's actions obstruct efforts to identify potential waste,



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	fraud, or abuse, undermining whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302). What Action Would You Like OSC to Take? Investigate CMS for Mismanagement and Violations: Evaluate CMS's handling of FOIA requests for systemic issues, including its failure to conduct reasonable searches and comply with ADA accommodations. Investigate CMS's oversight of contractors (Accenture and Manatt) to ensure no misuse of federal Medicaid funds. Compel CMS to Comply with FOIA and ADA: Require CMS to conduct a new, comprehensive search for responsive records. Enforce ADA accommodations for all communications and document delivery. Address Systemic Failures: Recommend reforms to CMS's FOIA and ADA compliance practices to prevent future violations. Evaluate CMS's records management practices under the Federal Records Act (44 U.S.C. § 3101). Protect Whistleblower Transparency: Ensure CMS's actions do not obstruct access to critical records needed for public accountability or whistleblower disclosures.
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DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Chiquita	Brooks-LaSure	Administrator, CMS, responsible for agency-wide oversight and compliance.	Administrator, CMS, responsible for agency-wide oversight and compliance.
Emmett	Nicholson	Director, Division of FOIA Analysis – C	Oversees FOIA processing and compliance within the Centers for Medicare & Medicaid Services (CMS), r



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Desiree	Gaynor	FOIA Public Liaison, CMS,	responsible for ensuring FOIA requesters receive transparent and accessible service.
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REQUESTED OSC ACTION

What action would you like OSC to take?

1. Investigate CMS for Mismanagement and Violations

Evaluate CMS's Handling of FOIA Requests:

Conduct a comprehensive investigation into CMS's systemic failures in processing FOIA requests, including:

Inadequate searches that fail to meet the "reasonably calculated" standard required under 5 U.S.C. § 552.

Repeated violations of ADA accommodations as mandated by 42 U.S.C. § 12132 and 29 U.S.C. § 794.

Examine CMS's Oversight of Contractors (Accenture and Manatt):

Investigate potential misuse of taxpayer funds related to Medicaid program contracts with Accenture and Manatt, including:

Lack of transparency in contractor oversight.

Whether CMS's failures have allowed waste, fraud, or abuse in federal Medicaid funding programs such as the Acquired Brain Injury (ABI) Waiver.

2. Compel CMS to Comply with FOIA and ADA

Require a New, Comprehensive Search for Responsive Records:

Direct CMS to conduct a proper search for records responsive to FOIA Request No. 110620247022. This search must include:

Oversight records, federal communications, compliance audits, and policy guidance related to Connecticut Medicaid programs.

Communications involving contractors like Accenture and Manatt.

Transparent documentation of CMS's search methodology, including divisions, databases, and personnel involved.

Enforce Full ADA Compliance:

Mandate that CMS comply with legally required ADA accommodations, ensuring:



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Accessible formats for records, including screen-reader-compatible PDFs and simplified summaries for complex documents.

Identification of responsible personnel in all communications for accountability.

3. Address Systemic Failures

Recommend Reforms to FOIA and ADA Compliance Practices:

Propose corrective actions for CMS to ensure future compliance with FOIA, ADA, and whistleblower protection laws, such as:

Improved training for personnel handling FOIA requests.

Clear accountability mechanisms for ADA accommodations during FOIA processing.

Evaluate CMS's Records Management Practices:

Investigate whether CMS's records management complies with the Federal Records Act (44 U.S.C. § 3101), particularly regarding Medicaid oversight records. Recommend improvements to ensure CMS properly retains and retrieves federally mandated documents.

4. Protect Whistleblower Transparency

Ensure CMS Does Not Obstruct Whistleblower Protections:

Evaluate CMS's practices to prevent any obstruction of access to records critical for public accountability, whistleblower disclosures, and potential investigations into waste, fraud, or abuse.

Safeguard Transparency for Public Interest:

Ensure CMS's actions uphold whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302), particularly regarding Medicaid oversight and contractor accountability.

WHERE ELSE DID YOU REPORT THIS MATTER?

I have also disclosed this information to:

Other Action Type	Action Taken Date
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Additional information about reports to Inspectors General, if applicable.



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First Name:

Last Name:

Title:

Address:

Email Address:

Telephone Number:

Case ID #:

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090620247088 cms No Records Response Letter (1).pdf
requests (6).csv
requests (5).csv
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CONSENT

Do you consent to the disclosure of your identify to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity.

Yes

I do not consent to disclosure of my identity. (Even if you do not consent, OSC may disclose your identity if necessary due to an imminent danger to public health or safety or imminent violation of any criminal law. See 5 U.S.C. § 1213(h).)

No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*

Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S.



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Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218,
Washington, DC 20036-4505.

This Disclosure of Information was Received by OSC on: 11/26/2024

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- a violation of law, rule or regulation;
- gross mismanagement;
- gross waste of funds;
- an abuse of authority;
- a substantial and specific danger to public health or safety; and/or
- censorship related to scientific research.

OSC JURISDICTION

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- members of the armed forces of the United States (*i.e.*, non-civilian military employees);
- state employees operating under federal grants;
- employees of federal contractors;
- other employees or federal agencies that are exempt under federal law; and
- Congressional or judicial branch employees.

