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Description of document:	Department of Veterans Affairs (VA) Office of Inspector General (OIG) closing memorandum for each investigation involving "Stolen Valor," 2005-2008
Requested date:	15-November-2008
Released date:	30-December-2008
Posted date:	01-February-2009
Title of Document	Report of Investigation, Comprehensive Report of Investigation, Supplemental Report of Investigation, Closing Report of Investigation
Date/date range of documents:	26-September-2006 – 02-October-2008
Source of document:	Department of Veterans Affairs Office of Inspector General Release of Information Office (50CI) 810 Vermont Ave., NW Washington, DC 20420

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DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Washington DC 20420

DEC 3 0 2008

This refers to your November 15, 2008, Freedom of Information Act (FOIA) request, received in this office on December 1, 2008. You requested a copy of the closing memorandum for each investigation involving "Stolen Valor" by the VA Office of Inspector General. We utilized your list of forty-six investigation to assist us with processing this request.

In providing these records to you, we are withholding some personal information under FOIA exemptions 6 and 7C (5 U.S.C. Section 552 (b) (6) and (b) (7) (C)). Exemption 6 authorizes the withholding of information obtained from personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7C authorizes the withholding of records or information compiled for law enforcement purposes, the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. In accordance with exemptions 6 and 7C, we withheld personal information regarding other individuals.

If you do not agree with our decision to redact the specific information mentioned above, you may appeal to the Office of General Counsel, as provided in Title 38, Code of Federal Regulations, Section 1.557. Please include your specific objection(s) as they pertain to the withheld information and reference FOIA case number 2009-00581-FI-0042. The address is: Office of General Counsel (02), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, D.C. 20420.

Sincerely,

A handwritten signature in cursive script that reads "Shirley J. Landes".

SHIRLEY J. LANDES
Chief, Information Release Office

Enclosure



DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division

REPORT OF INVESTIGATION

ROBERTS, KEITH

DOB: [REDACTED]

SSN: [REDACTED] b6

3/5/2007

Appr: [REDACTED] b6

File: 2004-1085-IC-0059

By: [REDACTED] b6+b7C

Status: Closed

Distr: 51B

(Compensation Benefits Fraud)

DETAILS:

On 3/2/2007 ROBERTS was sentenced to the following:

- 48 months of imprisonment;
- restitution to the VA of \$262,943.52;
- 36 months of supervised release; and
- a special assessment of \$500.

ROBERTS was immediately taken into custody after sentencing. A copy of the judgment documents will be obtained and filed in the case file as soon as possible.

DISPOSITION OF EVIDENCE, CONTRABAND, AND PERSONAL PROPERTY:

N/A



DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Office of Investigations

REPORT OF INVESTIGATION

MOORE, SEAN E.

DOB: [REDACTED]

SSN: [REDACTED]

b6

10/19/07 [REDACTED]

File: 2004-00130-IC-0022

By: [REDACTED]

Status: Closed

Distr: 51B

b6 + b7C

(Education Benefits Fraud)

DETAILS:

On 10/11/07 SEAN MOORE appeared for sentencing in U.S. District Court for the Central District of Illinois. Judge Joe Billy McDade sentenced MOORE to 12 months and one day of imprisonment and three years of supervised release. He also ordered MOORE to pay \$43,563.53 in restitution and a \$600.00 assessment (Attachment 1).

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

The VA OIG obtained no evidence, contraband or personal property during the course of this investigation. All relevant documents have been placed in the case file.

Attachments:

1. Photocopy, United States District Court Central District of Illinois, Judgment in a Criminal Case documenting the sentencing of SEAN MOORE.

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b6 + b7C



DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Office of Investigations
Hines, IL 60141

REPORT OF INVESTIGATION

7/10/2007

Appr [REDACTED]

DPOB: [REDACTED]

SSN: [REDACTED]

File No. 2006-3116-IC-0021

By: [REDACTED]

Status: Closed

Distr: 51H

(Stolen Valor, False Claims for Health Benefits/Medical Care, Theft)

DETAILS

[REDACTED] of the Grand Rapids VA Outpatient Clinic recently advised that [REDACTED] would not have had to pay VA co-pays based on his income level. Therefore the false documents he had submitted to the VA were not material and no monetary loss to the VA would have occurred.

Upon the discovery of this information [REDACTED] was advised and on 7/10/2007 the AUSA declined the case due to no monetary loss to the government.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

The VA claim file was returned to the Detroit VARO. No other evidence, contraband, or personal property was obtained during the course of this investigation.

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DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division

REPORT OF INVESTIGATION

BENEFITS RE: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

4/16/2007 Appr: [REDACTED]

File: 2004-1559-IC-0129

By: [REDACTED]

Status: Closed

Distr: 51CL, 51CH, 51B

ADAMS, THOMAS

DOB: [REDACTED]

SSN: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

(Theft of U.S. Government Funds)

(Pension Fraud)

(Identity Theft)

DETAILS:

On April 13, 2007, Thomas ADAMS was sentenced to serve one year and one day in prison and three years probation and pay \$156,759 in restitution and a \$100 special assessment for his conviction of one felony count of violating Title 18, U.S. Code § 641, *Theft of Government Funds*. A copy of the judgment will be forwarded when received.

[REDACTED] Southern District of Ohio prosecuted this case.

DISPOSITION OF EVIDENCE, CONTRABAND, AND PERSONAL PROPERTY:

N/A



DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division

REPORT OF INVESTIGATION

HUNT, KARYA FREDDIE L.

DOB: [REDACTED]

SSN: [REDACTED]

6/9/08 Appr: [REDACTED]

File: 2003-01688-IC-0155

By: [REDACTED]

Status: Closed

Distr: 51CL, 51CH, 51B, 53E, 50B

(Pension Fraud)

(Unauthorized Medical Care)

**** Congressional Interest – Representative John Sullivan ****

Reference: 2003-1688-HL-0628

DETAILS:

Benefits were terminated on June 5, 2008. Pension benefits had been suspended in October of 2005 resulting in an interim cost savings of \$8,052 (\$244 x 33). An additional cost savings of \$14,640 based on the benefit termination is also realized (\$244 x 60).

This case was prosecuted by [REDACTED] Eastern District of Michigan.

DISPOSITION OF EVIDENCE, CONTRABAND, AND PERSONAL PROPERTY:

All grand jury records were destroyed per the Eastern District of Michigan.

ATTACHMENT:

1. Benefit termination and Judgment.

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DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATIONS DIVISION
Kansas City Resident Agency
500 State Ave., Suite 555
Kansas City, KS 66101

REPORT OF INVESTIGATION

4/25/07 Appr: [REDACTED]

File No. 2005-0002-IC-0054

By: [REDACTED]

Status: Closed

Distr: 51B, 51CH

DOB: [REDACTED]
SSN: [REDACTED]

(Compensation Fraud)

DETAILS:

On March 19, 2007; [REDACTED] entered into a Pre-Trial Diversion (PTD) Agreement with the U.S. District Court for the District of Kansas, Wichita, KS. Under the terms of the 12 month agreement, [REDACTED] agreed to surrender all his firearms to his son [REDACTED] at his request (Attachment 1). No restitution was ordered in this matter.

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

[REDACTED] claim file (3 volumes) and copies of his DD 214's will remain in 51KC's evidence safe until the expiration of his PTD Agreement.

Attachment

1. Photocopy, Pre-Trial Agreement signed by the AUSA [REDACTED] on 3/27/07.

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DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATION DIVISION
Kansas City Resident Agency
500 State Ave., Suite 555
Kansas City, KS 66101

COMPREHENSIVE REPORT OF INVESTIGATION

AKA:
DOB:
SSN:
LKA:

08/27/07. Appr: [REDACTED]
File: 2005-0225-IC-0051
By: [REDACTED]
Status: Closed
Distr.: 51B

(Compensation Benefits Fraud)

SYNOPSIS:

This case was initiated based on a referral from [REDACTED] VARO Wichita. In the referral, [REDACTED] alleged that [REDACTED] received compensation benefits under the name of his cousin, [REDACTED]. According to the referral, [REDACTED] was discharged from the U.S. Navy in 1985 with a character of service of "other than honorable." In 1987, [REDACTED] enlisted in the U.S. Army using the name [REDACTED] SSN [REDACTED] and was subsequently discharged under honorable conditions. In 1989, after his discharge from the Army, [REDACTED] applied for and was granted compensation benefits by the VA using [REDACTED] identification. [REDACTED] received compensation benefits totaling \$349,315 until the deception was uncovered in August 2004. [REDACTED] admitted serving under his cousin's identity in correspondence to the VA and to the U.S. Army. However, the U.S. Attorney's Office has declined prosecution of this case given [REDACTED] true military service.

STATUTE:

Title 18, U.S.C. Section 1001, False Statements

BACKGROUND:

This case was initiated based on a referral from VARO Wichita. The referral alleged that [REDACTED] obtained compensation benefits using [REDACTED] name and SSN [REDACTED]. [REDACTED] served in the Navy from 1983 to 1985 and was discharged with a character of service of "other than honorable." In 1987, [REDACTED] enlisted in the U.S. Army using the name [REDACTED], SSN [REDACTED]. In 1989, after his discharge from the Army, [REDACTED] applied for and was granted

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compensation benefits by the VA using [REDACTED] identification and his true military service. [REDACTED] received compensation and medical benefits until August 2004.

DETAILS:

On February 13, 1989, [REDACTED] completed and signed a VAF 21-526e, Veterans Application for Compensation or Pension at Separation from Service using the name [REDACTED] (Attachment 1). On this application he stated that he served in the U.S. Army from January 8, 1987 to February 14, 1989.

[REDACTED] completed the following forms using the [REDACTED] name in an attempt to obtain compensation benefits:

Date	Form
09/27/89	Veterans Application for Compensation or Pension (Attachment 2).

10/13/89	Veterans Application for Compensation or Pension (Attachment 3).
----------	--

On September 17, 1990, the VA granted [REDACTED] service-connection retroactive to March 1, 1989 (Attachment 4).

On May 23, 2003, [REDACTED] sent a letter to VARO Wichita stating that his real name was [REDACTED] and that he used his cousin's name to serve in the Army (Attachment 5). He also wanted to know if he would be allowed to keep his VA benefits.

On August 23, 2004, [REDACTED] was notified by the VA that his VA benefits would be terminated effective March 1, 1989. [REDACTED] had received compensation benefits totaling \$349,315 from March 1989 through August 2004.

Military Records Review

[REDACTED] military records were reviewed and pertinent documents were photocopied (Attachment 6). It was apparent from pictures and physical descriptions that [REDACTED] was the same person.

Also found in the file were documents from [REDACTED] admitting that he used his cousin's birth certificate to enlist in the Army in 1986 and that he requested that the Army correct the name on his discharge (Attachment 7).

In June 2004, the Army Board for Correction of Military Records notified [REDACTED] that his request was denied (Attachment 8).

A DD-214, Certificate of Release or Discharge from Active Duty dated February 14, 1989, showed that [REDACTED] was given an honorable

discharge after serving two years, one month and seven days (Attachment 9).

[REDACTED] military records were reviewed and pertinent documents were photocopied (Attachment 10). Based on descriptions found in the files, [REDACTED] and [REDACTED] are the same person.

A DD-214, Certificate of Release or Discharge from Active Duty dated July 1, 1985, showed that [REDACTED] was given an "other than honorable" discharge after serving one year, four months, and ten days (Attachment 11). The reason for the discharge was "misconduct."

[REDACTED] was located on the Fort Mojave Indian Reservation, Needles, CA. Numerous attempts were made to contact [REDACTED] but he refused to return telephone calls. The San Bernardino County Sheriff's Office was contacted for assistance. [REDACTED] was known to Sheriff's Dept., but they had little contact with him.

This case was discussed with [REDACTED] Assistant United States Attorney, Kansas City, KS. She declined prosecution in this matter due to low jury appeal based on the fact that [REDACTED] served honorably albeit using a fictitious name.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband, or personal property was obtained during the course of this investigation.

INDEX OF ATTACHMENTS

- | <u>No.</u> | <u>DESCRIPTION</u> |
|------------|--|
| 1. | Photocopy of VAF21-526e, Application for Compensation or Pension at Separation from Service, dated 02/13/89. |
| 2. | Photocopy of Veterans Application for Compensation or Pension, dated 09/27/89. |
| 3. | Photocopy of Veterans Application for Compensation or Pension, dated 10/13/89. |
| 4. | Photocopy of letter from VA dated 09/17/90. |
| 5. | Photocopy of letter from [REDACTED] dated 05/23/03. |
| 6. | Photocopy of misc. records from [REDACTED] military records. |
| 7. | Photocopy of letter from [REDACTED] and request for correction of the [REDACTED] discharge. |
| 8. | Photocopy of letter from Army Board for Correction of Military Records, dated 06/04. |
| 9. | Photocopy of DD-214, Certificate of release or Discharge form Active Duty, dated 02/14/89. |
| 10. | Photocopy of misc. records from [REDACTED] military records. |
| 11. | Photocopy of DD-214, Certificate of release or Discharge form Active Duty, dated 07/01/85. |



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division
Mid-Atlantic Field Office
P.O. Box 20038
Washington, DC 27387

COMPREHENSIVE REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

07/22/2008 Appr: [REDACTED]

File: 2005-01442-IN-0129

By: [REDACTED]

Status: Closed

Distr: 51B, 51WA

(Benefit Fraud)

SYNOPSIS:

This investigation was initiated pursuant to information provided by [REDACTED] VA Medical Center (VAMC), Baltimore, MD, that veteran [REDACTED] is receiving medical care from VA that he is not entitled. The Separation from Active Duty Form (DD214) that [REDACTED] submitted to validate his eligibility is a suspected forgery. A certified copy of [REDACTED] DD214 was obtained from the National Personnel Records Center (NPRC). The DD214 obtained from the NPRC and the one submitted by [REDACTED] contain different information.

