

Crime Awareness Newsletter

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Mail Fraud

Hubert Cameron Gibson III, M.D., was indicted and charged with mail fraud and conspiracy. Gibson, an internal medicine physician, operated several clinics, including physical therapy clinics, in Arlington, TX and the surrounding area. He also operated two boat dealerships in the local area. The indictment alleges that fraudulent medical insurance claims were filed from Gibson's practices to various insurance companies and governmental agencies, to include the DoD TRICARE program (formerly known as the Civilian Health and Medical Program of the Uniformed Services). The Southwest Field Office (FO) is conducting the investigation jointly with the FBI, the Internal Revenue Service (IRS) and the Texas State Board of Insurance.

Healthcare

An indictment was returned in the Western District of Washington against Robin Andres, Kelly Jorgensen, Robert Sorenson, and Nasser Ordoubadi, M.D. They were charged with conspiracy, health care fraud and mail fraud relating to the submission of health care claims to TRICARE, Medicare and private insurers. Andres,

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Indictments

False Certifications

Comprehensive Community Services, Incorporated (CCSI), Oklahoma City, OK, was indicted and charged with submitting false statements on a Department of Defense (DoD) contract at Tinker Air Force Base (AFB). In 1994, CCSI was awarded a multi-year contract with the Defense Commissary Agency (DeCA) to provide shelf stocking and custodial services at the Tinker AFB commissary. The contract, valued at \$871,599 for 1994 and \$874,419 for 1995, was awarded based on CCSI's status as a handicap shelter, employing individuals with se-

vere disabilities. To maintain handicap shelter status, CCSI was required to submit annual certification that a significant number of its employees were severely disabled. An investigation determined CCSI allegedly falsely certified that a significant number of employees were severely handicapped when, in fact, the employees were not handicapped. These actions by CCSI precluded a qualified firm from winning the award and providing jobs to severely handicapped persons. The Tulsa Post of Duty (POD) is conducting the investigation jointly with the Federal Bureau of Investigations (FBI) and the U.S. Airforce Office of Special Investigations (AFOSI).



Jorgenson, Sorenson and Ordoubadi are affiliated with the General Medical Clinics (GMC) of the Seattle/Tacoma, WA area. An investigation disclosed that Ordoubadi and the GMC allegedly submitted false and inflated claims that contained billings for services not rendered, billings inflated through upcoding, and billings for uncovered services. Andres, a GMC employee, supervised the submission of billings by the company. Jorgenson operated a billing company that contracted with GMC and Ordoubadi. Sorenson was the chief financial officer for GMC. The Seattle Resident Agency (RA) is conducting the investigation with the FBI, the U.S. Postal Inspection Service (USPIS) and the Department of Health and Human Services (HHS).

Theft

An indictment was returned against Dennis J. Girard, White River Junction, VT, charging him with theft of Government property and making false statements. Girard is former police officer with the Department of Veterans Affairs (VA) and a current member of the Vermont National Guard (VNG). An investigation into Girard's activities disclosed he allegedly stole about \$6,000 of VA property from the VA medical facility in White River Junction. He also allegedly made false statements on official documents submitted to the

VNG and stole VNG property from Camp Johnson in Colchester, VT. The Hartford RA is conducting the investigation jointly with the VA.

Wire Fraud

An indictment was returned against David M. White, Bonifay, FL, charging him with wire fraud. White, operating White-Gold Dental in Chipley and Bonifay, FL, obtained a DoD contract to repair dental handpieces for military dental clinics. Between September 1996 and July 1997, White allegedly failed to return approximately \$103,974 in dental equipment sent to him for repair by several U.S. Air Force dental clinics, selling the equipment and converting the funds to his own use. White also allegedly placed over \$192,541 in fraudulent charges against 13 separate U.S. Government International Merchant Purchase Authorization Card [IMPAC] credit card accounts and converted that money to his own use. The Pensacola POD is conducting the investigation with the AFOSI and the FBI.

Bankruptcy Fraud

An indictment was returned against Jefferson Peede Salmon charging him with allegedly concealing assets from the United States Bankruptcy Court. In addition, an indictment was returned against Patsy Partin Salmon for allegedly aiding and abetting in the concealing of assets from the U.S. Bankruptcy

Court. The Salmons previously operated Sundance Trucking Transporter, a company contracted to transport DoD property from various installations around the United States to the Port of Wilmington, NC. The Salmons allegedly diverted a number of assets from the U.S. Bankruptcy Court. Jefferson Salmon is also allegedly involved in the theft of over \$1 million worth of DoD property. The Chapel Hill RA is conducting the investigation with the FBI, the Department of transportation (DOT), the North Carolina Division of Motor Vehicles Enforcement Section and the USPIS.