ANONYMOUS SOURCES

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RETALIATION

Do you believe you suffered retaliation by your agency for disclosing wrongdoing? If yes, you may file a complaint of retaliation by navigating back to "My Cases" and selecting "New Complaint." Select Option 1 to complete and submit a Complaint of Prohibited Personnel Practice or other Prohibited Activity (PPPs). *If you have already completed the Complaint of Prohibited Personnel Practice or other Prohibited Activity above, please continue with this Disclosure.* PPPs are employment-related activities that are banned in the federal workforce.



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CONTACT INFORMATION

Title:

First Name:* David

Middle Initial:

Last Name:* Medeiros

International Address?: No

Address:*

215 Mountain St
Willimantic, CT 06226

Cell Phone Number:

Home Phone Number:

Office Phone Number:

Ext.

Email Address:* aabiwr@live.com

Preferred means of contact:

Email: Yes

Cell phone: No

Home phone: No

Office phone: No

REPRESENTATIVE INFORMATION

Do you have representation? No

Information about representative, if applicable.

First Name:*

Middle Initial:

Last Name:*

International Address?:

Address: *



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*Denotes required fields.

Office Phone Number:

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:

EMPLOYMENT INFORMATION

Name of Department/Agency about which you are making a disclosure.

Department:* Health and Human Services

Agency:* Centers For Medicare & Medicaid Services

Agency subcomponent: Medicaid Oversight for the Connecticut Acquired Brain Injury (ABI) Waiver

Street Address: 7500 Security Blvd. Baltimore, MD 21244

City: Baltimore

State: MD

Zip Code: 21244

Employment Status:* Non-Federal Employee (please specify)

Title	Series	Grade

Please provide your dates of employment in this position.

Employment Service Type	Employment Service Subtype	If Other (specify)
Excepted Service	Other	Private Citizen, Advocate, and Whistleblower
Other	Other	Private Citizen, Advocate, and Whistleblower

Are you covered by a collective bargaining agreement?



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DETAILS OF YOUR DISCLOSURES

Please identify the type of wrongdoing that you are alleging. You can make multiple disclosures, but you **MUST** choose one option. If you check "violation of law, rule, or regulation," specify, if you can, the particular law, rule or regulation violated (by name, subject, and/or legal citation). For each allegation, please answer the following questions (be as specific as possible). Please keep in mind that you will have an opportunity to provide more information and someone from OSC will contact you.

If OSC determines there is a substantial likelihood of wrongdoing, OSC will refer your disclosures to the involved agency for an investigation and report. To meet the substantial likelihood standard, there must be a significant probability that the information reveals wrongdoing that falls within one or more of the categories above. In its evaluation, OSC considers the strength, reliability, and credibility of the disclosures. If the substantial likelihood determination cannot be made, OSC will determine whether there is sufficient information to exercise its discretion to refer the allegations.

DISCLOSURES

Allegation	Gross Waste of Funds
What action did they take?	Failed to Conduct a Reasonable FOIA Search: CMS improperly claimed no responsive federal records existed for my FOIA request (No. 110620247022), despite its statutory oversight of Medicaid programs. Improperly Deferred Responsibility to State Agencies: CMS instructed me to contact Connecticut state agencies for Medicaid-related records, even though my request pertains to federal oversight, communications, and compliance activities. Violated ADA Accommodations: CMS ignored explicit accommodations for my traumatic brain injury (TBI), including exclusive MuckRock communication, accessible formats, and simplified summaries. Obstructed Transparency and Accountability: CMS's inadequate response delayed access to records critical for Medicaid program oversight, whistleblower protections, and public accountability.



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When did this occur?	When Did This Occur? Initial FOIA Request Submission: October 29, 2024 Acknowledgment of Request: November 7, 2024 CMS's Adverse Response: November 12, 2024 Continued Non-Compliance: CMS has not addressed follow-up requests for ADA accommodations, clarification of search methodology, or its oversight role.
How did you discover this action?	I discovered CMS's failures and misconduct through its official response to my FOIA request. The response: Claimed no responsive records existed. Directed me to state agencies despite the federal nature of the request. Did not acknowledge or implement required ADA accommodations. These actions revealed systemic issues in CMS's FOIA processing, accessibility practices, and oversight responsibilities.
What additional facts support your allegation?	FOIA Obligations Ignored: CMS failed to fulfill its responsibilities under 5 U.S.C. § 552, which requires agencies to search for and provide records in their possession or control. CMS's oversight role for Medicaid programs, including the ABI Waiver, inherently involves federal communications, audits, and compliance documentation. ADA Accommodations Violated: CMS ignored explicit accommodations outlined in my FOIA request, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). My accommodations included exclusive communication via the MuckRock platform, accessible document formats, and simplified summaries. Potential Mismanagement and Abuse of Authority: CMS's refusal to disclose records involving contractors (Accenture and Manatt) raises concerns about the misuse of federal funds and inadequate oversight. The requested records are critical for assessing Medicaid program integrity, particularly the ABI Waiver, which serves vulnerable populations. Constitutional Rights Violations: CMS's inadequate response infringes upon my First Amendment right to petition the government and my Fourteenth Amendment right to equal protection and due process. Delayed Transparency Impacts Public Accountability: CMS's actions obstruct efforts to identify potential waste,