[REDACTED] has received significant care to include surgery, totaling \$145,022. [REDACTED] has applied for VA Compensation Benefits, which as of the present, have not been awarded.

A document analysis was conducted by [REDACTED] VA Office of Inspector General's Document Laboratory (51L), of the submitted DD214 and a certified copy of [REDACTED] DD214 obtained from the NPRC. [REDACTED] submitted document was determined to not have originated from the same document as the certified DD214. The signature for [REDACTED] the officer authorized to sign the DD214, on the DD214 [REDACTED] submitted was determined to have a different author than that of the certified DD214.

On October 30, 2007 [REDACTED] was interviewed regarding this matter. [REDACTED] admitted to altering his DD214. An individual approached him in California at the VAMC offering

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assistance in improving chances for VA benefits by adjusting items on [REDACTED] DD214. [REDACTED] later submitted a correct, unaltered DD214 to the VA to correct his error.

STATUTES:

Title 18, U.S. Code § 287, False, fictitious claims

Title 18, U.S. Code § 1001, Statements or entries generally

BACKGROUND:

DD214 forms are used as references for VA to determine an individual's eligibility for benefits. Among many factors, DD214 affects a rating decision by the information indicating how long and where the veteran served and any awards received.

DETAILS:

On April 27, 2005, a review of [REDACTED] claims file was conducted (Attachment 1). [REDACTED] applied for compensation benefits and withdrew his application a number of times. [REDACTED] claimed his cancer of the tongue was due to exposure to Agent Orange while in the Army at Fort Meade, Maryland. [REDACTED] claim was denied as the cancer was ruled non-service connected.

On June 24, 2005, it was determined that [REDACTED] received \$145,022 in health care benefits paid for by the VA (Attachment 2). [REDACTED] was discharged under honorable condition which entitled him to health care coverage by the VA regardless of the information on the altered DD214.

On December 20, 2006, a document analysis was conducted by [REDACTED] (Attachment 3). [REDACTED] determined that the questionable DD214, when compared with an unaltered DD214, did not originate from the same document. It was also determined that the signatures on the altered and certified DD214s for [REDACTED] the authorizing official on the DD214, were signed by different authors.

On October 30, 2007, [REDACTED] was interviewed regarding this matter (Attachment 4). During the interview, [REDACTED] admitted to submitting an altered DD214 to the VA to hopefully improve his chance for a service-connected disability rating. In or around 1988, while living in California, [REDACTED] was waiting to set up his status at the VA Medical Center in San Diego, CA. While waiting with a large group of veterans, between 100 and 200, a clean cut, young, Hispanic male approached him and other vets. The individual offered his assistance in altering their DD214s to assist the veterans in receiving more benefits. For a fee, the individual would add awards and other favorable items. [REDACTED] paid \$150 for two DD214s. [REDACTED] thought

the altered DD214 would help him get the benefits he needed and deserved and he submitted the altered DD214 to the VA.

Coordination with the VA Regional Office, Baltimore, MD, determined that regardless of the submission of an altered DD214, [REDACTED] is entitled to the health care he has received through the VA. [REDACTED] is not entitled to compensation benefits because his ailments are non-service connected and claims for such benefits will be declined.

Due to the lack of financial loss to the VA, this case was not referred for prosecution as it does not meet the United States Attorney's Office fraud threshold for the district of Baltimore, MD.

ADDITIONAL INFORMATION:

An NCIC check was conducted on [REDACTED] which revealed the following information:

[REDACTED]

DISPOSITION OF EVIDENCE, CONTRABAND AND/OR PERSONAL PROPERTY:

No evidence, contraband, and/or personal property was obtained during the course of this investigation.

INDEX OF ATTACHMENTS:

1. Memorandum for the Record, claims file review, dated April 27, 2006.
2. Spreadsheet for [REDACTED] cost of health care, dated June 24, 2005.
3. Report of Document Analysis, by [REDACTED] dated December 20, 2006.
4. Memorandum of Interview, dated October 30, 2007.
5. NCIC for [REDACTED] dated June 23, 2008.



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATIONS DIVISION
275 Chestnut Street, Suite 122
Manchester, NH 03101-2485

In Reply Refer To: 51BN

REPORT OF INVESTIGATION

RICH, GREGORY

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

03/18/2008 APPR [REDACTED]

FILE: 2006-00934-IN-0160

BY: [REDACTED]

STATUS: Closed

(Identity Theft)

DISTR: 51NJ, 51H

DETAILS

Assistant U. S. Attorney (AUSA) [REDACTED] provided a copy of Gregory RICH's Judgment and Conviction. (Attachment 1)

DISPOSITION OF EVIDENCE AND/OR PERSONAL PROPERTY

[REDACTED] authorized the return of items inventoried as evidence in this case, as follows:

Evidence Control and Tracking Record, [REDACTED] Evidence Log Number [REDACTED]
[REDACTED]

Item # 1 Two volumes of administrative records related to Gregory RICH received from VAMC Providence, RI.

The items were returned on October 16, 2007 to [REDACTED]
[REDACTED] VAMC Providence, RI. (Attachment 2)

ADDITIONAL INFORMATION

An NCIC check was completed on March 17, 2008, which revealed that RICH's criminal history included the conviction associated with this investigation. (Attachment 3)

ATTACHMENTS

1. Photocopy, RICH's Judgment and Conviction

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2. Photocopy, Evidence Control and Tracking Record associated with RICH
3. Photocopy, RICH's NCIC record



U.S. Department of Veterans Affairs
Office of Inspector General
Criminal Investigations Division
Northeast Field Office
20 Washington Place, Suite 316
Newark, NJ 07102

In Reply Refer To: 51NJ

REPORT OF INVESTIGATION

11/09/07 APPR: [REDACTED]
FILE: 2004-03220-IN-0038
BY: [REDACTED]
STATUS: Closed
DISTR: 51B

DOB: [REDACTED]
SSN: [REDACTED]

VA Medical Center Philadelphia Police Officer
[REDACTED]

(False Statements)
(Altering Documents)
(Theft of Governments Funds)

DETAILS

During this reporting period, an inquiry into the status of State of New Jersey case against [REDACTED] revealed that [REDACTED] had two outstanding failure to appear (FTA) warrants for his arrest from Woodbury Municipal Court. U.S. Probation declined to violate [REDACTED] or these warrants. No additional VAOIG investigation is required; therefore, this investigation is being closed.

DISPOSITION OF EVIDENCE, CONTRABAND AND/OR PERSONAL PROPERTY

The reporting agent coordinated efforts with the U.S. Marshal Service (USMS) and the VA Police to destroy the weapons seized during the course of this investigation. The destruction of the weapons was pursuant to a court order. VA Medical Center Philadelphia machine shop assisted in the destruction and disposal of all weapons seized during this investigation. Pictures of the destroyed weapons were incorporated into the case file. All seized ammunition was provided to the USMS, Philadelphia Police Department, and PA State Police for use during firearms training.

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No evidence was maintained by VA OIG and disposition was documented by the USMS and VA OIG (**Attachment 1**). No contraband or personal property was ever maintained by VAOIG.

INDEX OF ATTACHMENTS

1. VA Form 0206 titled "Evidence Control and Tracking From" detailing the custody and destruction of all weapons seized during this investigation dated November 8, 2007.

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U.S. Department of Veterans Affairs
Office of Inspector General
Criminal Investigations Division
Northeast Field Office
20 Washington Place, Suite 316
Newark, NJ 07102

In Reply Refer To: 51NJ

REPORT OF INVESTIGATION

WALKER, STACEY

DOB: [REDACTED]

SSN: [REDACTED]

Non-Veteran

(ID Theft)

(Theft of Government Funds)

(Unauthorized Medical Care)

05/29/08

APPR: [REDACTED]

FILE:

2005-00217-IN-0088

BY: [REDACTED]

STATUS:

Closed

DISTR:

51H

DETAILS

On May 23, 2008, WALKER pled guilty to forgery and theft by deception before the Honorable Judge Joan Brown, Philadelphia Court of Common Pleas. WALKER was sentenced to 5 years probation, \$1,990 in various court fees, and ordered to pay \$37,400 in restitution to the VA (Attachment 1). There are no additional investigative or prosecutorial needs; therefore, this investigation is being closed.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY

No evidence, contraband, or personal property was obtained by VA OIG during the course of this investigation.

INDEX OF ATTACHMENTS

- 1) Philadelphia Court of Common Pleas criminal docket for WALKER dated 5/23/08

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Inspector General
Office of Investigations
20 Washington Place, Room 316
Newark, NJ 07102

COMPREHENSIVE REPORT OF INVESTIGATION

MOSER, BENJAMIN

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

05/20/2008

Appr: [REDACTED]

File:

2005-03046-IN-0330

By: [REDACTED]

Status:

Closed

Distr:

51NJ, 51H

(Stolen Valor, Theft of Government Funds, False Statements, Drug Diversion)

SYNOPSIS:

This investigation was initiated based on a statement received from the [REDACTED] alleging that [REDACTED] Benjamin MOSER, had been representing himself as an active-duty soldier at the Veterans Affairs Medical Center (VAMC) in Buffalo, NY, and other area hospitals to fraudulently obtain narcotics. Investigation disclosed that MOSER fraudulently obtained an active duty identification card by making false statements and presenting false documents to the Niagara Falls Air Reserve Station (NFARS), NY. MOSER then dressed in his uniform and presented himself and his false identification to the VAMC and over 70 other Medical Centers and Healthcare Providers to obtain prescription narcotics to support his drug habit. MOSER was initially arrested in August 2006 and was held without bail until May 7, 2007, when the charges were dismissed due to an error concerning the Speedy Trial Act. MOSER was subsequently recharged and pleaded guilty in October 2007 to obtaining controlled substances by fraud and making false statements. On April 23, 2008, MOSER was sentenced to 33 months' incarceration, 3 years' supervised release and ordered to pay \$39,807.40 restitution.

STATUTES:

21 U.S.C. §843(a) (3) & (d) (1), Acquiring a Controlled Substance by Deception & Subterfuge

18 U.S.C. §1001(a) (2), False Statements

BACKGROUND:

On August 4, 2005, [REDACTED] VAMC, Buffalo, NY, notified the reporting agent of possible fraudulent activity being conducted by Army Reservist MOSER at the VAMC Buffalo. MOSER had presented himself several times to the VAMC for various appointments

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and emergency room visits as an active duty reservist. A phone call received on July 31, 2005, from MOSER [REDACTED] revealed that MOSER was not on active duty and had been drug seeking at multiple medical centers throughout New York and Pennsylvania and therefore causing TRICARE to be billed for most of those visits (**Attachment 1**).

TRICARE is a healthcare benefit program for active duty and retired service personnel, their eligible family members and survivors. Eligibility for TRICARE depends on the individual's enrollment in the Defense Enrollment Eligibility Reporting System (DEERS). When an individual submits active duty orders to their local uniformed personnel office, they obtain an active duty identification card and their information is entered into DEERS and they become entitled to TRICARE benefits. The VA Medical Centers rely on the statements of the patients and their eligibility in DEERS to determine their entitlement to healthcare and prescriptions at the VAMC.

Investigation revealed that MOSER presented invalid orders to the NFARS Identification Card Section on July 22, 2005. At that time, MOSER received an active duty identification card and was entered into DEERS making him eligible to receive healthcare benefits.

DETAILS:

On August 4, 2005, MOSER was interviewed by VA Police at the Buffalo VAMC and gave a written statement wherein he admitted that he dressed in his military uniform and visited the Buffalo VAMC on multiple occasions complaining of back pain and dental pain to obtain narcotics to support his drug habit. Additionally, MOSER stated that he had been visiting other hospitals in the Buffalo-Rochester areas and had been presenting the active-duty identification card causing them to bill the visits and narcotics to the federal government through Medical Military Support and TRICARE.

On August 18, 2005, [REDACTED] provided copies of multiple bills and collection notices she had received in the mail concerning MOSER's drug seeking visits to various medical centers, physicians' offices, and pharmacies (**Attachment 2**).

[REDACTED] supervisor of the Medical Military Support Office, was contacted concerning any and all documentation and billings submitted to her office on behalf of MOSER. Special [REDACTED] Defense Criminal Investigative Service (DCIS), was able to retrieve and provide the TRICARE billing records showing each visit MOSER attempted to bill TRICARE. These documents provided additional leads consisting of medical facilities and physicians that MOSER frequented and were used by the reporting agent later in the investigation to write the Affidavit in Support of an Arrest Warrant (**Attachment 3**).

Assistant United States Attorney [REDACTED] Western District of New York, agreed to prosecute this case and assigned AUSA [REDACTED] suggested an additional interview with MOSER be attempted as the original interview conducted by VA Police did not encompass the complete details of the investigation. However, MOSER's whereabouts were unknown as [REDACTED] and contact with his parole office in Pennsylvania established that he had not been reporting on a regular basis.

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On February 16, 2006, the reporting agent was contacted by [REDACTED] of the Kenmore Police Department, concerning Benjamin MOSER. [REDACTED] had just arrested MOSER and was about to transport him to the Kenmore Police Department for processing on two local warrants. The [REDACTED] informed [REDACTED] that DCIS and VA-OIG agents were actively pursuing MOSER.