Mail Fraud

Indictments were returned against Peter Freund, East Hampton, CT, and AAA Fire and Safety Company, Incorporated (AAA Fire and Safety), charging them on two counts of mail fraud and one count of violating the Hazardous Materials Transportation Uniform Act. Freund, owner of AAA Fire and Safety, provided inspection services for fire protection systems. Customers were allegedly falsely led to believe that federally mandated hydrostatic testing had been performed. The equipment was then fraudulently stamped as having met all requirements and the customers, including the DoD and the Connecticut National Guard, were billed for work never performed.

The Hartford RA is conducting the investigation jointly with the DOT.

Theft

A one-count information was filed against Robert David, Princeton Junction, NJ, charging him with theft of Government property. David, an AMTRAK employee, was also an authorized screener and had authority to take possession of DoD surplus property from the Defense Reutilization and Marketing Office (DRMO) for use at AMTRAK. David allegedly signed for and took possession of several items that he subsequently transported directly to his residence. The Northeast FO is conducting the investigation jointly with the Office of Inspector General (OIG), AMTRAK.



Hazardous Waste

A 6-week trial resulted in the return of guilty verdicts against Allied Environmental Services, Incorporated (Allied), Overland Park, KS; Koteswara Attaluri, president of Allied, Kansas City, KS; and Mac DeWayne Overholt,

owner of Overholt Trucking, Terilton, OK. The defendants were found guilty of conspiracy to inject liquid waste into a Class II disposal well without a permit, transport of hazardous waste without a manifest, mail fraud, wire fraud and defrauding the United States by impeding, obstructing and defeating the lawful function of the Environmental Pollution Agency (EPA) or the DoD. Overholt was also found guilty of violating the Clean Water Act, Resources Conservation and Recovery Act and making false statements to Government officials. Allied subcontracted with three separate corporations that held contracts with the U.S. Government to remove underground storage tanks and the associated petroleum-impacted wastewater from various military facilities in Kansas and Missouri. Pursuant to the subcontracts, Allied and Attaluri agreed to remove the wastewater, treat it at their tank farm in Bonner Springs, KS, to remove the petroleum, and properly dispose of the water. Allied and Attaluri knew the treatment used at the tank farm could not properly treat the petroleum-impacted wastewater or adequately remove the petroleum. Allied and Attaluri then arranged for Overholt to transport the improperly treated wastewater to Oklahoma and illegally inject it into disposal wells in Cushing, Beggs and Lincoln County, OK. The use of injection

wells is prohibited to prevent endangerment of underground drinking water sources. The activity took place over a 15-month period during 1994 and 1995, and involved the disposal of over 288,000 gallons of petroleum-impacted wastewater. The Tulsa POD conducted the investigation jointly with the EPA and the Oklahoma Department of Environmental Quality.

Kickbacks and Bribery

Joseph W. LeClair III, owner, Janco Ship Repair, Incorporated (Janco), Jacksonville, FL, and Janco each pled guilty in the Middle District of Florida to paying kickbacks. LeClair also pled guilty in the Eastern District of Virginia to one count of bribery. These pleas are the result of a 3½-year undercover investigation into fraud and corruption within the maritime industry. Janco was a subcontractor to Bay Ship Management, Incorporated (BSM), Englewood, NJ, and performed repairs aboard the U.S. Navy's Military Sealift Command (MSC) ships. The BSM had multiple contracts, valued in excess of \$200 million, with MSC for operational and technical support to operate and maintain eight MSC ships. LeClair and Janco paid kickbacks and bribes to Cary Gordon Byron, senior port engineer, and Robert Collins, port engineer, BSM, in return for favorable treatment related to subcontracts. The Orlando RA,

conducted the investigation with the FBI, the Internal Revenue Service (IRS) and the Navy Criminal Investigative Service (NCIS), with audit assistance from the Defense Contract Audit Agency (DCAA).