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	fraud, or abuse, undermining whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302). What Action Would You Like OSC to Take? Investigate CMS for Mismanagement and Violations: Evaluate CMS's handling of FOIA requests for systemic issues, including its failure to conduct reasonable searches and comply with ADA accommodations. Investigate CMS's oversight of contractors (Accenture and Manatt) to ensure no misuse of federal Medicaid funds. Compel CMS to Comply with FOIA and ADA: Require CMS to conduct a new, comprehensive search for responsive records. Enforce ADA accommodations for all communications and document delivery. Address Systemic Failures: Recommend reforms to CMS's FOIA and ADA compliance practices to prevent future violations. Evaluate CMS's records management practices under the Federal Records Act (44 U.S.C. § 3101). Protect Whistleblower Transparency: Ensure CMS's actions do not obstruct access to critical records needed for public accountability or whistleblower disclosures.
--	---

DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Chiquita	Brooks-LaSure	Administrator, CMS, responsible for agency-wide oversight and compliance.	Administrator, CMS, responsible for agency-wide oversight and compliance.
Emmett	Nicholson	Director, Division of FOIA Analysis – C	Oversees FOIA processing and compliance within the Centers for Medicare & Medicaid Services (CMS), r



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Desiree	Gaynor	FOIA Public Liaison, CMS,	responsible for ensuring FOIA requesters receive transparent and accessible service.
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REQUESTED OSC ACTION

What action would you like OSC to take?

1. Investigate CMS for Mismanagement and Violations

Evaluate CMS's Handling of FOIA Requests:

Conduct a comprehensive investigation into CMS's systemic failures in processing FOIA requests, including:

Inadequate searches that fail to meet the "reasonably calculated" standard required under 5 U.S.C. § 552.

Repeated violations of ADA accommodations as mandated by 42 U.S.C. § 12132 and 29 U.S.C. § 794.

Examine CMS's Oversight of Contractors (Accenture and Manatt):

Investigate potential misuse of taxpayer funds related to Medicaid program contracts with Accenture and Manatt, including:

Lack of transparency in contractor oversight.

Whether CMS's failures have allowed waste, fraud, or abuse in federal Medicaid funding programs such as the Acquired Brain Injury (ABI) Waiver.

2. Compel CMS to Comply with FOIA and ADA

Require a New, Comprehensive Search for Responsive Records:

Direct CMS to conduct a proper search for records responsive to FOIA Request No. 110620247022. This search must include:

Oversight records, federal communications, compliance audits, and policy guidance related to Connecticut Medicaid programs.

Communications involving contractors like Accenture and Manatt.

Transparent documentation of CMS's search methodology, including divisions, databases, and personnel involved.

Enforce Full ADA Compliance:

Mandate that CMS comply with legally required ADA accommodations, ensuring:



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WHERE ELSE DID YOU REPORT THIS MATTER?

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CONTACT INFORMATION

Title:

First Name:* David

Middle Initial:

Last Name:* Medeiros

International Address?: No

Address:*

215 Mountain St
Willimantic, CT 06226

Cell Phone Number:

Home Phone Number:

Office Phone Number:

Ext.

Email Address:* aabiwr@live.com

Preferred means of contact:

Email: Yes

Cell phone: No

Home phone: No

Office phone: No

REPRESENTATIVE INFORMATION

Do you have representation? No

Information about representative, if applicable.

First Name:*

Middle Initial:

Last Name:*

International Address?:

Address: *



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Office Phone Number:

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:

EMPLOYMENT INFORMATION

Name of Department/Agency about which you are making a disclosure.

Department:* Health and Human Services

Agency:* Centers For Medicare & Medicaid Services

Agency subcomponent: Medicaid Oversight for the Connecticut Acquired Brain Injury (ABI) Waiver

Street Address: 7500 Security Blvd. Baltimore, MD 21244

City: Baltimore

State: MD

Zip Code: 21244

Employment Status:* Non-Federal Employee (please specify)

Title	Series	Grade

Please provide your dates of employment in this position.

Employment Service Type	Employment Service Subtype	If Other (specify)
Excepted Service	Other	Private Citizen, Advocate, and Whistleblower
Other	Other	Private Citizen, Advocate, and Whistleblower

Are you covered by a collective bargaining agreement?



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DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Chiquita	Brooks-LaSure	Administrator, CMS, responsible for agency-wide oversight and compliance.	Administrator, CMS, responsible for agency-wide oversight and compliance.
Emmett	Nicholson	Director, Division of FOIA Analysis – C	Oversees FOIA processing and compliance within the Centers for Medicare & Medicaid Services (CMS), r



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

Do not use this form to submit classified information.

For instructions or questions, call the Case Review Division at (202) 804-7000.

*Denotes required fields.

Desiree	Gaynor	FOIA Public Liaison, CMS,	responsible for ensuring FOIA requesters receive transparent and accessible service.
---------	--------	---------------------------	--

REQUESTED OSC ACTION

What action would you like OSC to take?

1. Investigate CMS for Mismanagement and Violations

Evaluate CMS's Handling of FOIA Requests:

Conduct a comprehensive investigation into CMS's systemic failures in processing FOIA requests, including:

Inadequate searches that fail to meet the "reasonably calculated" standard required under 5 U.S.C. § 552.