[REDACTED] attempted to speak with MOSER at his Kenmore arraignment; however, MOSER invoked his right to council and refused to speak. Following this interview attempt, MOSER left the immediate area and was unable to be located again.

On August 10, 2006, information was received from MOSER.

On August 17, 2006 a criminal complaint for the arrest of BENJAMIN MOSER was filed and an arrest warrant was obtained (**Attachment 4**). MOSER was initially charged with False Statements; False Statement related to a Healthcare; unlawfully obtaining Schedule II and Schedule III controlled substances by misrepresentation and fraud; possessing a United States identification document obtained without lawful authority; and identity fraud.

On August 23, 2006, a Writ was filed; MOSER was arrested and appeared before Judge Hugh Scott, United States District Court, Western District of New York. MOSER was remanded without bail and returned to the Erie County Holding Center.

Plea negotiations between the AUSA and MOSER's defense counsel continued until May 2007, at which time [REDACTED] signed from her office and had not filed the proper Speedy Trial Time Exclusion Motion. MOSER's attorney filed for and was granted a dismissal of all charges (Attachment 5).

The investigation was reassigned to [REDACTED] who continued plea negotiations with MOSER's defense counsel prior to seeking another arrest warrant.

During this timeframe, MOSER falsified additional records in order to re-enlist in the United States military and continued his drug seeking behaviors. On October 29, 2007, MOSER was rearrested and pleaded guilty before United States District Judge Richard Arcara, Western District of New York to an Information charging one count of Title 18, U.S.C. Section 1001 (a)(2), false statements and one count of Title 21, U.S.C. Section 843(a)(3) obtaining controlled substances through fraud, deception and subterfuge (**Attachments 6 & 7**).

MOSER was released on bail, however, MOSER continued to go to area hospitals dressed in his uniform, seeking narcotics after his plea so, on February 4, 2008, his bail was revoked. At sentencing, Judge Arcara refused to give MOSER a downward departure for accepting responsibility based on his actions while on bail and therefore sentenced MOSER to 33 months' incarceration, 36 months' supervised release, and he ordered him to repay \$39,807.40 in restitution and a \$200.00 Special Penalty Assessment (**Attachment 8**).

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A completed spreadsheet consisting of all identified victims and dollar amounts was submitted to United States Probation Office at the direction of the United States District Court, Western District of New York

DISPOSITION OF EVIDENCE, CONTRABAND AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was retained by VA OIG during the course of this investigation.

ADDITIONAL INFORMATION:

A criminal history inquiry through National Crime Information Center (NCIC) (Attachment 9) disclosed that MOSER has a Federal Bureau of Investigation number, 332967CC8. MOSER's criminal history included previous arrests for DUI, Petit Larceny, Criminal possession of Stolen property, and violation of restraining orders. MOSER is described as a [REDACTED]
[REDACTED]

An SF85 was not forwarded from VA OIG to the FBI since Drug Enforcement Administration Investigator [REDACTED] and the form.

ATTACHMENTS:

1. Photocopy, Uniform Offense Report #05-07-31-1850, VA Police, Buffalo, NY.
2. Photocopy, Memorandum for the Record of document retrieval from [REDACTED] dated August 16, 2005.
3. Photocopy, Criminal Complaint and Affidavit in Support, dated August 17, 2006, case # 06-M-2181.
4. Photocopy, Arrest Warrant for MOSER.
5. Photocopy, Decision & Order for dismissal of charges, dated June 11, 2007.
6. Photocopy, Information dated October 25, 2007, case # 07-CR-258A
7. Photocopy, Plea Agreement signed by MOSER, dated October 29, 2007, case #07-CR-258A
8. Photocopy, Judgment and Commitment Order dated April 23, 2008, case 1:07CR00258-001, U.S. District Court for the Western District of New York
9. Photocopy, MOSER's NCIC record.

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division
Northeast Field Office
20 Washington Place, 3rd Floor
Newark, NJ 07102

REPORT OF INVESTIGATION

BUSBY, HENRY EARL

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

07/10/2007

Appr: [REDACTED]

File #:

2005-03284-IN-0048

By: [REDACTED]

Status:

Closed

Distr:

51H, 51NJ

(False Claims for Health Benefits)

DETAILS:

On July 5, 2007, in U.S. District Court for the District of New Jersey, HENRY EARL BUSBY was sentenced to five years probation including 12 months home confinement under electronic monitoring, ordered to pay \$99,656 restitution and pay a special assessment fee of \$100 (Attachment 1).

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ADDITIONAL INFORMATION:

On July 10, 2007, a criminal records check via National Crime Information Center (NCIC) revealed BUSBY's criminal record to include the charges for his arrest on December 27, 2005 (Attachment 2).

On July 10, 2007 a complete [REDACTED] for BUSBY was submitted to the Federal Bureau of Investigation (Attachment 3).

ATTACHMENTS:

1. Copy, Judgment dated July 5, 2007, case 06-983-01, U.S. District Court for the District of New Jersey.
2. Copy, BUSBY's NCIC record.
3. Photocopy, [REDACTED] for BUSBY

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DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATIONS DIVISION
20 Washington Place, Room 316
Newark, NJ 07102

In Reply Refer To: 51NJ

REPORT OF INVESTIGATION

TISDALE, JOSEPH A.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

(Identity Theft)

6/1/2007 APPR: [REDACTED]
FILE: 2006-01403-IN-0168
BY: [REDACTED]
STATUS: Closed
DISTR: 51NJ, 51H

DETAILS:

On May 31, 2007, the subject, JOSEPH TISDALE, appeared in U.S. District Court in the Middle District of Pennsylvania (Harrisburg, PA) before Honorable William W. Caldwell for his sentencing hearing. TISDALE was sentenced to a 24 month term of imprisonment, 3 years of supervised release, restitution of \$36,911, and an assessment of \$100. (Attachment)

TISDALE, in an earlier plea hearing held on January 25, 2007, pled guilty to 18 USC § 1035(a)(1), *False Statements Regarding a Healthcare Matter*.

DISPOSITION OF EVIDENCE, CONTRABAND AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by VA OIG during the course of this investigation.

ATTACHMENT

Copy of Judgment in a Criminal Case re: TISDALE, dated May 31, 2007.

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DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATIONS DIVISION
20 Washington Place, Room 316
Newark, NJ 07102

In Reply Refer To: 51NJ

SUPPLEMENTAL REPORT OF INVESTIGATION

TISDALE, JOSEPH A.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

(Identity Theft)

9/13/2007 APPR: [REDACTED]

FILE: 2006-01403-IN-0168

BY: [REDACTED]

STATUS: Closed

DISTR: 51NJ, 51H

DETAILS:

On September 13, 2007, the reporting agent provided [REDACTED] the VA Medical Center in Lebanon, PA, a summary of the investigation conducted by VA OIG. The true veteran's medical record is to be amended to reflect that his identity was used by JOSEPH TISDALE to receive healthcare with VA (Attachment 1).

This action was taken to avoid any future treatment issues that the true veteran may encounter if he were to receive treatment within VA. In an earlier interview with the reporting agent, the true veteran [REDACTED] indicated he had never received treatment at a VA facility before.

ATTACHMENTS:

1. Copy, summary of investigation provided to [REDACTED] via fax on 9/13/2007.

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Inspector General
Office of Investigations
20 Washington Place, Room 316
Newark, NJ 07102

REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

03/18/2008 App [REDACTED]
File: 2007-01789-IN-0145
By: [REDACTED]
Status: Closed
Distr: 51NJ, 51H

(Identity Theft, False Identifications, Stolen Valor)

DETAILS

On February 28, 2008, a pre-trial diversion agreement was signed between [REDACTED] and the United States Attorneys Office, Western District of New York, deferring prosecution for a period of 12 months and if complete compliance is given, all charges will be discharged at that time.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ATTACHMENTS:

1. Photocopy, pre-trial diversion for [REDACTED]

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division
Northeast Field Office
20 Washington Place, 3rd Floor
Newark, NJ 07102

COMPREHENSIVE REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

08/05/2008 Appr [REDACTED]
File #: 2007-02843-IN-0024
By: [REDACTED]
Status: Closed
Distr: 51H, 51NJ

(False Claims for Health Benefits)

SYNOPSIS:

This investigation was initiated pursuant to a July 17, 2007 referral received from [REDACTED] Department of Veterans Affairs (VA), Police and Security Service, of the VA Medical Center (VAMC), Lyons, NJ, notified the investigating agent that the Medical Administrative Staff (MAS) reported a veteran in receipt of health care at the Lyons VAMC was ineligible for these services based on his discharge from the Marine Corps under other than honorable conditions.

Investigation disclosed that [REDACTED] had applied to receive health care benefits from the VA New Jersey Health Care System (VA NJHCS) in 2005. Records obtained from [REDACTED] VA medical administrative file, revealed that he had applied for and received health care benefits by submitting VA Forms 10-10EZ, Application for Health Benefits, beginning in September 7, 2005 and again on May 31, 2007. The 10-10EZ forms submitted to the VAMC by [REDACTED] claimed military service in the United States Marine Corps from 1978 to 1981. The investigating agent discovered through records obtained from the National Personnel Records Center that [REDACTED] had served in the USMC and was discharged under other than honorable conditions. During an interview of [REDACTED] he admitted in a written sworn statement that he had not received an honorable discharge from the military. [REDACTED] admitted to receiving health care benefits from the VA to which he was not entitled. The false claims for health benefits that were provided to [REDACTED] have resulted in an approximate loss to the VA of \$20,748.

Assistant U.S. Attorney [REDACTED] declined this case for prosecution citing evidentiary issues based on VA providing healthcare after he was already declared ineligible two years before being admitted to the domiciliary.

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STATUTES:

Title 18, U.S. Code, § 1035, False statements relating to health care matters.

BACKGROUND:

On July 17, 2007 the investigating agent was informed by [REDACTED] Department of Veterans Affairs (VA), Police and Security Service, of the VA Medical Center (VAMC), Lyons, NJ, that [REDACTED] was receiving health care benefits to which he was not entitled. [REDACTED] was a resident of the VAMC's domiciliary program located in Lyons, NJ from May 3, 2007 to July 19, 2007. A review of [REDACTED] DD Form 214, obtained from NPRC records, revealed that [REDACTED] received an other than honorable discharge from the military and was in receipt of VA health benefits to which he was not entitled.

The VA provides a standard health plan to most enrolled veterans and to certain groups of veterans who do not need to enroll. Veterans may apply for enrollment at any time during the year. To apply for VA health care, veterans must complete VA Form 10-10EZ, Application for Health Benefits. Veterans may complete the form at a VA medical facility or at home and mail it to a VA medical facility. Once enrolled for VA health care, eligible veterans can receive services at VA facilities anywhere in the country. Generally, veterans must have received an honorable discharge from the military in order to be eligible for VA health care.

DETAILS:

On or about September 7, 2005, [REDACTED] submitted an application for VA health benefits (**Attachment 1**). On November 8, 2005, the VAMC provided a copy of a letter to [REDACTED] and a report, declaring him ineligible to receive health care services based on his discharge from the military with an other than honorable status (**Attachments 2-3**).

On or about May 31, 2007 [REDACTED] submitted an application for VA health benefits (**Attachment 4**). [REDACTED] is admitted to the VAMC as a resident of the domiciliary program and received health care from May 3, 2007, until his discharge on July 19, 2007.

Records obtained from the VAMC's medical administrative file of [REDACTED] disclosed a copy of a discharge certificate from the military, form DD 214, showing that [REDACTED] served in the United States Marine Corps from October 12, 1978 to September 29, 1981, and received an honorable discharge (**Attachment 5**). Enclosed in the medical administrative file was a copy of an honorable discharge certificate from the USMC dated September 29, 1981 (**Attachment 6**).

On July 19, 2007 [REDACTED] was interviewed by the investigating agent and [REDACTED] at the VAMC (**Attachment 7**). During interview of [REDACTED] admitted that he altered his brother's military discharge documents to reflect his name and service number. [REDACTED] brother was [REDACTED] who is deceased, and they served in the USMC during roughly the same period. [REDACTED] provided a signed a sworn statement in which he voluntarily stated substantially as follows' (**Attachment 8**):

[REDACTED]ed his brother's service records to get health care from the VA. He stated that he was wrong to do so and was sorry.

On October 4, 2007, the VA Liaison Office at the National Personnel Records Center provided a copy of [REDACTED] DD 214 (Attachment 9). Although the document is partially unreadable it shows that [REDACTED] was discharge from the USMC under conditions other than honorable.

On October 4, 2007, the VA Liaison Office at the National Personnel Records Center provided a copy of [REDACTED] DD 214 (Attachment 10). A DD 214 was issued to [REDACTED] which reflects his dates of service in the USMC from October 12, 1978 to September 29, 1981. The DD 214 shows that [REDACTED] was granted an honorable discharge from the USMC.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ADDITIONAL INFORMATION:

A criminal history inquiry through the National Crime Information Center (NCIC) disclosed [REDACTED] as been arrested numerous times in New Jersey, North Carolina, Maryland, and New York (Attachment 11). [REDACTED] described as a [REDACTED]

A search of the Master Case Index indicated that [REDACTED] is not of record.

On January 9, 2008, Assistant U.S. Attorney [REDACTED] Attorney's Office, District of New Jersey, declined this case for prosecution citing evidentiary issues based on VA providing healthcare after he was already declared ineligible two years before being admitted to the domiciliary (Attachment 12).

ATTACHMENTS:

1. Photocopy, VA Form 10-10EZ, "Application for Health Benefits", signed [REDACTED] and dated 09/07/05.
2. Photocopy, Eligibility notification letter from Lyons VAMC, addresses to [REDACTED] and dated 11/08/05.
3. Photocopy, VA Form 119, "Report of Contact", signed [REDACTED] and dated 11/08/05.
4. Photocopy, VA Form 10-10EZ, "Application for Health Benefits", signed [REDACTED] and dated 5/31/07.