Healthcare Fraud

Deborah Jeffries-Glasgow, office manager for Consultants in Nutritional Services, Incorporated (CNS), Norfolk, VA, pled guilty to conspiring to commit health care fraud. The CNS is a business that offers nutritional counseling and weight loss management to its customers. Nutritional counseling and weight loss management are not covered benefits under the TRICARE program. An investigation disclosed that Jeffries-Glasgow and other co-conspirators submitted numerous health care claim forms to TRICARE, Medicare and the TRIGON insurance company that falsely depicted the provider of services and the services provided. The aggregate loss to the health care programs is \$109,437. The Norfolk RA conducted the investigation with the FBI, the HHS and the TRIGON Financial Investigations Unit.

False Statements

Louise Fisher pled guilty to one count of theft. Fisher is one of three DeCA employees at the Fitzsimons Army Medical Center, Aurora, CO, indicted for theft and false statements. Between No-

vember and December 1998, lead cashiers Fisher, Cathy Gaskin and Carolyn Johnson allegedly stole cash from the front office at the Fitzsimons Commissary. Gaskin, Fisher and Johnson created false statements for alleged refunds that never occurred, or, if they did occur, took extra cash from those refunds. The DCIS conducted video camera surveillance of all three women between November and December 1998, where they were observed stealing commissary funds. The Denver RA conducted the investigation.



Kickbacks

James Anderson III, Rehoboth, MA, pled guilty to violating the Anti-Kickback Act. From about 1993 to 1997, Anderson, a manager of subcontract administration at Raytheon Company in Portsmouth, RI, and Andover, MA, accepted kickbacks from Henry J. Mathieu, president of Synertron Associates, Incorporated (Synertron), Middleboro, MA. Anderson then provided favorable consideration to Synertron in the award of contracts for supplies, materials and equipment Ray-

theon purchased. At the time, Raytheon was a prime contractor for the U.S. Navy in conjunction with these contracts with Synertron. The gifts accepted by Anderson included gift certificates for restaurants, raw materials for use in a personal business venture and free use of a vacation condominium in Florida, as well as free use of a boat owned by Mathieu. The Boston RA conducted the investigation with the FBI and the IRS.

Kickbacks

Stephen DiLeo and Harry Nichol森, president and vice president, respectively, of Boston Ship Repair, Incorporated, South Boston, MA, pled guilty to violating the Anti-Kickback Statute. In a related case, an information was filed against Joseph Wing, River Vale, NJ, charging him with subscribing to a false 1997 Federal income tax return. Wing subsequently pled guilty to the charge. These actions are the result of a nationwide investigation into fraud and corruption within the maritime industry and the repair of U.S. Navy vessels at commercial shipyards. Wing received \$60,000 in payments from Boston Ship Repair, a ship repair and renovation business. In return, Wing "put in a good word" for the company with one of his friends, a high level executive of BSM, Englewood, NJ, which awarded repair contracts for

certain U.S. Navy vessels. Boston Ship Repair ultimately received three subcontracts and allegedly paid Wing from the proceeds. DiLeo and Nichol森 also paid \$147,000 in kickbacks to Donald Allender, a former high level executive of BSM. The Boston RA is conducting the investigation with the FBI, the IRS, the DOT and the Department of Labor.

Kickbacks

Barney Dale Chrisley, owner of Horizon Maritime and Industrial, La Marque, TX, pled guilty to violating the Anti-Kickback Act. Chrisley's company performed subcontract work on MSC ships managed by BSM, Englewood Cliffs, NJ. In return for contract awards, Chrisley paid kickbacks in the form of cash and a vehicle to port engineers employed by BSM. The investigation was part of the nationwide undercover investigation into the maritime industry, which identified widespread corruption in the repair and maintenance of Government ships in the MSC fleet and the DOT Maritime Administration. The Houston RA conducted the investigation with the FBI, the NCIS and the DOT.