Repeated violations of ADA accommodations as mandated by 42 U.S.C. § 12132 and 29 U.S.C. § 794.

Examine CMS's Oversight of Contractors (Accenture and Manatt):

Investigate potential misuse of taxpayer funds related to Medicaid program contracts with Accenture and Manatt, including:

Lack of transparency in contractor oversight.

Whether CMS's failures have allowed waste, fraud, or abuse in federal Medicaid funding programs such as the Acquired Brain Injury (ABI) Waiver.

2. Compel CMS to Comply with FOIA and ADA

Require a New, Comprehensive Search for Responsive Records:

Direct CMS to conduct a proper search for records responsive to FOIA Request No. 110620247022. This search must include:

Oversight records, federal communications, compliance audits, and policy guidance related to Connecticut Medicaid programs.

Communications involving contractors like Accenture and Manatt.

Transparent documentation of CMS's search methodology, including divisions, databases, and personnel involved.

Enforce Full ADA Compliance:

Mandate that CMS comply with legally required ADA accommodations, ensuring:



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

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*Denotes required fields.

Exclusive use of the MuckRock platform for communication and document delivery.

Accessible formats for records, including screen-reader-compatible PDFs and simplified summaries for complex documents.

Identification of responsible personnel in all communications for accountability.

3. Address Systemic Failures

Recommend Reforms to FOIA and ADA Compliance Practices:

Propose corrective actions for CMS to ensure future compliance with FOIA, ADA, and whistleblower protection laws, such as:

Improved training for personnel handling FOIA requests.

Clear accountability mechanisms for ADA accommodations during FOIA processing.

Evaluate CMS's Records Management Practices:

Investigate whether CMS's records management complies with the Federal Records Act (44 U.S.C. § 3101), particularly regarding Medicaid oversight records. Recommend improvements to ensure CMS properly retains and retrieves federally mandated documents.

4. Protect Whistleblower Transparency

Ensure CMS Does Not Obstruct Whistleblower Protections:

Evaluate CMS's practices to prevent any obstruction of access to records critical for public accountability, whistleblower disclosures, and potential investigations into waste, fraud, or abuse.

Safeguard Transparency for Public Interest:

Ensure CMS's actions uphold whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302), particularly regarding Medicaid oversight and contractor accountability.

WHERE ELSE DID YOU REPORT THIS MATTER?

I have also disclosed this information to:

Other Action Type	Action Taken Date
-------------------	-------------------

Additional information about reports to Inspectors General, if applicable.



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

Do not use this form to submit classified information.

For instructions or questions, call the Case Review Division at (202) 804-7000.

*Denotes required fields.

First Name:

Last Name:

Title:

Address:

Email Address:

Telephone Number:

Case ID #:

a. **What is the status of the matter?**

NOTE: MATTERS INVESTIGATED BY AN OFFICE OF INSPECTOR GENERAL

It is the general policy of OSC not to transmit allegations of wrongdoing to the head of the agency involved if the agency's Office of Inspector General has fully investigated, or is currently investigating, the same allegations.

ATTACHMENTS

Please note that the space available for attachments is limited. Therefore, DO NOT attach every document and email that may be relevant to your claim. You will have an opportunity to make additional submissions at a later date. We recommend limiting attachments to official forms and correspondence that document the action(s) at issue in your disclosure if these documents are relevant to your allegations.

I have attached the following documents to my filing:

File Name
Records Regarding Connecticut Medicaid Programs, ABI Waiver, Amendments, and Federal Agency Oversight and Communications with Accenture and Manatt (2012–Present) (Centers for Medicare and Medicaid Services).zip
Directory of all FOIA Contacts and Administrative Guidelines for all Connecticut Government Agencies (Office Of Policy And Management) (1).zip
110620247022 Mail - ABI RESOURCES 860 942-0365 - Outlook.pdf



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

Do not use this form to submit classified information.

For instructions or questions, call the Case Review Division at (202) 804-7000.

*Denotes required fields.

090620247088 cms No Records Response Letter (1).pdf
requests (6).csv
requests (5).csv
requests (4).csv

CONSENT

Do you consent to the disclosure of your identify to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity.

Yes

I do not consent to disclosure of my identity. (Even if you do not consent, OSC may disclose your identity if necessary due to an imminent danger to public health or safety or imminent violation of any criminal law. See 5 U.S.C. § 1213(h).)

No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*

Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S.



REPORT GOVERNMENT WRONGDOING (DISCLOSURE)

Do not use this form to submit classified information.

For instructions or questions, call the Case Review Division at (202) 804-7000.

*Denotes required fields.

Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218,
Washington, DC 20036-4505.

This Disclosure of Information was Received by OSC on: 11/26/2024

***PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING
DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS THAT YOU SEND
TO OSC NOW OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING.
REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT
MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT
YOU PROVIDED TO OSC.***



State and Federal FOIA Request for Medicaid Acquired Brain Injury (ABI) Waiver Program Provider Registry | Connecticut (Department of Justice, Disability Rights Division)

Edit

Share



DAVID MEDEIROS filed this request with the Department of Justice, Disability Rights Division of the United States of America.