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5. Photocopy, DD Form 214, "Certificate of Release or Discharge from Active Duty", signed [REDACTED]
6. Photocopy, Certificate of Honorable Discharge, United States Marine Corps, dated 9/29/81.
7. Photocopy, Memorandum of Interview of [REDACTED] ed 7/19/07.
8. Photocopy, Sworn Statement signed [REDACTED] and dated 7/19/07.
9. Photocopy, DD Form 214, "Certificate of Release or Discharge from Active Duty", signed [REDACTED]
10. Photocopy, DD Form 214, "Certificate of Release or Discharge from Active Duty", signed [REDACTED]
11. Photocopy [REDACTED] NCIC report.
12. Copy, Memorandum for the Record, AUSA declination.



U.S. DEPARTMENT OF VETERANS AFFAIRS
Inspector General
Office of Investigations
423 East 23rd Street
Building 3, 2nd Floor
New York, NY 10010

REPORT OF INVESTIGATION

2/15/2007 Appr [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

File: 2006-02738-IN-0298

By: [REDACTED]

Status: Closed

Distr: 51NY, 51H

(Healthcare and Benefits Fraud / Identity Theft)

DETAILS:

This case has been referred twice to the Southern District of New York and they have shown no interest in prosecuting the case (Attachment 1).

On February 15, 2007, at approximately 1:30 pm VA-OIG agents [REDACTED] and [REDACTED] tried to contact [REDACTED] the granddaughter of [REDACTED]. According to VAMC Manhattan's electronic medical records [REDACTED] listed his next of kin as [REDACTED] (granddaughter) of [REDACTED].

Agents [REDACTED] and [REDACTED] physically went to [REDACTED] and there was no building or home with the address of [REDACTED].

[REDACTED] so listed [REDACTED]'s telephone number as [REDACTED]. The reporting agent called the number and the female that answered indicated that no one with the last name of [REDACTED] resides there (Attachment 2).

The likelihood that [REDACTED] will return to either the Veterans Affairs Regional Office in New York or the Veterans Affairs Medical Center in New York for benefits is now slim. [REDACTED] now aware of law enforcement inquiries into his fraudulent activities.

The whereabouts of [REDACTED] are unknown. The reporting agent will close this case at this time, but will reopen the case if [REDACTED] surfaces. A possible arrest at the local level may occur if [REDACTED] can be located.

ATTACHMENTS:

1. Memorandum for the Record dated February 13, 2007.
2. Memorandum for the Record dated February 15, 2007.



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Pittsburgh Resident Agency
VA Medical Center (646/003-H)
7180 Highland Drive
Pittsburgh, PA 15206

In Reply Refer To:

REPORT OF INVESTIGATION

JONES, CLARENCE B.

AKA: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

2/28/07 Appr [REDACTED]

File: 1999-01740-IN-0067

By: [REDACTED]

Status: Closed

Distr: 51 B, 51 NJ, 53 E

(Pension Benefits Fraud)

REFERENCE: 9HL-452

DETAILS:

On July 6, 2006, U.S. District Judge Gustav Diamond issued an Order of Court that discharged Clarence B. JONES from the remaining 27 months of his 36 month term of supervised release. Judge Diamond also ordered the termination of all proceedings in this case. (Attachment 1)

ADDITIONAL INFORMATION:

On August 17, 2006, the Reporting Agent received from the U.S. Attorney's Office ([REDACTED] items (5) that were entered into evidence during the trial of JONES. These items consisted of:

1. Six (6) original U.S. Treasury checks (5 VA, 1 SSA). Returned to the U.S. Secret Service Investigative Assistant [REDACTED] on February 15, 2007. (Attachment 2)
2. Certificate of Mailing (for VA check 6/1/98). Retained in case file work products (Trial Exhibits binder).

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3. Four fingerprint cards and two palm print cards in the name of Clarence B. JONES. One fingerprint card given to [REDACTED] SSA-OIG. Two fingerprint cards completed with pertinent data and forwarded to FBI, Clarksburg, WV, on February 16, 2007. One fingerprint card and two palm print cards retained in VA-OIG case file.
4. Two (2) SSA-OIG fingerprint cards of Clarence JONES in the name of [REDACTED]. Both cards returned to [REDACTED] DIG for final disposition.
5. Three trial exhibit charts prepared by the U.S. Secret Service, Forensic Services Division, Fingerprint Specialist and Document Examiner trial witnesses. These items were destroyed by the Reporting Agent.

On February 22, 2007, the Reporting Agent returned to [REDACTED] Veteran Service Center Manager, VA Regional Office (VARO), Pittsburgh, PA, all original documents taken from the following Claim Files in the name of Clarence Jones: C# [REDACTED] and C# [REDACTED]. Also returned were the original Claim File [REDACTED] 14 and the original IVM (orange) File associated with Claim File # [REDACTED]. It is noted that some documents were inventoried as evidence (Evidence Log Numbers 2001-20 and [REDACTED] and some documents were not inventoried as evidence. **(Attachment 3)**

On February 28, 2007, the Reporting Agent discussed with AUSA [REDACTED] Acting Chief – White Collar Crimes Section, the disposition of grand jury subpoenaed bank records from National City Bank. AUSA [REDACTED] advised that since the bank records were introduced in summary form in the trial of JONES they no longer need to be treated as grand jury records. The National City Bank records are being retained in the Trial Exhibit binder, marked as Exhibit 39 B.

Grand jury subpoenaed telephone subscriber information received from Alltel Corporation along with associated reports (MFR, 11/6/01, and Att. #56 to ROI, 1/28/02) were destroyed by shredding by the Reporting Agent on February 28, 2007.

There were no other grand jury records in this case.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

On July 31, 2006, the Reporting Agent discussed the disposition of evidence and grand jury records with AUSA [REDACTED]. He advised that grand jury records that were not trial exhibits and are not original documents can be destroyed, and that all original evidence should be returned to the owners.

1. Evidence Control and Tracking Record, VA Form [REDACTED] evidence Log Number [REDACTED] dated 11/21/00. **(Attachment 4)**

Item #1 WD AGO Form [REDACTED], bearing right hand fingerprints of C. JONES.

Item #2 WD AGO Form [REDACTED], bearing right thumb fingerprint of C. JONES.

Items #1 & 2 were returned to [REDACTED] National Personnel Records Center, St. Louis, MO, on February 20, 2007, via Certified Mail # [REDACTED] (Return letter attached to Attachment 4)

2. Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 9/12/01. **(Attachment 5)**

Items #1 through #12 consisting of 46 original Claim File [REDACTED] documents.

All items returned to the VARO, Pittsburgh, PA, on February 22, 2007. (Return official memorandum attached to Attachment 5)

3. Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED], dated 9/12/01. **(Attachment 6)**

Items #1 & #2 consisting of four (4) original Claim File [REDACTED] documents.

All items returned to the VARO, Pittsburgh, PA, on February 22, 2007. (Return official memorandum attached to Attachment 6)

4. Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 5/20/02. **(Attachment 7)**

Items #1 through #3 consisting of numerous miscellaneous papers and personal property of C. JONES, obtained from the U.S. Marshal Service at the time of JONES' arrest.

All items were returned by the Reporting Agent to JONES on February 27, 2007 at his current residence, [REDACTED]. The return of property was witnessed by JONES'S Social Worker [REDACTED]

5. Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 11/24/03. **(Attachment 8)**

Items #1-#3 A handwritten letter signed [REDACTED] dated March 5, 1985; a GSA Form R6-7133; and a mailing envelope addressed to GSA, St. Louis, MO, with a return address of [REDACTED]

Items #1-#3 were returned to [REDACTED] National Personnel Records Center, St. Louis, MO, on February 20, 2007, via Certified Mail # [REDACTED] (Return letter attached to Attachment 8)

ATTACHMENTS:

1. Copy of U.S. District Court for the Western District of Pennsylvania Order of Court, dated July 24, 2006.
2. Copy of receipt for the return of six original U.S. Treasury checks to the U.S. Secret Service.
3. Official Memorandum – Return of Claim File documents to VARO, dated 2/22/07.
4. Original Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 11/21/00.
5. Original Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 9/12/01.
6. Original Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 9/12/01.
7. Original Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 5/20/02.
8. Original Evidence Control and Tracking Record, VA Form 50-0206, Evidence Log Number [REDACTED] dated 11/24/03.



DEPARTMENT OF VETERANS AFFAIRS
Office Inspector General
Criminal Investigations Division
Houston Resident Agency
6900 Almeda Road
Houston, Texas 77030

REPORT OF INVESTIGATION

April 10, 2007 Appr: [REDACTED]

MINNIE, Emerson F.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

File: 2005-02497-ID-0167

By: [REDACTED]

Status: Closed

Distr: 51DA, 51H

(False Claims to Health Benefits)

DETAILS:

On 3/8/2007, in the 399th District Court of Bexar County, Texas, MINNIE pleaded guilty to one count of forgery of a government instrument, a second degree felony. MINNIE was sentenced to 113 days time served and was given a five-year suspended sentence. MINNIE was placed on probation for a period of five years, and was ordered to pay \$793 in court costs.

On 3/29/2007, [REDACTED] Western District of Michigan, declined further prosecution of this case due to the fact that the Michigan portion of the case involves a loss to the Government of less than \$10,000. Therefore, no further action will be taken and this case will be closed.

Based on MINNIE'S prior use of VA health care benefits, this case will result in estimated savings to the Government of \$75,934.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

On 3/21/2007, Assistant District Attorney [REDACTED] in Antonio, Texas, [REDACTED] authorized the disposition of items inventoried as evidence in this case as follows:

Item # 1: One fraudulent Form DD-214 was destroyed.

ATTACHMENT:

Photocopy, Judgment of Conviction dated 3/8/2007, cause number 2006CR8812, 399th District Court, Bexar County, Texas.

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DEPARTMENT OF VETERANS AFFAIRS
Office Inspector General
Criminal Investigations Division
Houston Resident Agency
6900 Almeda Road, Rm. 1073
Houston, Texas 77030

COMPREHENSIVE REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

06/05/07 Appr: [REDACTED]

File# 2006-01369-ID-0183

BY: [REDACTED]

Status: Closed

Distr: 51DA, 51H
VAMC Houston (362)

(False Claims-Health Benefit/Unauthorized Medical Care)

SYNOPSIS:

This investigation was initiated pursuant to a referral from the VA Medical Center (VAMC), Houston, TX, alleging that veteran [REDACTED] submitted false documentation to obtain eligibility for medical services. Investigation revealed that [REDACTED] was issued a Certification of Military Service from the National Personnel Records Center stating his discharge from the Navy was honorable, when his DD 214 stated he was discharged under other than honorable conditions. [REDACTED] used this Certificate to obtain medical services. NPRC was contacted to determine whether or not the Certificate was issued in error, but their file could not be located. [REDACTED] was billed for VAMC services, a portion of which was offset by his 2006 income tax refund, leaving a balance of \$2,501. As there was no evidence to substantiate the allegations, and the debt was handled administratively, this investigation was closed.

STATUTES:

18 USC 1001, False Statement

BACKGROUND:

Generally, any veteran who has been discharged under dishonorable conditions is barred from VA medical benefits unless they are service connected. There are certain exceptions from this rule, and the veteran has the right to request a review and subsequent upgrade from the Service Department Discharge Review Board.

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DETAILS:

On September 26, 1980, the VA issued an administrative decision concerning [REDACTED] entitlement to VA benefits. The decision stated that he was discharged under dishonorable conditions, which was a bar to payment of VA benefits with the exception of medical treatment for service connected disabilities. (Attachment 1)

On January 3, 2005, [REDACTED] presented himself to the VAMC for medical treatment for a non-service connected matter. He spoke to Eligibility Clerk [REDACTED] and furnished a copy of a Certification of Military Service (Certificate) issued by the National Personnel Records Center (NPRC) on 05/17/2005. The Certificate listed his discharge as honorable. [REDACTED] was admitted to the VAMC. Per an interview [REDACTED] database search revealed that [REDACTED] had been discharged under other than honorable conditions, and was not eligible for services. [REDACTED] contacted [REDACTED] phone on January 4, 2005, and informed him of the facts, and [REDACTED] was subsequently discharged. (Attachment 2)

On May 31, 2007, [REDACTED] was interviewed. He stated that he received two certified copies of the Certificate upon request of his medical records from the NPRC in 2005. He used a copy of this Certificate to check in to the VAMC on January 3, 2007. The next day, [REDACTED] was informed that his discharge had not been upgraded and that he was ineligible for medical services, and he was subsequently discharged. [REDACTED] knew the information on the Certificate was different than what was listed on his DD 214, but thought maybe his discharge had been upgraded. He stated that at no time had he attempted to knowingly submit a false document to the VA. [REDACTED] reviewed and initialed a copy of the Certificate in question, and submitted a signed, sworn statement. (Attachment 3)

During the course of this investigation, the VA Records Management Center (RMC) liaison to the NPRC was contacted in an attempt to locate the NPRC file, which should have reflected issuance of the Certificate. The NPRC file could not be located. It was revealed that a Certificate was normally issued by NPRC personnel at the time of the request, and that it was possible that the discharge was incorrectly listed and issued in error.