Money Laundering

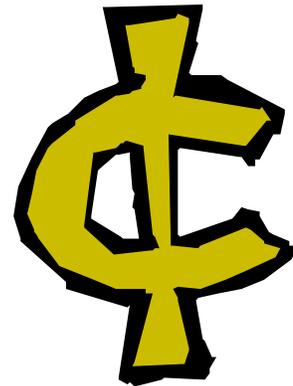
John R. O'Donnell, M.D., was convicted on 24 counts of mail fraud, 1 count of tax evasion, 9 counts of money laundering, and 10 counts of illegal distribution of a con-

trolled substance. He was originally indicted for defrauding Blue Cross-Blue Shield, Medicare and TRICARE, tax evasion, money laundering and the illegal distribution of controlled substances. The O'Donnells were arrested for violating conditions of their pre-trial release by selling properties that were used as securities for their release and not informing the United States District Court of their current residence. The O'Donnells also allegedly took the assets from the sale of properties and placed them in "offshore accounts" while preparing to flee the United States. O'Donnell has been ordered to forfeit seven properties purchased with the proceeds he obtained from the above illegal conduct. On September 13, 1999, Carol O'Donnell pled guilty to mail fraud and is awaiting sentencing. The Syracuse RA conducted the investigation with the FBI, the HHS and the IRS.

Theft

William Gallegos, Fontana, CA, pled guilty to conversion of money by an employee of the United States. An investigation disclosed that Gallegos, as the resident engineer on the Santa Ana River Mainstem Project, a flood control project funded jointly by the Federal and local county governments, used his authority to cause contractor payments of \$25,000 to be diverted to himself. The

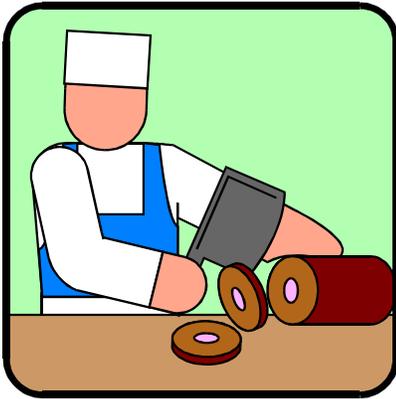
Western FO conducted the investigation.



Theft

Anthony J. Richardson, an employee of the Department of Public Works, District of Columbia Government, pled guilty to theft of U.S. Government property. Between 1995 and 1998, Richardson and other employees of the Department of Public Works obtained large amounts of excess DoD property purportedly for use by the District of Columbia Government. The property included vehicles, heavy equipment, marine equipment and electronics such as camera equipment, televisions, videocassette recorders and stereo equipment. The property was obtained from several DRMOs, including one at Fort Belvoir, VA. Between 1997 and 1998, Richardson and Eric H. Campbell, another District of Columbia Government employee, sold certain items of DoD excess property, including cameras, camera lenses and camera winders, to second-hand stores in the District of Columbia for personal gain. Richardson also con-

verted items such as a couch, loveseat and electronics equipment for his personal use. The Mid-Atlantic FO conducted the investigation jointly with the FBI.



Product Substitution

Joseph J. Coyle, former supervisor for Bauer Meat Company (Bauer), Ocala, FL, pled guilty to one count of adulteration and misbranding relative to participating in a scheme to provide nonconforming meat products to the DoD and other customers. Coyle and others at Bauer tampered with meat samples required for inspection by the U.S. Department of Agriculture (USDA). The samples were made to appear to meet the military specifications when, in fact, the lots the samples were taken from did not meet those requirements. The Orlando RA conducted the investigation with the USDA.

Sentences

Conspiracy

Charles Rabico, an owner of Owners Operators Petro-

leum Cooperation (OOPC), Ontario, CA, was sentenced to 4 months home detention and 36 months supervised probation. Rabico previously pled guilty to conspiracy, submitting false statements and theft of Government property. The OOPC trucking company contracted with the Defense Energy Support Center (DESC), San Pedro, CA, to transport jet aircraft fuel to various military installations throughout southern California, to include Vandenberg AFB, Edwards AFB, U.S. Marine Corps Air Station Twenty-Nine Palms, and Port Huenueme NAS. A 3-year investigation into the theft and resale of Government-owned fuels uncovered the conspiracy between Rabico and Dale Mellies, an assistant superintendent for the Allied Management of Texas, a company under contract to manage distribution of military fuels at DESC, San Pedro, CA. An arrangement was made to illegally remove several thousand gallons of military jet fuel, then resell the fuel to the commercial aviation market or blend it with other fuels and resell it to commercial gas stations as diesel fuel. Mellies was also convicted and sentenced on similar charges in April 1999. The Van Nuys RA conducted the investigation with the FBI, the DOT and the State of California Board of Equalization.

