Compensation Claim Decision
Under section 3702 of title 31, United States Code

Claimant:	[name]
Organization:	N/A
Claim:	Monies Due (not defined)
Agency decision:	N/A
OPM decision:	Denied; Failure to State a Claim and Lack of Jurisdiction
OPM file number:	07-0043

/s/ for

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Robert D. Hendler
Classification and Pay Claims
  Program Manager
Center for Merit System Accountability

1/29/2008

_____
Date

The claimant's August 3, and August 9, 2007, letters, both received by the U.S. Office of Personnel Management (OPM) on August 21, 2007, list *inter alia*, demands for payment for "Default payment of $4,000,000 a month with extra Income Lottery Tickets, Sweepstakes Winning, Bingo Games…Other Supplemental Security Income…" The letters contain what appear to be assertions of prior Federal employment, e.g., "Discharge Temporary Career Government Status" and refers to the compensation and leave claims process: "www.opm./gov/pay claims....Thru an oversight of the in the General Accounting Office Claims Adjudication Unit program manager...." Therefore, we will treat these letters as a compensation claim request. For the reasons discussed herein, the claim is denied for failure to state a claim and lack of jurisdiction.

Part 178 of title 5, Code of Federal Regulations (CFR), concerns the adjudication and settlement of claims for compensation and leave performed by OPM under the provisions of section 3702(a)(2) of title 31, United States Code (U.S.C.). Section 178.102(a)(3) of 5 CFR requires that an employing agency already has reviewed and issued an initial decision on a claim before it is submitted to OPM for adjudication. Based on the information submitted, we find no record that the claimant was ever employed by the Federal Government and no information showing she received a written agency-level decision on the issues raised in her letters to OPM. However, we may render a decision on this matter based on jurisdictional grounds.

As discussed in the Principles of Federal Appropriations Law, Volume III, Second Edition, 1994 (GAO/OGC-94-33) on claim filing requirements:

> While a simple letter format will generally do the job, it must be clear that a claim is being asserted. The receiving agency should not be expected to engage in interpretation to divine the letter's intent. A letter making an inquiry or requesting information is not sufficient. B-150008, October 12, 1962.

> Also, the claim should be as specific as possible and must identify the circumstances giving rise to it. A practice apparently developed around the turn of the century of submitting claims for, in effect, "anything that may be due me under any and all statutes or decisions." Attorneys presented these on a contingent-fee basis, apparently hoping to get lucky. The Comptroller of the Treasury held that these "dragnet claims" were too general and indefinite to constitute claims against the United States, and that the government was under no obligation to respond. 6 Comp. Dec. 692 (1900). The Comptroller also had a few choice words for lawyers who would present such "claims," calling them "as useless as the fifth wheel to a wagon." Id. at 696.

The claimant's letters seeking monies from the Federal Government fail to meet these basic requirements. Indeed, they are a confused mass of words with no decipherable meaning. Furthermore, the authority in section 3702 of title 31 is narrow and limited to adjudications of compensation and leave claims of and/or concerning current or former Federal employees as a result of their employment by the Federal Government. Section 3702 does not include any

authority to decide what appear to be claims regarding Supplemental Security Income, or the actions of various corporations and State governments. Therefore, the claim is barred from our consideration and may not be allowed for failure to state a claim and lack of jurisdiction.

This settlement is final. No further administrative review is available within OPM. Nothing in this settlement limits the claimant's right to bring an action in an appropriate United States court.