On June 4, 2007, the RMC Chief of the Liaison Division was contacted, and she verified that the file had not been found as of that date. (Attachment 4)

As there was no evidence to substantiate nor refute [REDACTED] claim that the Certificate had been issued in error, there was no provable intent detected. The VAMC had begun administrative remedy to recover the debt, and the criminal investigation was closed.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ATTACHMENTS:

1. Photocopy, VA Administrative Decision, dated 09/26/80
2. Photocopy, MOI of [REDACTED], dated 05/31/07
3. MOI of [REDACTED] dated 05/31/07, with sworn statement and initialed Certificate
4. MOI of [REDACTED] dated 06/04/07



DEPARTMENT OF VETERANS AFFAIRS
Office Inspector General
Criminal Investigations Division
Houston Resident Agency
6900 Almeda Road
Houston, Texas 77030

COMPREHENSIVE REPORT OF INVESTIGATION

August 7, 2007 Appr: [REDACTED]

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

File: 2006-01792-ID-0116

By: [REDACTED]

Status: Closed

Dist: 51DA, 51B

(Counterfeiting)

SYNOPSIS:

Investigation revealed that [REDACTED] sells counterfeit military certificates through his website, [REDACTED] including Honorable Discharge certificates, awards, citations, and graduation diplomas from military schools. On 8/7/2007, prosecution of this case was declined by AUSA [REDACTED], Orlando, Florida, based on the fact that the crime alleged is a misdemeanor and does not meet local guidelines for criminal prosecution.

A review of [REDACTED] website revealed that [REDACTED] so offers to sell certificates indicating that the bearer is in possession of a concealed handgun license. This information will be referred to the Bureau of Alcohol, Tobacco and Firearms for additional follow-up.

STATUTES:

18 USC § 498, Counterfeit military or naval discharge certificates

BACKGROUND:

The VA OIG investigates allegations of falsification of military and employment records.

DETAILS:

This case was referred by Houston VA Police Officer [REDACTED] reported that an individual named [REDACTED] operates a business [REDACTED] through a website at [REDACTED]

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including Honorable Discharge certificates, awards, citations, and graduation diplomas from military schools.

Investigation identified the subject as [REDACTED] resident of Orlando, Florida. [REDACTED] current home address matches the business address of [REDACTED] Military Certificates, as listed on the website. Although [REDACTED] appears to be a Marine Corps veteran on his website, a search of VA records revealed that [REDACTED] has never served in the U.S. military.

On 8/7/2007, prosecution of this case was declined by AUSA [REDACTED] Orlando, Florida, based on the fact that the crime alleged is a misdemeanor and does not meet local guidelines for criminal prosecution.

A review of [REDACTED] website revealed that [REDACTED] also offers to sell certificates indicating that the bearer is in possession of a concealed handgun license. This information will be referred to the Bureau of Alcohol, Tobacco and Firearms for additional follow-up.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained during the course of this investigation.



DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
1600 East Woodrow Wilson Drive
Jackson, MS 39216

CLOSING REPORT OF INVESTIGATION

October 2, 2008 APPR: [REDACTED]

LEBO, JOHN W.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

FILE # 2008-01262-ID-0100

BY: [REDACTED]

STATUS: Closed

DISTR: 51DA, 51B

(Stolen Valor /

DETAILS:

On April 22, 2008, JOHN LEBO was arraigned in United States District Court, Southern District of Mississippi, Gulfport, MS, before the Honorable Judge John Roper. LEBO entered a guilty plea on this date to one count of 18 USC § 498, *Forgery of a Military Discharge Certificate*.

On June 26, 2008, LEBO was sentenced in U.S. District Court, Southern District of Mississippi, to the following (**Attachment 1**):

- \$2,000 fine,
- \$419.39 restitution made payable to the Pearl River County, MS Tax Collector's Office,
- \$25 special assessment fee, and
- 50 hours of community service at a U.S. military installation or related facility

A completed copy of the R-84 (Final Disposition Report) form was completed on October 2, 2008 and forwarded to the Federal Bureau of Investigation.

A final NCIC check was completed on October 2, 2008.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

On July 10, 2008, [REDACTED] Supervisory Assistant United States Attorney for the Southern District of Mississippi, Gulfport, MS, authorized the disposition of items inventoried in this case as follows:

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Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
(Attachment 2)

- Item 1: One original DD-214 for LEBO was returned to his VA claims folder at the VA Regional Office in Jackson, MS on October 2, 2008; and
- Item 2: One photocopy DD-214 for JOHN LEBO containing false information was destroyed via shredding on October 2, 2008.

Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
(Attachment 3)

- Item 1: One photocopy DD-214 for JOHN LEBO containing false information was destroyed via shredding on October 2, 2008.

Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
(Attachment 4)

- Item 1: One photocopy DD-214 for JOHN LEBO containing false information was destroyed via shredding on October 2, 2008.

Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
(Attachment 5)

- Item 1: One photocopy DD-214 for JOHN LEBO containing false information was destroyed via shredding on October 2, 2008;
- Item 2: One photocopy DD-214 for JOHN LEBO containing false information was destroyed via shredding on October 2, 2008;
- Item 3: One Mississippi Purple Heart Car Tag, [REDACTED] was crushed and destroyed on October 2, 2008; and
- Item 4: One Mississippi Purple Heart Car Tag, [REDACTED] was crushed and destroyed on October 2, 2008.

** All items destroyed were witnessed by VA OIG [REDACTED]

ATTACHMENTS:

1. Photocopy, Judgment and Committal Order for LEBO, dated June 27, 2008;
2. Photocopy, Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
3. Photocopy, Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]
4. Photocopy, Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED] and
5. Photocopy, Evidence Control and Tracking Record, VA [REDACTED] Evidence Log Number [REDACTED]



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATION DIVISION
2200 Fort Roots Drive, Building 65
North Little Rock, Arkansas 72114
501-257-3445

REPORT OF INVESTIGATION

MARCRUM, MARK EDWARD

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

10/31/07

Appr: [REDACTED]

File:

2007-01378-ID-0183

By: [REDACTED]

Status:

Closed

Distr:

51DA, 51B

(Stolen Valor)

DETAILS:

On August 22, 2007, MARK MARCRUM entered a plea of guilty in U.S. District Court for the Eastern District of Arkansas to one (1) count of Title 18, United States Code, Section 498 – Counterfeit Military Certificates and one (1) count of Title 18, United States Code, Section 704 – False Claim of Military Medal. (Attachment 1)

On the same date, MARCRUM was sentenced to three (3) years probation and ordered to pay a \$35 special assessment fee. (Attachment 2)

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

On October 31, 2007, all original VA records used in this investigation were returned to the VA Regional Office, North Little Rock, Arkansas. No other evidence, contraband, or personal property was obtained by the VA-OIG during the course of this investigation.

ATTACHMENT:

1. Photocopy, Change of Plea and Sentencing dated 8/22/07.
2. Photocopy, Judgment in a Criminal Case dated 8/22/07.



DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
CRIMINAL INVESTIGATIONS DIVISION
P.O. Box 15525
Atlanta, GA 30333

REPORT OF INVESTIGATION

YOUNGBLOOD, GARVIS M., et al.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

3/21/2007

Appr: [REDACTED]

File:

2003-00005-IS-0146

By: [REDACTED]

Status:

Closed

Distr:

51SP, 51B, 53E

(Compensation Benefits Fraud)

DETAILS:

On March 9, 2007, in U.S. District Court for the Middle District of Georgia, GARVIS M. YOUNGBLOOD and LOIS M. YOUNGBLOOD were sentenced. GARVIS YOUNGBLOOD was sentenced to serve 37 months of incarceration followed by 36 months of supervised release, ordered to pay a special assessment fee of \$12,500 and pay restitution in the amount of \$171,082 to VA and \$133,690 to SSA (**Attachment 1**). LOIS YOUNGBLOOD was sentenced to serve 37 months of incarceration followed by 36 months of supervised release, order to pay a special assessment fee of \$12,500 and pay restitution in the amount of \$171,082 to VA and \$133,690 to SSA (**Attachment 2**).

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

On March 21, 2007, all VA records used in this investigation were returned to [REDACTED] VA Regional Office, Atlanta, GA.

ADDITIONAL INFORMATION:

On February 27, 2007, criminal records checks via National Crime Information Center (NCIC) revealed the subjects criminal records to include charges for their arrests on July 5, 2005 (**Attachments 3 & 4**).

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On March 20, 2007, completed R-84s for both subjects were submitted to the Federal Bureau of Investigation (**Attachments 5 & 6**).

ATTACHMENTS:

1. Photocopy, Judgment and Commitment Order No. 5:05-CR-0032-001-CAR, dated March 9, 2007.
2. Photocopy, Judgment and Commitment Order No. 5:05-CR-00032-002-CAR, dated March 9, 2007.
3. Photocopy, GARVIS YOUNGBLOOD's NCIC record.
4. Photocopy, LOIS YOUNGBLOOD's NCIC record.
5. Photocopy, R-84 for GARVIS YOUNGBLOOD.
6. Photocopy, R-84 for LOIS YOUNGBLOOD.

Title continued:

YOUNGBLOOD, LOIS M.

DOB: 

SSN: 

LKA: 



Department of Veterans Affairs
Inspector General
Office of Investigations
Nashville Resident Agency
110 9th Avenue South
Nashville, TN 37203

COMPREHENSIVE REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

4/9/07 Appr [REDACTED]

File: 2001-02437-IS-0030

By: [REDACTED]

Status: Closed

Distr: 51B; 51SP

(Compensation Benefits Fraud)

SYNOPSIS:

The investigation found that [REDACTED] had no physical disabilities for the loss of use of his lower extremities, as he had claimed. The VA medical examination found no physical basis for paralysis, numbness or pain in [REDACTED] legs and lower extremities. However, a mental examination found that [REDACTED] disabilities were due to a psychiatric disability called a "Conversion Disorder." According to a Conversion Disorder, [REDACTED] converted a mental disorder into a physical one. More specifically, [REDACTED] believes he has physical disabilities of his lower extremities, and because he believes this, he is mentally unable to walk or otherwise use his lower extremities. As a result, the medical diagnosis for the loss of use of [REDACTED] lower extremities was changed to a Conversion Disorder. The VA Final Rating Decision confirmed and continued [REDACTED] compensation benefits as well as ancillary benefits (specifically adapted housing and automobile grant). In summary [REDACTED] medical diagnosis changed, but his amount of compensation entitlement did not.

STATUTES:

18 USC 641, Theft: Public Money, Property, or Records

BACKGROUND:

The investigation was predicated upon information received from an employee at the Veterans Affairs Medical Center (VAMC), Louisville, Kentucky, who requested his identity be anonymous. The anonymous source alleged [REDACTED] may have made false statements to obtain VA disability compensation. [REDACTED] disability is at 100% compensation rate and for "undiagnosed conditions.) More specifically, the anonymous source made the following

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observations about [REDACTED] the VA medical examinations do not support the Veteran's claim that his disability resulted from "Gas Exposure" in the Gulf War - Desert Storm; (2) the VA examinations disclosed no muscle atrophy or breathing problems that would be consistent (caused) with the intake of military gas; and (3) there were no testing results documented in his chart that verifies his paraplegic condition. [REDACTED] has received a home supplement, a scooter supplement, and a van supplement.

DETAILS:

A review of [REDACTED] VA claims file disclosed that [REDACTED] was rated with a 100% service connected (SC) disability. This SC disability is based on weakness of the right and left legs due to an undiagnosed illness. The VA performed a computer match of its records with the Internal Revenue Service (IRS) and the Social Security Administration (SSA) to determine if [REDACTED] was earning income. Records from the IRS and SSA disclosed no information that [REDACTED] received income other than his VA disability benefits. (Attachments 1, 2)

[REDACTED] and [REDACTED] were interviewed. During the interview, they stated that the objective diagnostic testing was inconsistent with findings of the subjective physical examinations of [REDACTED] (Attachments 3, 4)

[REDACTED] advised that the 100% disability determination by the VA was based upon subjective physical examinations. [REDACTED] advised the findings of the objective diagnostic tests did not support the finding of weakness and disability in [REDACTED]. However, [REDACTED] indicated there may be unknown physical illnesses of [REDACTED] nervous system caused by the gas warfare. It was [REDACTED] opinion that [REDACTED] believes he has disability in his legs that requires him to walk with the aid of crutches and braces. (Attachment 4)

Conferences were held with [REDACTED] VA Regional Office (VARO), Louisville, Kentucky. During the conferences [REDACTED] VA claims file was discussed, as well as his application for Compensation and Individual Unemployability (IU). [REDACTED] advised he contacted the VA Loan Guaranty Section at the Louisville VARO for a current address for [REDACTED] explained he contacted the Guaranty Section for this information because they inspected the \$43,000.00 grant and specially adapted housing equipment awarded to [REDACTED] (Attachments 5, 6)

Information was received from [REDACTED] VARO, Louisville, Kentucky. [REDACTED] handled the grant and specially adapted housing equipment awarded to [REDACTED] advised she had previously physically inspected and verified the adapted housing equipment at [REDACTED] address, [REDACTED] (On 5/29/02, [REDACTED] made an onsite visit and confirmed that this was [REDACTED] current address.) [REDACTED] advised that while she was inspecting this equipment [REDACTED] was in a wheel chair, and that "she never saw him out of it." [REDACTED] commented she had no doubt that [REDACTED] was entitled to the adapted equipment based on her observation at the residence and her prior experience. (Attachments 7-10)