Healthcare

Dr. Kristopher K. Wendler,

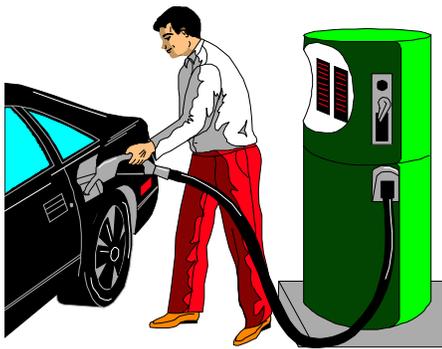
a psychiatrist practicing in the Kansas City metropolitan area, was sentenced to 46 months incarceration, 36 months of supervised release, ordered to pay \$206,687.83 in restitution and \$2,100 in fines. Wendler was previously convicted on 21 counts of mail fraud relating to the submission of false and fraudulent claims to Government funded insurance programs. From 1991 through 1996, Wendler operated psychiatric practices in Overland Park, KS, and Kansas City, KS, and practiced without a license in Kansas City, MO. During that time, Wendler submitted false and fraudulent claims to the TRICARE, Medicare and Medicaid programs for services not rendered or misrepresented the types of service provided to patients. The Kansas City RA conducted the investigation jointly with the FBI.



Perjury

Elia Twail was sentenced to 24 months incarceration, 36 months of supervised release, a \$20,000 fine and a \$100 special assessment. He previously pled guilty to

one count of perjury. Twail, a reserve deputy sheriff for Los Angeles County, and his father, Maurice Twail, were members or associates of the Mikaelian Family, a Russian organized crime family, led by Hovsep "Joe" Mikaelian. An investigation determined the crime family operation was fraudulently obtaining, stealing and selling fuel, thus, evading the required Federal and state taxes. Twail and his father were originally indicted for tax fraud, mail fraud and money laundering, in connection with the establishment of phony wholesale distribution firms to avoid paying fuel taxes. Some of the fraudulently obtained fuel was from the DESC, San Pedro, CA. The exact amount of fuel stolen has not been determined. The Long Beach RA conducted the investigation.



Mail Fraud

Salvador Vivit, M.D., was sentenced to 72 months imprisonment, followed by 3 years supervised release, and ordered to pay \$149,877.75 in restitution and an \$850 special assessment. Vivit was previously convicted on 16 counts of mail fraud.

An investigation disclosed that Vivit, a provider in the TRICARE and Medicare programs, submitted claims to insurance companies and Federal health insurance programs for medical treatment that was not performed. The amount of restitution ordered will be divided among the affected health insurance and benefits programs. The loss to Government programs was \$14,291.15. The Chicago POD conducted the investigation jointly with the FBI, the IRS and the USPIS.

Kickbacks

Dr. Francisco R. Carbone, former director of internal medicine at Bridgeport Community Health Center, Bridgeport, CT, was sentenced to 4 months imprisonment, 4 months home confinement, 4 years probation, a \$10,000 fine and a \$200 special assessment fee. Carbone previously pled guilty to soliciting and receiving kickbacks in connection with the disbursement of Medicaid funds and the willful subscription of a false Federal income tax return for 1997. In return for approximately \$78,130 in kickbacks, Carbone referred patients to R&R Surgical Supplies, a durable medical equipment company located near the Bridgeport Community Health Center. The investigation is the result of a 3-year undercover operation, code-named "Operation Overdraw." Overdraw established an undercover medical

business to deal with health care related companies in Connecticut, New York and New Jersey that were suspected of engaging in fraudulent activities associated with Medicare, Medicaid, TRICARE and private insurers. The Hartford RA conducted the investigation with the FBI, the IRS, the USPIS and the HHS, in conjunction with the Connecticut Health Care Fraud Task Force.

Civil Settlements

False claims

The ArBee Corporation, Elk Grove Village, IL, entered into a settlement agreement with the Government and will pay \$125,000 to resolve allegations that Arbee submitted, or caused to be submitted, false certifications and false claims to the United States. During the past decade, Arbee, a DoD contractor, entered into a number of contracts with the Government for gear assembly bodies, propeller shaft assemblies, and battlefield override kits. The Government alleged that ArBee sold nonconforming, after-market gear assemblies; nonconforming propeller-shaft assemblies, and made two premature requests for progress payments. The Arbee Corporation has denied any wrongdoing arising out of the negotiation, execution or performance of the subject contracts. The Chicago POD conducted the investigation.



To report suspected criminal activity involving the Department of Defense please contact the nearest Defense Criminal Investigative Service office.

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