Tracking #	A-2025-00393
	A-2025-00394
Multi Request	State and Federal FOIA Request for Medicaid Acquired Brain Injury (ABI) Waiver Program Provider Registry Connecticut
Submitted	Oct. 25, 2024

Show Portal Info

STATUS

Edit

Completed

EMBARGO

Edit

This request has no embargo.

TAGS

Edit

No tags. Add some!

Clone

Download as Zip

Get Help

Withdraw Request

9 Communications

4 Files

1 Note

Sharing



From: DAVID MEDEIROS

10/25/2024



Subject: Freedom of Information Act Request: State and Federal FOIA Request for Medicaid Acquired Brain Injury (... Email

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

State and Federal FOIA Request for Medicaid Acquired Brain Injury (ABI) Waiver Program Provider Registry | Connecticut

State FOIA Request

To:

FOIA Officer and Supervisory Officers
Connecticut Department of Social Services
55 Farmington Avenue
Hartford, CT 06105

Federal FOIA Request

To:

FOIA Officer and Supervisory Officers
Centers for Medicare & Medicaid Services (CMS)
Freedom of Information Act Office
Mail Stop N2-20-16
7500 Security Boulevard
Baltimore, Maryland 21244

Re: Freedom of Information Act Request for Medicaid Acquired Brain Injury (ABI) Waiver Program Provider Registry and Related Documents

Dear FOIA Officer and Supervisory Officers,

Pursuant to the Freedom of Information Act (5 U.S.C. § 552) and Connecticut's FOIA statutes (Conn. Gen. Stat. § 1-200 et seq.), I am writing to request the following records related to the Medicaid Acquired Brain Injury (ABI) Waiver Program:

Requested Records:

Complete and current provider registry, including:

- Provider names
- Contact details (physical addresses, email addresses)
- Areas of specialty and services offered



Policies, regulations, or statutes detailing the criteria for selecting, monitoring, and removing providers from the ABI Waiver Program registry

Records of complaints, violations, or disciplinary actions, including:

Any and all records related to complaints, violations, or actions taken against providers in connection with their participation in the ABI Waiver Program

Correspondence or documentation regarding registry maintenance, including:

Documentation outlining the process and frequency of updating the registry, who is responsible for maintaining the records, and how updates are communicated to the public

Agencies to Provide Information or Enforce Compliance:

In recognition of the public's right to transparency in the administration of Medicaid and public health programs, this request emphasizes that multiple state and federal agencies may provide the requested information or compel compliance:

Connecticut Freedom of Information Commission (FOIC)

Enforces compliance with state FOIA laws.

Contact: 18-20 Trinity Street, Hartford, CT 06106

Phone: (860) 566-5682

U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR)

Ensures proper management of Medicaid programs and enforces civil rights laws.

Contact: 200 Independence Avenue, S.W., Washington, D.C. 20201

Phone: (800) 368-1019

Centers for Medicare & Medicaid Services (CMS)

Oversees state Medicaid programs and can compel state agencies to provide records.

Contact: FOIA_Request@cms.hhs.gov | Phone: (410) 786-5353

HHS Office of Inspector General (OIG)

Investigates fraud or abuse in Medicaid programs.

Contact: Wilbur J. Cohen Building, 330 Independence Ave., SW, Washington, D.C. 20201

Phone: (800) 447-8477

Medicaid Fraud Control Unit (MFCU) – Connecticut Attorney General's Office

Investigates Medicaid fraud or improper management.

Phone: (860) 808-5318

U.S. Department of Justice (DOJ) – Civil Rights Division

Enforces ADA and other civil rights laws related to Medicaid services.



Connecticut State Auditors of Public Accounts

Conducts audits of state agencies, including CT DSS.

Phone: (860) 240-8651

Legal Basis for Request:

This request is made under 5 U.S.C. § 552 (FOIA) and Connecticut's FOIA laws (Conn. Gen. Stat. § 1-200 et seq.). These statutes obligate public agencies to provide records necessary for the public's oversight of government operations, particularly those involving public health and Medicaid services.

Request for Expedited Processing:

Given the critical need for transparency in the Medicaid ABI Waiver Program, I request expedited processing under 5 U.S.C. § 552(a)(6)(E). Delays in providing this information may hinder public oversight and efforts to ensure proper care for individuals with acquired brain injuries.

Request for Accommodation and Fee Waiver:

As an individual living with a brain injury and a stroke survivor, I request reasonable accommodations under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.). Please provide all requested records directly via email to AabiWR@live.com. Do not use any portals or third-party websites that pose barriers to accessing this information.

Additionally, I request a waiver of all fees associated with this request, as it is made in the public interest to ensure transparency and accountability in the Medicaid ABI Waiver Program, and not for commercial purposes.

Response Time:

Under federal FOIA and Connecticut public records laws, agencies are required to respond to this request within specified timeframes. Please notify me promptly if any part of this request requires clarification or additional time to process. Contact me exclusively via email at AabiWR@live.com.

Conclusion:

I look forward to your prompt and complete response. Thank you for your attention to this important matter.