Surveillances were conducted at [REDACTED] residence, and [REDACTED] was observed riding on a motorized vehicle around the house. [REDACTED] was not seen walking or standing while he was outside his house. No other activity was observed during the surveillance. Also, during the surveillance, a person identified as [REDACTED] stopped and inquired why the reporting agent was in the neighborhood. As a result, [REDACTED] and [REDACTED] were interviewed. [REDACTED] advised he has not often seen [REDACTED] outside his home, and that [REDACTED] apparently does not go outside his home very much. [REDACTED] advised he has seen [REDACTED] in a wheel chair or motorized vehicle going down the ramps from his house to the ground. (Attachments 11, 12)

[REDACTED] advised that once on the ground, he has seen [REDACTED] use a hydraulic type lift to transport himself inside a red van automobile. [REDACTED] advised he has never seen [REDACTED] walk or do any activity other than of a handicapped nature. [REDACTED] confirmed this information and added she has seen [REDACTED] riding a motorized vehicle (scooter type) in his yard, but has never seen him walk or do any other activity other than of a handicapped nature. (Attachments 11, 12)

Surveillance was conducted at [REDACTED] residence, but it proved negative as no activity was observed. [REDACTED] was contacted at the Louisville VAMC for the purposes of requesting a medical psychological examination of [REDACTED]. From the contact with [REDACTED] and other contacts at the VAMC, the reporting agent was advised to request the examination through the Louisville VARO. (Attachments 13-16)

A request for a medical psychological examination of [REDACTED] was made to [REDACTED] Louisville VARO. The Claims File on [REDACTED] was returned to the Louisville VARO for the purposes of conducting a medical examination as requested. (Attachments 17-22)

A conference was held with [REDACTED] advised that on 9/25/03, a compensation and pension (C&P) examination of [REDACTED] including psychological testing, was conducted. On 11/3/03, the VARO issued a rating decision on [REDACTED] which continued his 100% compensation rate "Due to An Undiagnosed Illness." Also, the VARO found no evidence in the medical examination to show psychological reasons for [REDACTED] inability to walk. [REDACTED] advised that [REDACTED] disability rating is considered total and permanent, and there is no basis for another VA medical examination unless there is otherwise evidence of fraud. [REDACTED] advised that with this exception, the VA is prohibited from conducting another medical (C&P) examination per VA directive from Washington D.C. (Attachments 23-25)

A letter was sent to the National Personnel Records Center requesting the service records of [REDACTED] which could disclose his "Gas Exposure" in the Gulf War – Desert Storm." (Attachment 26)

Surveillance was conducted at [REDACTED] residence, but it proved negative as no activity was observed. (Attachment 27)

[REDACTED] military personnel records from the National Personnel Records Center (NPRC) were reviewed. The review did not disclose any information concerning [REDACTED] Gas Exposure in the Gulf War–Desert Storm. DA Form 2-1, Section 9, "Awards, Decorations, & Campaigns,"

confirmed [REDACTED] presence in the Gulf War. [REDACTED] worked as a Crane Operator while serving in the U.S. Army. (Attachment 29)

A request was made to [REDACTED], Assistant Inspector General for Healthcare, to review the medical file of [REDACTED] for [REDACTED] findings and conclusions. [REDACTED] advised he reviewed the medical records on [REDACTED], and found no explanation to explain the findings of [REDACTED] lower extremity weakness. (Attachment 30)

Surveillance was conducted at [REDACTED] residence, but it proved negative as no activity was observed. (Attachment 31)

An attempt was made to interview [REDACTED] his residence, but the investigation determined he was not home. More specifically, [REDACTED] a neighbor, drove up to the residence and advised that [REDACTED] was out of town for about a month. [REDACTED] advised he had never seen [REDACTED] conduct any physical activity other than of a handicapped nature. [REDACTED] advised he has seen [REDACTED] stand and move with the aid of crutches, and has seen him in a wheelchair. (Attachment 32)

Surveillance was conducted at [REDACTED] residence, but it proved negative as no activity was observed. (Attachment 33)

[REDACTED] a neighbor of [REDACTED] was interviewed. [REDACTED] advised she has seen [REDACTED] move with the aid of a "walker," and has seen him ride a scooter in his yard. [REDACTED] advised she has never seen [REDACTED] conduct any physical activity other than of a handicapped nature. [REDACTED] advised that whenever [REDACTED] had work done on his house, he hired someone to do it for him, and that [REDACTED] never did it himself. (Attachment 34)

Information was received from [REDACTED] Louisville VARO. [REDACTED] advised that [REDACTED] had visited the VAMC in Prescott, Arizona, and wanted medication. [REDACTED] also advised that the Louisville VAMC had requested [REDACTED] rating information, and she didn't know why. VA personnel at the Prescott and Louisville VAMCs were contacted, but no suspect activity was discovered. The investigation determined that [REDACTED] requested medication for asthma and antihistamines for allergies. Also, the investigation determined that the rating information on [REDACTED] was requested from the Louisville VARO to determine [REDACTED] private insurance coverage, as opposed to what the VA will provide based on his service connected disabilities. (Attachment 35)

A Lead Request was sent to [REDACTED] (AC), VA Office of Inspector General (OIG), Phoenix, Arizona. The Lead Request was for medical documentation pertaining to [REDACTED] visit(s) at the VAMC, Prescott, Arizona. [REDACTED] responded to the request with documentation consisting of VA Master Records and Medical and Progress Notes. The documentation recorded that [REDACTED] was at the Prescott VAMC for medication, just passing through, and had been traveling quite a bit. While at the VAMC [REDACTED] received theophylline and loratidine. Theophylline is a medication for asthma and loratidine is an antihistamines for allergies. No suspect activity was disclosed. (Attachments 36, 38, 39)

Surveillance was conducted at [REDACTED] residence, but it proved negative as no activity was observed. (Attachment 37)

The Claims File on [REDACTED] was reviewed for supplemental information. The review disclosed that [REDACTED] was involved in an automobile accident in 4/03 in Shelby County Kentucky. No mention was made regarding [REDACTED] mobility after the accident. (Attachments 40, 41)

Interviews in Shelby County were conducted regarding this incident and any reported suspect activity by [REDACTED]. More specifically, contacts were made at the Shelby County Sheriff's Department, Shelby County Emergency Medical Services (EMS), and the Shelby County Fire Department. In addition, [REDACTED] and [REDACTED] the other individuals involved in the automobile accident, were interviewed. As a result of these contacts, no suspect activity was discovered. (Attachments 42-49)

A physical and psychological medical examination [REDACTED] was requested, including a muscle biopsy on [REDACTED] legs. The request was made to the VARO, Louisville, Kentucky. (Attachment 50)

[REDACTED] physician, was interviewed. [REDACTED] advised that he examined [REDACTED] on 9/26/05 from approximately 10:00 a.m. to 11:30 a.m. [REDACTED] observed that the muscle tone in [REDACTED] legs was normal, and found no atrophy in his leg muscles. [REDACTED] commented he did not understand why [REDACTED] legs appeared to be normal, which was inconsistent with the medical findings of weakness and disability in [REDACTED] legs. However, [REDACTED] advised that in his opinion [REDACTED] muscle definition and lack of atrophy in his legs could be the result of [REDACTED] standing up and moving on his crutches, but that [REDACTED] would have had to been on his crutches 4 to 6 hours per day. [REDACTED] confirmed it was in the VA medical record that [REDACTED] could walk small distances with the aid of crutches. [REDACTED] advised he performed a sensory examination wherein he stuck [REDACTED] legs with a sharp plastic point. [REDACTED] advised that at certain times, he stuck [REDACTED] with surprise, but that [REDACTED] never moved ("flinched"), and never demonstrated that he had any feeling in his legs. (Attachment 51)

[REDACTED] was interviewed, and advised he has weakness of the right and left legs due to an undiagnosed illness. [REDACTED] advised that his physical disabilities are the result of immunization and exposure to biological chemicals during his service in the Gulf War. [REDACTED] explained that during his immunization, he had to ingest 20 to 27 "nerve agent prep pills" per day, as well as take nerve agent injections. [REDACTED] advised that during the Gulf War, he worked in Special Forces, Military Intelligence, and was involved in "blowing up" enemy chemical dumps. (Attachment 52)

[REDACTED] advised he has no normal use of his legs, and cannot walk normally. [REDACTED] advised he can only stand up and walk with the aid of crutches. [REDACTED] advised that VA doctors have told him he needs to stand up and move with his crutches as much as possible to prevent blood clots from forming. [REDACTED] advised that in accordance with these instructions, he stands up and walks with his crutches on a frequent basis to prevent blood clots and to keep his legs from

being cut off as the result of such clots. [REDACTED] advised that each morning, [REDACTED] massages and moves his legs to stimulate and loosen up the muscles. (Attachment 52)

During the interview [REDACTED] was asked why previous diagnostic tests, including an Electro Myography (EMG) and a Magnetic Resonance Image (MRI), did not support the findings of weakness and disability in his legs, but instead, found [REDACTED] legs to be normal. [REDACTED] was also asked why his reflexes in his knees and ankles were normal. [REDACTED] responded he did not know why, and commented, "That's why it's called an undiagnosed neuromuscular disorder." [REDACTED] was asked why there was no muscle atrophy that would be consistent with the disability in his legs. [REDACTED] responded he believed that his daily activities of standing up and walking (moving) with his crutches has prevented atrophy, as well as his wife helping him work his legs. (Attachment 52)

Military personnel records on [REDACTED] were reviewed for supplemental information. The review did not disclose any information concerning [REDACTED] Gas Exposure in the Gulf War – Desert Storm. DD Form 214 disclosed that [REDACTED] primary specialty was working as a "Counter Signals Intelligence Specialist" while serving active duty in the U.S. Army. DA Form 2-1, Section 2, "Awards, Decorations, & Campaigns," confirmed [REDACTED] presence in the Gulf War. After active duty, [REDACTED] worked in the Army Reserve in "Control Group Reinforcement," and as a "Crane Operator." (Attachment 53)

A complete neurological examination ("workup") was conducted on [REDACTED] on order for the Louisville VAMC to determine the condition of [REDACTED] lower extremities and the appropriateness of a muscle biopsy on [REDACTED] legs. The neurological examination and any other physical/mental medical examinations of [REDACTED] were pending, as well as the resulting Rating Decision by the Louisville VARO. (Attachment 55)

A letter was issued to the National Personnel Records Center (NPRC) requesting a list of the personnel that was in [REDACTED] Company and Unit (5 Special Forces Group), including his Commanding Officers, while he was in the Gulf War from 8/30/90 through 3/30/91. A reply from NPRC provided no information of personnel that was in [REDACTED] Company and Unit. The NPRC reply disclosed that Morning Reports and Personnel Rosters were discontinued in 1974. (Attachments 54, 56)

Information was received from [REDACTED] [REDACTED] advised that the medical examination of [REDACTED] by the Louisville VAMC has been completed, and was pending the Rating Decision by the VARO. [REDACTED] advised that the medical examination found that [REDACTED] legs are normal with no physical disability, but that [REDACTED] has a physiological disorder from military service that prevents him from walking and having normal use of his legs. (Attachment 57)

[REDACTED] was contacted and asked to produce an individual in his Company and Unit that could verify that he was exposed to enemy chemical dumps was serving in the Gulf War in the U.S. Army. [REDACTED] advised he could not remember anyone that was in his Unit. [REDACTED] advised that [REDACTED] was a person he knew that was in the 1st Calvary, "Hell on Wheels," Tank

Brigade, which sometimes followed behind his Unit while serving in the Gulf War.

(Attachment 58)

██████████ was interviewed. ██████████ advised he did not know ██████████ while he was in the Gulf War, and didn't know whether he provided communication support to ██████████ Unit, 5 Special Forces Group. ██████████ advised he got to know ██████████ after he got back from the War. ██████████ advised that after he got back from the War, he experienced nerve damage.

(Attachment 59)

██████████ wasn't sure what caused the nerve damage, but thinks that it might have been caused by immunization pills and injections by the Army which he had to take before he went into the Gulf War. ██████████ advised he didn't know whether he was exposed to chemical dumps, but that his Battalion was attacked by gas and chemical weapons. More specifically, on occasions, his first sergeant "Sweet" would yell "MOPP" which meant that everyone in his Battalion had to put on (wear) complete chemical and biological gear. **(Attachment 59)**

The U.S. Postal Service Official Personnel File (OPF) on ██████████ former Postal employee, was reviewed. No records, medical or otherwise, were found in the OPF that detailed and substantiated the basis for ██████████ Disability Retirement from the U.S. Postal Service.