Sincerely,

David Medeiros

Founder & Owner, ABI Resources

39 Kings HWY STE C

Gales Ferry, Connecticut, 06335

AabiWR@live.com

Key Legal Citations:

5 U.S.C. § 552 (FOIA) – Federal statute governing public access to government records.



individuals with disabilities. The Disabilities Act (42 U.S.C. § 12101 et seq.) – Provides for reasonable accommodations for individuals with disabilities.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

DAVID MEDEIROS

From: DAVID MEDEIROS

11/19/2024

Subject: RE: Freedom of Information Act Request: State and Federal FOIA Request for Medicaid Acquired Brain Inju... Portal

David Medeiros
Founder, ABI Resources, LLC
39 Kings Hwy, Suite C
Gales Ferry, CT 06335

Date: November 18, 2024

To:
FOIA Officer and Supervisory Officers
U.S. Department of Justice, Disability Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

FOIA Officer and Supervisory Officers
Connecticut Department of Social Services (DSS)
55 Farmington Avenue
Hartford, CT 06105

Centers for Medicare & Medicaid Services (CMS)
Freedom of Information Act Office
Mail Stop N2-20-16



Subject: FOIA Appeal – Medicaid ABI Waiver Program Provider Registry (MuckRock-Only Communication Required)

Introduction and Basis for Appeal

This appeal challenges procedural violations, ADA non-compliance, and constitutional breaches concerning my FOIA request for the Medicaid ABI Waiver Program Provider Registry and related documents. Specifically, this appeal addresses:

Failure to Adhere to Federal and State FOIA Requirements:

Violations of 5 U.S.C. § 552 and Conn. Gen. Stat. § 1-210 regarding timely responses, comprehensive record searches, and insufficient communication on delays or exemptions.

Non-Compliance with ADA Accommodations:

Failure to honor specific, reasonable accommodations for MuckRock-only communication, contrary to Title II of the ADA and Section 504 of the Rehabilitation Act.

Constitutional Violations:

The First Amendment right to public access and oversight.

The Fourteenth Amendment right to equal protection.

Constitutional Law Foundations

1. First Amendment: Transparency and Accountability

The First Amendment guarantees public access to government records for oversight of public programs, including Medicaid. FOIA serves as the statutory framework enforcing this right. Delays or failures to comply obstruct constitutional guarantees of transparency.

2. Fourteenth Amendment: Equal Protection

The Equal Protection Clause prohibits discriminatory practices, including failure to accommodate disabilities in public programs. Ignoring ADA requests constitutes unequal treatment under the law.

3. Fifth Amendment: Procedural Due Process

The Fifth Amendment's Due Process Clause ensures fairness in government processes. Arbitrary delays, incomplete responses, or refusal to honor ADA accommodations violate procedural fairness.

Scope of the Appeal

This appeal reiterates the original FOIA request's scope, including:

1. Complete and Current Provider Registry

Provider names, physical and email contact details, areas of specialty, services offered, enrollment dates, and current status of Medicaid ABI Waiver Program providers.

2. Policies Governing Provider Inclusion

Regulations, criteria, and policies for selecting, monitoring, and removing providers from the registry.



participation in the ABI Waiver Program.

4. Registry Maintenance Documentation

Internal and external correspondence detailing the process and frequency of updating the registry, including personnel responsible and public communication protocols.

Legal Basis for Appeal

1. FOIA and CT FOIA Compliance

Agencies are legally obligated under 5 U.S.C. § 552 and Conn. Gen. Stat. § 1-210 to:

Conduct comprehensive searches for all responsive records.

Respond within statutory timeframes, with detailed explanations for any delays, denials, or redactions.

2. ADA and Rehabilitation Act Compliance

Under Title II of the ADA and Section 504 of the Rehabilitation Act, public agencies must:

Provide effective communication by adhering to ADA accommodation requests, including MuckRock-only communication and accessible record formats.

Avoid imposing barriers to access, such as portals, external links, or physical mail.

3. Constitutional Protections

First Amendment: Ensures public access to government records for oversight and accountability.

Fourteenth Amendment: Prohibits discrimination and ensures equal treatment in public services.

Fifth Amendment: Protects procedural fairness in FOIA processes.

Appeal Demands

1. MuckRock-Only Communication

This appeal reiterates my ADA accommodation request:

All responses, updates, and records must be provided exclusively via the MuckRock platform.

No email, physical mail, phone communication, or external links are acceptable.

2. Full FOIA and CT FOIA Compliance

Conduct a thorough search for all responsive records, ensuring interagency coordination where applicable.

Deliver all records in full or cite specific statutory exemptions for any redactions or denials.

3. ADA-Compliant Records

All records must adhere to the following accessibility standards:

Screen-Reader-Compatible PDFs: Ensure all records are formatted for accessibility, with clear labeling and organization.

Simplified Summaries for Complex Documents: Include plain-language summaries for technical or legal documents.

4. Transparency and Accountability

Identify all personnel involved in processing this request, including their names, roles, and contact information.

Confirm interagency coordination to ensure all relevant records are located and delivered.



due to the public interest in Medicaid transparency.

Reaffirm the fee waiver request under 5 U.S.C. § 552(a)(4)(A)(iii) due to the public-interest nature of this request.

Consequences of Non-Compliance

Failure to address this appeal within statutory timeframes will result in:

Administrative Complaints:

Filing complaints with the Connecticut FOIC, HHS OCR, and DOJ Disability Rights Division for ADA violations.

Judicial Enforcement:

Pursuing litigation under FOIA, ADA, Rehabilitation Act, and constitutional law.