(Attachments 60-63)

A letter, dated 12/5/00, was received from ██████████. This letter was addressed to ██████████ from the Office of the Secretary of Defense. The letter reported that in 3/91 ██████████ may have been exposed to a very low level of chemical agent resulting from the demolition of munitions at Khamisiyah, Iraq. **(Attachments 64, 65)**

Information was received from ██████████ Assistant Service Center Manager. ██████████ advised that the Rating Decision was pending clarification from the Louisville VAMC on the mental and physical condition of ██████████ based on his current medical examination. ██████████ advised she was unable to estimate the length of time for the VARO to complete the Rating Decision, and whether due process rights of ██████████ would be involved. **(Attachment 66)**

Information was received from ██████████, via email. ██████████ advised that ██████████ through his service organization representative (Disabled American Veterans), reviewed the VA's final rating decision. After the review, ██████████ has requested that the VA order a psychiatric exam prior to implementing the final decision on him. Also, ██████████ advised that the VA received a request for hearing within the time limits to delay making the final decision. ██████████ advised that the final decision will be deferred pending the hearing and exam which will likely extend the finalization at least 90 days. **(Attachment 67)**

Information was received from ██████████. ██████████ advised that the VA's Final Rating Decision on ██████████ was pending a due process hearing by a VA Review Officer which is scheduled for 1/11/07. ██████████ advised that 3/07 would be the earliest time period to expect the Final Rating Decision on ██████████. **(Attachment 68)**

On 1/11/07, at approximately 9:00 a.m., a conference was held with [REDACTED] in [REDACTED]. During the conference, [REDACTED] provided a statement for a status of case of [REDACTED]. In her statement, [REDACTED] reported that a VA medical examination produced clinical evidence not supporting objective findings for the loss of use of [REDACTED] lower extremities. This examination found no physical basis for paralysis, numbness or pain. However, a mental examination (psychiatric evaluation) was also conducted on [REDACTED]. This psychiatric examination determined that [REDACTED] disabilities were due to a Conversion Disorder. The VA Rating Decision prepared on 8/29/06 identified [REDACTED] disability as a Conversion Disorder. The diagnostic codes used for the weakness of the lower extremities were closed out and reclassified under a psychiatric disability (Conversion Disorder). As a result of the Rating, the VA proposed to sever special monthly compensation based on the loss of use of the lower extremities as well as ancillary benefits (specifically adapted housing and automobile grant.) [REDACTED] advised that as a result of this proposal [REDACTED] requested a due process (administrative) hearing scheduled for 1/11/07. The Final Rating Decision for administrative action was pending. (Attachments 69, 70)

On 1/11/07, at approximately 9:30 a.m., an administrative hearing was held for [REDACTED] regarding the proposal to reduce his compensation benefits, specifically the special monthly compensation based on the loss of use of the lower extremities as well as ancillary benefits. Prior to the beginning of this hearing [REDACTED] requested that this writer not be present during the hearing. [REDACTED] advised this writer that [REDACTED] request was a VA regulatory right. As a result, this writer was not present during the hearing. This hearing was held so that [REDACTED] could present evidence/testimony in his case. [REDACTED] advised that she would provide the VA OIG a transcript of the hearing. (Attachments 71, 72)

Information was received from [REDACTED] advised that in a previous Rating Decision (8/29/06), the medical diagnosis for the loss of use of [REDACTED] lower extremities was changed to a psychiatric disability (Conversion Disorder). Because of this, the VARO proposed to sever special monthly compensation based on the loss of use of the lower extremities as well as ancillary benefits (specifically adapted housing and automobile grant.) (Attachments 73, 74)

[REDACTED] advised that [REDACTED] made the Final Rating Decision on [REDACTED] dated 3/15/07. [REDACTED] advised that the Final Decision was based primary on the medical evidence, as well as testimony provided by [REDACTED] his spouse in an administrative hearing on 1/11/07. [REDACTED] advised that the medical evidence consisted of a VA medical examination by a Staff Psychologist. The Staff Psychologist found that [REDACTED] believes he has physical disabilities of his lower extremities, and because he believes this, he is mentally unable to walk or otherwise use his lower extremities due to a Conversion Disorder. [REDACTED] explained that when an individual has a Conversion Disorder, the individual converts (transfers) a mental disorder into a physical one. (Attachments 73, 74)

[REDACTED] advised that the VA Final Rating Decision confirmed and continue [REDACTED] special monthly compensation as well as ancillary benefits (specifically adapted housing and automobile grant). [REDACTED] advised that [REDACTED] special monthly compensation and ancillary benefits were continued and not changed because he is unable to use his lower extremities due

to his Conversion Disorder. [REDACTED]vised in summary [REDACTED] medical diagnosis changed, but his amount of compensation entitlement did not. (Attachments 73, 74)

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ADDITIONAL INFORMATION:

A criminal record search was conducted on [REDACTED] but it proved negative finding no criminal record on him. (Attachment 28)

[REDACTED]ing identifiers: [REDACTED]

[REDACTED] (Attachment 52)

ATTACHMENTS:

1. Memorandum of Contact, dated 2/22/02, review of VA Claims File.
2. Memorandum of Contact, dated 2/22/02, conference with [REDACTED]
3. Memorandum of Interview, dated 3/7/02, interview of [REDACTED]
4. Memorandum of Interview, dated 3/7/02, interview of [REDACTED]
5. Memorandum of Contact, dated 5/22/02, conference with [REDACTED]
6. Memorandum of Contact, dated 5/23/02, conference with [REDACTED]
7. Memorandum of Contact, dated 5/23/02, conference with [REDACTED]
8. Memorandum of Contact, dated 6/26/02, conference with [REDACTED]
9. VA Form 119, Report of Contact, onsite visit of [REDACTED]
10. Report of Loan Guaranty Field Review.
11. Memorandum of Contact, dated 2/13/03, surveillance at the residence of [REDACTED]
12. Memorandum of Interview, dated 2/13/03, interview of [REDACTED]
13. Memorandum of Contact, dated 2/14/03, surveillance at the residence of [REDACTED]

14. Memorandum for the Record, dated 8/6/03, surveillance at the residence of [REDACTED]
15. Memorandum for the Record, dated 8/7/03, surveillance at the residence of [REDACTED]
16. Memorandum of Interview, dated 8/7/03, interview of interview of [REDACTED]
17. Memorandum for the Record, dated 8/8/03, conference with [REDACTED]
18. Memo, dated 8/8/03, to [REDACTED]
19. Email, dated 8/8/03, to [REDACTED]
20. Email, dated 8/18/03, to [REDACTED]
21. Email, dated 8/26/03, 8:12 a.m., [REDACTED]
22. Email, dated 8/26/03, 8:32 a.m., to [REDACTED]
23. Memorandum for the Record, dated 11/12/03, conference with [REDACTED]
24. Rating Decision of [REDACTED] dated 11/3/03.
25. Memorandum for the Record, dated 11/21/03, receipt of VA Claims File.
26. Letter, dated 12/9/03, to Director, National Personnel Records Center.
27. Memorandum for the Record, dated 6/9/04, surveillance at the residence of [REDACTED]
28. Criminal record search on [REDACTED] dated 6/14/04.
29. Memorandum for the Record, dated 7/26/04, review of military personnel records on [REDACTED]
30. Email, dated 7/30/04, from [REDACTED]
31. Memorandum for the Record, dated 1/11/05, surveillance of [REDACTED] residence.
32. Memorandum for the Record, dated 1/11/05, attempt to interview [REDACTED]
33. Memorandum for the Record, dated 2/2/05, surveillance at the residence of [REDACTED]

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- 34. Memorandum of Interview, dated 2/2/05, interview of [REDACTED]
- 35. Memorandum for the Record, dated 4/25/05, receipt of information.
- 36. Action Lead Request, dated 5/4/05.
- 37. Memorandum for the Record, dated 5/19/05, [REDACTED] of [REDACTED]
- 38. Memorandum for the Record, dated 6/6/05, Action Lead Response.
- 39. Action Lead Response documentation and records.
- 40. Memorandum for the Record, dated 6/7/05, review of [REDACTED]
- 41. Medical Progress Notes of [REDACTED] dated 4/14/03.
- 42. Memorandum for the Record, dated 6/28/05, conference with [REDACTED]
- 43. Police Collision Report, dated 4/11/03.
- 44. Memorandum of Interview, dated 6/28/05, interview of [REDACTED]
- 45. Memorandum for the Record, dated 6/29/05, conference [REDACTED]
- 46. EMS Report, dated 4/11/03.
- 47. Memorandum of Interview, dated 6/29/05, interview of [REDACTED]
- 48. Memorandum of Interview, dated 6/29/05, interview of [REDACTED]
- 49. Memorandum of Interview, dated 6/30/05, interview of [REDACTED]
- 50. Request for Medical Examination of [REDACTED] dated 7/22/05.
- 51. Memorandum of Interview, dated 9/26/05, interview of [REDACTED]
- 52. Memorandum of Interview, dated 9/26/05, interview of [REDACTED]
- 53. Memorandum for the Record, dated 10/4/05, review of military records on [REDACTED]

- 54. Letter, dated 12/7/05, to Director, National Personnel Records Center.
- 55. Email, dated 2/28/06, from [REDACTED]
- 56. Reply from National Personnel Records Center, dated 3/21/06.
- 57. Memorandum for the Record, dated 4/27/06, information from [REDACTED]
- 58. Memorandum for the Record, dated 4/27/06, contact with [REDACTED]
- 59. Memorandum of Interview, dated 5/9/06, interview of [REDACTED]
- 60. Review of U.S. Postal Service Official Personnel File [REDACTED]
- 61. SF 3105E, dated 11/8/96, "Disability Retirement Application Checklist."
- 62. Letter/note b [REDACTED] "To Whom It My Concern," dated 8/28/96.
- 63. U.S. Postal Service, Routing Slip, dated 8/28/06.
- 64. Memorandum for the Record, dated 5/12/06, receipt of letter from [REDACTED]
- 65. Letter, dated 12/5/00, from Office of Secretary of Defense.
- 66. Memorandum for the Record, dated 5/24/06, information from [REDACTED]
- 67. Email, dated 9/12/06, from [REDACTED]
- 68. Memorandum for the Record, dated 12/7/06, information from [REDACTED]
- 69. Memorandum for the Record, dated 1/11/07, information from [REDACTED]
- 70. Memorandum from [REDACTED] 1/11/07.
- 71. Memorandum for the Record, dated 2/12/07, receipt of Administrative Hearing Transcript for [REDACTED]
- 72. Administrative Hearing Transcript, dated 1/11/07.
- 73. Memorandum for the Record, dated 3/15/07, information from [REDACTED]
- 74. Final Rating Decision on [REDACTED] dated 3/15/07.

(AGENT NOTE: All documents above are copies, unless otherwise noted.)



DEPARTMENT OF VETERANS AFFAIRS

Inspector General
Office of Investigations
Nashville Resident Agency
110 9th Avenue South
Nashville, TN 37203

REPORT OF INVESTIGATION

03/13/2007 Appr. [REDACTED]

File: 2003-0149-IS-0018

By: [REDACTED]

Status: Closed .

Dist: 51SP; 51H; 51B

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

(Compensation Benefits Fraud)
(False Claims for Health Benefits)

DETAILS:

On 12/6/2006, the United States Attorney's Office declined prosecution on this investigation (Attachment 1). Due to [REDACTED] status as a Department of Veterans Affairs (VAMC) employee, and the fact that he used his position with the VAMC to further his fraudulent acts, a copy of the VA OIG Report of Investigation was sent to the VAMC Director for administrative action. On 03/03/2007 the VAMC Director declined to pursue any action against [REDACTED] (Attachment 2).

[REDACTED] overpayment from the VAMC before it was caught was \$36,933.20. The Department of Veterans Affairs Regional Office (VARO) is presently reclaiming the money from [REDACTED] due to this investigation (Attachment 3).

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained during this investigation.

ATTACHMENTS:

1. Declination letter from United States Attorney's Office
2. Declination letter from VAMC Director to pursue administrative action.
3. Spread sheet from VARO detailing overpayment due to [REDACTED] fraudulent claims.

b6+b7C



Department of Veterans Affairs
Inspector General
Office of Investigations
Nashville Resident Agency
110 9th Avenue South
Nashville, TN 37203

REPORT OF INVESTIGATION

9/10/2008 Ap [REDACTED]

File: 2007-01457-IS-0196

By: [REDACTED]

Status: Closed

Dist: 51SP; 51B

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

(Compensation Benefits Fraud)

DETAILS:

On 8/5/08, [REDACTED] presented this case to AUSA [REDACTED] Louisville, Kentucky, who denied this case because there was no loss to the government and the case does not meet the prosecutive guidelines for the Western District of Kentucky.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

The VA OIG obtained no evidence, contraband or personal property during the course of this investigation.

TITLE CONTINUED:

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

b6+b7C



Department of Veterans Affairs
Inspector General
Office of Investigations
Nashville Resident Agency
110 9th Avenue South
Nashville, TN 37203

REPORT OF INVESTIGATION

6/5/2008 Appr: [REDACTED]

File: 2008-00805-IS-0068

By: [REDACTED]

Status: Closed

Dist: 51SP; 51B

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

(Misuse of Government Position)

DETAILS:

On 6/5/08, I presented the facts of this investigation to AUSA [REDACTED] Middle District of Tennessee and advised him of the civil and criminal cases regarding this matter in Sumner County, Tennessee. AUSA [REDACTED] declined to prosecute the case federally.

There is a working copy of an undated audio recording which [REDACTED] alleges is the voice of his brother [REDACTED] threatening to reduce his VA benefits. The tape is being attached to this report and being made a part of this file in order to support the Comprehensive Report of Investigation in this case (Attachment 10).

[REDACTED] acknowledges it is his voice on the tape, but states the recording took place at least 2 or 3 years ago.

Case closed 51 NV.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

The VA OIG obtained no evidence, contraband or personal property during the course of this investigation.

ATTACHMENTS:

10. Working copy of undated audio recording which [REDACTED] alleges is [REDACTED] threatening to reduce his VA benefits, copied from the original on 1/16/08.



U.S. DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF INSPECTOR GENERAL
SOUTHEAST FIELD OFFICE
BAY PINES, FL

REPORT OF INVESTIGATION

GAUTHIER, RAYMOND J.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

06/26/07 Appr: [REDACTED]

File: 2007-00239-IS-0105

By: [REDACTED]

Status: Closed

Distr: 51SP, 51B

(Stolen Valor)

DETAILS:

On March 2, 2007, military records for veteran RAYMOND GAUTHIER were received from the National Personnel Records Center under ribbon and seal. The records were subsequently sent to Collier County Sheriff's Office [REDACTED] via Federal Express to assist in the prosecution of GAUTHIER.