Public Accountability:

Reporting non-compliance to public advocacy groups, taxpayer organizations, and media outlets.

Conclusion and Relief Sought

This appeal seeks:

Full production of all responsive records, delivered exclusively via MuckRock and in ADA-compliant formats.

Substantive updates on the search process, including personnel accountability and interagency coordination.

Immediate response to this appeal, with delivery of records or justifications within four (4) business days, as required under CT FOIA.

Sincerely,

David Medeiros

Founder, ABI Resources, LLC

Melinda Staff

Nov. 20, 2024

Notes are visible to you and other editors of this request.

Username: 17528388556684 Pw: wJ0}bK8(

From: Department of Justice, Disability Rights Division

11/21/2024



Subject: Acknowledgment of FOIA Appeal A-2025-00394

Portal

The Office of Information Policy has received your FOIA Appeal. Please see the attached acknowledgment letter.



From: DAVID MEDEIROS

11/22/2024



Subject: RE: Freedom of Information Act Request #A-2025-00394

Email

Appeal Follow-Up: Enforcing Immediate Compliance and ADA Accommodations

To:

Priscilla Jones

Supervisory Administrative Specialist

Office of Information Policy

U.S. Department of Justice

Sixth Floor, 441 G Street NW

Washington, DC 20530-0001

From:

David Medeiros

Founder, ABI Resources, LLC

39 Kings Hwy, Suite C

Gales Ferry, CT 06335

Subject: Follow-Up on FOIA Appeal (Appeal No. A-2025-00394) and Demands for Immediate Compliance

Introduction and Purpose

This communication follows up on my Freedom of Information Act (FOIA) appeal (Appeal No. A-2025-00394) regarding records related to the Medicaid Acquired Brain Injury (ABI) Waiver Program Provider Registry.

Despite acknowledgment of the appeal, multiple procedural, legal, and ADA accommodation violations persist. I am reiterating my demands for immediate compliance to address non-responsiveness, unreasonable delays, and accessibility failures.

Key Issues and Violations

1. Procedural Violations of FOIA and CT FOIA

Non-Adherence to FOIA Timelines:

Agencies are required to substantively respond to FOIA requests and appeals within 20 business days under 5 U.S.C. § 552(a)(6)(A) and Conn. Gen. Stat. § 1-210.

The acknowledgment of receipt fails to:

Provide substantive updates on the scope or progress of the search.

Outline a timeline for compliance or clarify delays.

2. ADA Non-Compliance



Records have not been produced in screen-reader-compatible PDF format.

Simplified summaries for complex documents have not been provided.

The use of inaccessible portals and communication channels (e.g., physical mail) persists, despite explicit requests for MuckRock-only communication.

3. Transparency and Accountability Deficiencies

The acknowledgment letter fails to:

Identify personnel responsible for processing my FOIA request and appeal.

Confirm interagency coordination to ensure all responsive records are located and provided.

Demands for Immediate Action

1. Substantive Updates on Compliance

Provide the following immediately:

Scope of Search: A summary of the records being searched and the agencies involved.

Completion Timeline: A definitive date for the production of all responsive records.

Detailed Justifications for Redactions or Exemptions: Include statutory references and explanations consistent with NARA v. Favish.

2. Full ADA Compliance

All future responses must adhere to ADA standards:

Screen-Reader-Compatible PDFs: Ensure all records are formatted for accessibility.

Plain-Language Summaries: Include simplified summaries for technical or legal documents.

MuckRock-Only Communication: Eliminate the use of portals, physical mail, or external platforms.

3. Personnel Accountability

Identify:

FOIA Officers and Supervisors: Names, roles, and contact information of all individuals processing this request.

Supervisory Oversight: Confirmation that supervisors are monitoring compliance with FOIA and ADA obligations.

4. Expedited Processing and Fee Waiver

Reaffirm requests for:

Expedited Processing: Under 5 U.S.C. § 552(a)(6)(E) due to the public interest in Medicaid transparency.

Fee Waiver: Under 5 U.S.C. § 552(a)(4)(A)(iii) based on the public-interest nature of this request.

Legal Basis for Demands

FOIA and CT FOIA Obligations

Federal and state FOIA laws require prompt responses, comprehensive searches, and detailed explanations for any delays or exemptions (5 U.S.C. § 552 and Conn. Gen. Stat. § 1-210).

ADA and Rehabilitation Act Requirements

Public entities must provide effective communication and reasonable accommodations under the ADA and Rehabilitation Act:



Constitutional Protections

First Amendment: Ensures public access to government records for oversight and accountability.

Fourteenth Amendment: Prohibits discriminatory practices, including denial of ADA accommodations.

Fifth Amendment: Guarantees procedural fairness in FOIA processes.

Consequences of Continued Non-Compliance

Failure to address these demands within four (4) business days will result in the following actions:

Administrative Complaints:

Complaints will be filed with the Connecticut Freedom of Information Commission (FOIC), HHS Office for Civil Rights (OCR), and DOJ Disability Rights Section for ADA violations and FOIA non-compliance.

Judicial Enforcement:

Legal action will be initiated under:

5 U.S.C. § 552(a)(4)(B): FOIA litigation for injunctive relief.

42 U.S.C. § 12133: ADA lawsuits for discrimination and denial of accommodations.

Public Advocacy:

Non-compliance will be reported to public advocacy organizations (e.g., ACLU, FOIA Project) and media outlets to ensure public accountability.

Conclusion and Relief Sought

This appeal demands:

Immediate updates on compliance progress.

Full production of responsive records in ADA-compliant formats.

Substantive communication within four (4) business days to avoid escalation.

Transparency, accessibility, and accountability are non-negotiable. I look forward to your prompt action in resolving this matter.

Sincerely,

David Medeiros

Founder, ABI Resources, LLC

Email: AabiWR@live.com

CC List for Maximum Oversight

Priscilla Jones, Supervisory Administrative Specialist, DOJ Office of Information Policy.

FOIA Officers and Supervisors: CMS, DSS, DOJ Civil Rights Division.

Connecticut Freedom of Information Commission (FOIC): foi@ct.gov.

Connecticut State Auditors of Public Accounts: auditors@cga.ct.gov.

HHS OCR: ocrmail@hhs.gov.

CMS FOIA Office: FOIA_Request@cms.hhs.gov.



This final response ensures complete compliance with your goals, leaving no room for delay or evasion while enforcing transparency and ADA rights.

From: Department of Justice, Disability Rights Division

11/29/2024



Subject: RE: [EXTERNAL] RE: Freedom of Information Act Request #A-2025-00394

Email

Hello,

Thank you for your inquiry. The estimated date of completion for A-2025-00393 is December 27th, 2024. Please let us know if you have any questions.

Sincerely,

DOJ OIP Team

~WRD0002

[Download](#)

From: DAVID MEDEIROS

11/30/2024

Subject: RE: Freedom of Information Act Request #A-2025-00393

None

Subject: Follow-Up: Request for Identification of FOIA Contact and Supervisor

DOJ OIP Team

As part of my ongoing communications regarding this request, I kindly ask that you provide the following information in alignment with transparency and accountability standards under federal law:

The name and title of the individual who authored the previous email.

The name and title of their immediate supervisor.

This request aligns with the principles of the Freedom of Information Act (5 U.S.C. § 552) and general administrative best practices, which emphasize openness and accountability in all government processes.

Additionally, I would appreciate a confirmation that my ADA accommodations, as previously outlined, will continue to be implemented in all future communications.

Please confirm receipt of this request and provide the requested information promptly. If additional documentation or clarification is needed, feel free to reach out via email.

Thank you for your attention to this matter.



ABI Resources, LLC
DB.42.131.Inf.

From: Department of Justice, Disability Rights Division

12/19/2024



Subject: Response to FOIA Appeal A-2025-00394

Portal

The Office of Information Policy has made its final determination on your FOIA Appeal Number A-2025-00394 . A copy of this determination is enclosed for your review, along with any enclosures, if applicable. Thank you.



25-00044-F. Response Letter

View

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A-2025-00394_Appeal_Response

View

Embed

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Say Thanks

Follow Up

Appeal

Get Help

You may [follow up](#) manually with the agency or [appeal](#) their decision. If you appeal, MuckRock staff can review the rejection and help write an appeal .

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aabiwr@live.com



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U.S. Department of Justice

*United States Attorney
District of Connecticut*

*Bank of America Building
157 Church Street, 25th Floor
New Haven, Connecticut 06510*

*(203) 821-3700
Fax (860) 760-7979
www.usdoj.gov/usao/ct*

January 11, 2024

SENT VIA EMAIL: AABIWR@LIVE.COM
And REGULAR US MAIL

ABI Resources
c/o David Medeiros
39 Kings Hwy, Ste C
Ledyard, CT 06335

Dear Mr. Medeiros:

This letter is in response to the complaints that you filed with this office alleging numerous issues with the Connecticut Department of Social Services and the Connecticut Commission on Human Rights and Opportunities. We have reviewed the allegations in your complaints and have decided not to investigate or take any further action at this time.

Unfortunately, due to the hundreds of complaints received by our office each year, we do not have the resources to address every one. We have made no determination regarding the merits of your complaints. Moreover, our decision does not affect your right to pursue your complaints in another manner. You may wish to contact a private attorney to determine what other remedies may be available.

We regret that we are unable to assist you. We wish you all the best.

Very truly yours,



VANESSA ROBERTS AVERY
UNITED STATES ATTORNEY

WILLIAM
BROWN

Digitally signed by
WILLIAM BROWN
Date: 2024.01.11
11:54:50 -05'00'

William M. Brown, Jr.
Assistant United States Attorney



Outlook

Your Office of Special Counsel Complaint Has Been Received

From Filing NoReply <filing-noreply@osc.gov>

Date Wed 12/11/2024 8:34 AM

To Medeiros, David <aabiwr@live.com>

Your submission was received by the Office of Special Counsel. In the near future, we will email you to provide more specific information about your filing, including a case number and contact person at OSC. If you filed using our Online Filing Portal, you will receive a second email containing a copy of the information you submitted. Please note: Changes cannot be made using the Online Filing Portal. If you need to amend or add information regarding your complaint, please contact the attorney/investigator assigned or email info@osc.gov.

Please bear in mind that OSC receives a large number of filings each year. While we attempt to handle them as expeditiously as is possible, we generally process them in the order received.