On April 10, 2007, in state court, GAUTHIER was adjudicated guilty and sentenced by the Honorable Judge Frederick Hardt, Collier County, FL (**Attachment 1**). Judge Hardt sentenced GAUTHIER to 5 years state probation with special conditions. The special conditions included that GAUTHIER:

- publish an apology letter in the Naples Daily news.
- surrender all military ribbons and medals of the United States and any replica thereof to his probation officer.
- surrender all certificates, records, or other documents which indicate or purport his status as prisoner of war to his probation officer.
- not own, possess, or wear any military ribbon or medal of the United States or any replica or copy thereof (the Department of Correction shall have the authority to search GAUTHIER's residence or any location under his control).
- not wear any military uniform of the United States or any reproduction or copy thereof.
- perform 10 days work inside the Collier County Jail (Veterans Day and Memorial Day of 2007, 2008, 2009, 2010, and 2011) from 8:00am to 6:00pm.

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GAUTHIER was also ordered to pay \$88 in restitution to the Collier County Tax Collector, \$370 in court costs, \$50 for the cost of prosecution, and \$434 for the cost of the investigation.

Investigation closed on June 26, 2007.

DISPOSITION OF EVIDENCE, CONTRABAND AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

ADDITIONAL INFORMATION:

On April 23, 2007, a Florida Criminal History check was conducted on GAUTHIER which reflected his December 27, 2006, arrest for a fraud related charge (**Attachment 2**).

ATTACHMENTS:

1. Photocopy, Charge Disposition for GAUTHIER, Collier County Court Case Number 0603692CFAFRH
2. Photocopy, Florida Criminal History for GAUTHIER, queried April 23, 2007



U.S. Department of Veterans Affairs
Office of Inspector General
Western Field Office
P.O. Box 241516
Los Angeles, CA 90024

REPORT OF INVESTIGATION

11/15/2007 Appr: [REDACTED]

CABAN-CRUZ, Carlos Manuel

DOB: [REDACTED]

File: 2001-00466-IW-0055

SSN: [REDACTED]

LKA: [REDACTED]

By: [REDACTED]

Status: Closed

Distr.: 51LA, 51B

(Compensation Benefits Fraud)

SYNOPSIS:

On November 15, 2007, in the Superior Court of California, Central Arraignment Court, Los Angeles, CA, Carlos Manuel CABAN-CRUZ plead "no contest" to one count of Grand Theft, California Penal Code, section 484(a). CABAN-CRUZ was ordered to complete thirty-six months probation, 200 hours of community service, and pay restitution of \$37,188.00 (Attachment 1).

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

No evidence, contraband or personal property was obtained by the VA OIG during the course of this investigation.

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Western Field Office
P.O. Box 241516
Los Angeles, CA 90024

REPORT OF INVESTIGATION

SCHANHALS, JAMES (Deceased)

6/18/08

APPR: [REDACTED]

AKA: Johnson, Pat

DOB: [REDACTED]

File#: 2006-02406-IW-0298

SSN: [REDACTED]

By: [REDACTED]

Status: Closed

Dist.: 51LA, 51B

(Administrative Case)

DETAILS:

On June 18, 2008, VA Regional [REDACTED] that he had concluded his collection efforts associated with this case, after having recovered \$249,112 (Wells Fargo) and \$93,720 (Coast Federal).

On June 9, 2008, Vanacorp provided documentation of the collection from the State of California including a check copy for \$342,832.10 which will be recorded by the VA OIG as a monetary recovery.

Attachment

1. Copy of documentation provided by Vanacorp



Department of Veterans Affairs
Office of Inspector General
Phoenix Resident Agency
P.O. Box 34142
Phoenix, AZ 85067-4142

In Reply Refer To:

COMPREHENSIVE REPORT OF INVESTIGATION

REDMOND, JAMES LAWRENCE

AKA: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

5/5/08

Appr: [REDACTED]

File: 2006-02217-IW-0286

By: [REDACTED]

Status: Closed

Distr: 51LA, 51B

(Theft of Identity)**SYNOPSIS:**

This investigation was based upon a referral from the Social Security Administration (SSA), Office of Inspector General (OIG), West Palm Beach, Florida. SSA OIG alleged that an unknown subject was using the identity of veteran [REDACTED]

On September 26, 2006, REDMOND was arrested by the Las Vegas Metropolitan Police Department, Las Vegas, Nevada, on an outstanding [REDACTED] felony warrant.

On September 27, 2006, REDMOND was indicted by a Federal Grand Jury in the United States District Court, District of Nevada, for one count of Identity Theft and one count of Aggravated Identity Theft. REDMOND was subsequently arrested on the same date.

On September 27, 2006, agents from the VA OIG interviewed REDMOND regarding the identity theft. REDMOND confessed to fraudulently obtaining and utilizing the identity of veteran [REDACTED]. In addition, he admitted to fraudulently receiving healthcare and pension benefits which totaled \$90,156.

On October 1, 2007, REDMOND entered a guilty plea to Identity Theft, under Title 18, United States Code, Section 1028(a)(7), in the United States District Court, District of Nevada.

On April 11, 2008, REDMOND was sentenced to two years of jail time and ordered to pay \$90,156 to the VA in restitution in the United States Court, District of Nevada. A copy of the Judgment in a Criminal Case was obtained from the court (Attachment 1).



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
P.O. Box 880038
San Diego, CA 92168-0038

REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]

01/08/07 Appr: [REDACTED]

File: 2005-02166-IW-0205

By: [REDACTED]

Status: Closed

Distr: 51LA, 51B

(Compensation Benefits Fraud)

SYNOPSIS:

[REDACTED] VA Regional Office (VARO) San Diego, Appeals Unit, requested VAOIG investigative assistance to determine if veteran [REDACTED] military documents, which he provided, were legitimate. [REDACTED] stated [REDACTED] has attempted to receive Post Traumatic Stress Disorder (PTSD) compensation due to his experience in the Vietnam Conflict by providing questionable documents in support of his disability claim. [REDACTED] provided Reporting Agent (RA) with these documents [REDACTED] submitted which appeared altered from pre-existing records which indicated no overseas/foreign service.

RA contacted [REDACTED] VARO San Diego, and discussed [REDACTED] documents in support of his claim for PTSD. [REDACTED] stated that [REDACTED] has been repeatedly denied service-connection for PTSD so no monetary loss has been associated with the questioned documents. [REDACTED] currently receiving Pension benefits at the single rate.

STATUE(S):

18 U.S.C. 1001, False Statements
18 U.S.C. 287, Fraudulent Claims

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Department of Veterans Affairs
Office of Inspector General
Phoenix Resident Agency
P.O. Box 34142
Phoenix, AZ 85067-4142

In Reply Refer To:

COMPREHENSIVE REPORT OF INVESTIGATION

DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

1/03/07 Appr: [REDACTED]

File No. 2006-02599-IW-0273

By: [REDACTED]

Status: Closed

Distr: 51B

(Stolen Valor, Theft of Government Funds)

SYNOPSIS

This investigation was initiated pursuant to a June 1, 2006 referral received from [REDACTED] alleging that [REDACTED] was a military imposter. [REDACTED] was under indictment in January 2000 for altering his Form DD-214. In October 2000, [REDACTED] was sentenced to two years probation and community service.

Review of the relevant claim file disclosed that [REDACTED] had been receiving disability compensation since 12/1/00. [REDACTED] Form DD-214 and Form DD-214N identified service medals awarded to [REDACTED]. According to the National Archives Agency (NARA), Office of Inspector General (OIG), the medals claimed on the Form DD-214 were false. NARA OIG assisted with the [REDACTED] investigation in 2000. [REDACTED] obtained the NARA OIG report of investigation. The DD-214N was the altered document in that case, however the altered DD-214N was not submitted to the VA.

STATUTES

Title 18 USC Section 641, Theft of Government Property.

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BACKGROUND

Veteran [REDACTED] claims file number [REDACTED] receiving VA disability compensation. Disability compensation is a monetary benefit paid to veterans who are disabled by an injury or disease that was incurred or aggravated during active military service.

DETAILS

On April 25, 1995, [REDACTED] submitted an altered DD-214N to the Panther Valley School District (PVSD), Lansford, Pennsylvania. The altered DD-214N claimed that [REDACTED] received the Vietnam Service Ribbon, Vietnam Campaign Medal, Seal Medal, and Purple Heart (**Attachment 1**).

On January 6, 2000, an Information was filed in the Middle District of Pennsylvania charging [REDACTED] with one misdemeanor count of forging a military discharge certificate. [REDACTED] pled guilty to the charge and was sentenced to two years probation and 200 hours of community service at a veterans hospital in Iowa.

The DD-214N that [REDACTED] submitted to the VA Vocational Rehabilitation (**Attachment 2**) and VA Board of Veterans Appeals (**Attachment 3**) were not falsified.

All logical investigation in this matter has been conducted. This case is considered closed.

ADDITIONAL INFORMATION

[REDACTED] is described as follows:

Sex
SSN
DOB
Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DISPOSITION OF EVIDENCE

No evidence was seized during the course of this investigation.

GRAND JURY DISPOSITION

No grand jury evidence was obtained during the course of this investigation.

JUDICIAL ACTION

No judicial action occurred during the course of this investigation.

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INDEX OF ATTACHMENTS

1. DD-214N submitted to Panther Valley School District
2. DD-214N submitted to VA Vocational Rehabilitation
3. DD-214N submitted to VA Board of Veterans Appeals



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
P.O. Box 880038
San Diego, CA 92168-0038

REPORT OF INVESTIGATION

MANN, Ronald Lee (CHANGED)

DOB: [REDACTED]

SSN: [REDACTED]

09/26/05 Appr: [REDACTED]

File: 2004-01499-IW-0155

By: [REDACTED]

Status: Closed

Distr: 51LA, 51B

(PENSION BENEFITS FRAUD)

DETAILS:

On August 31, 2005, MANN pled guilty to one count of grand theft (PC 487(A)) and was sentenced to 365 days incarceration, 3 years probation, and \$459.00 in fines. Additionally, MANN was ordered to pay \$35,079.00 in restitution to the Department of Veterans Affairs. Repayment was mandated to start 60 days after his release from custody at a rate of \$35.00 per month.

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INDEX OF ATTACHMENTS

<u>No.</u>	<u>Description</u>
1.	Pronouncement of Judgement of Donald MANN, dated August 3, 2005



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

RIOSVALLE, CARLOS

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

6/1/2007

Appr: [REDACTED]

File:

2006-00828 -IW-0159

By: [REDACTED]

Status:

Complete

Distr:

51SE, 51B

(Pension Benefits Fraud)

DETAILS:

RIOSVALLE plead guilty in Multnomah County Court on January 19, 2007 to four counts Theft in the First Degree – Theft by Deception and one count Aggravated Theft in the First Degree – Theft by Deception. Pursuant to Multnomah County Court procedures, his conviction was officially accepted by the court on April 9, 2007 at which time he was sentenced. The judge sentenced RIOSVALLE to serve four days in jail, 13 months incarceration suspended, 24 months probation, and ordered to pay \$22,918 in restitution. (Attachment 1)

ADDITIONAL INFORMATION:

N/A

GRAND JURY DISPOSITION:

No Grand Jury records were obtained in this investigation.

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(Public availability to be determined under 5 USC 552)

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CLOSING NCIC:

[REDACTED]

ATTACHMENTS:

- 1 – Judgment, dated April 8, 2007
- 2 – NCIC Report, dated June 1, 2007
- 3 – [REDACTED]

[REDACTED]

[REDACTED]

By: [REDACTED]

Distr: 51PX, 51LA, 51B

Grand jury and other protected information has been omitted from this report.

This joint investigation with the Federal Bureau of Investigation (FBI), and the Social Security Administration, Office of Inspector General (SSA-OIG), Las Vegas, Nevada was initiated based on a report received from the Clark County Public Guardian's Office (CCPG). The report alleged veteran [REDACTED] stated the CCPG to file a complaint reporting his VA compensation benefits check was negotiated without his authorization.

The Reporting Agent (RA) and FBI [REDACTED] spoke with [REDACTED] [REDACTED] initially contacted the FBI reference Davis' complaint. According to [REDACTED] informed her he was expecting a substantial VA benefits check. [REDACTED] later discovered the check had in fact been mailed to his last known address, in care of [REDACTED]

██████████ contacted SUBJECT ██████████ hereafter identified as ██████████ about his check. ██████████ allegedly replied the treasury check was paid to the order of MRRCC and not for his use. Preliminary investigation indicates ██████████ and other veterans treasury checks may have been intercepted and negotiated by MRRCC in a similar manner.

File: 2004-01094-IW-0103 (Continued)

Title Continued:

[REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

[REDACTED]

[REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

[REDACTED]



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 3004
Seattle, WA 98174

REPORT OF INVESTIGATION

01/17/2008 Appr: [REDACTED]
FILE: 2006-01435-IW-0229
By: [REDACTED]
Status: Closed
Distr: 51B, 51SE

[REDACTED] R
DOB: [REDACTED]
SSN: [REDACTED]
LKA: [REDACTED]

(Pension Benefits Fraud)

SYNOPSIS:

This case was initiated after information was received from [REDACTED] Seattle VA Regional Office, advising that veteran [REDACTED] military discharge certificate (DD-214) showing a wartime period of service could not be verified by the VA records management center as being authentic. Initial estimated loss to the government was \$72,848.00, with [REDACTED] running legitimate monthly VA compensation benefit offsetting/reducing the loss amount each month.

Reporting Agent (RA) and the Seattle VA Regional Office (VARO) conducted a comprehensive review of the claims file to identify additional documents and/or claims processes which would further support the allegations precipitating this investigation. Upon completion of the review, it was discovered that [REDACTED] may have allegedly submitted not just one but two fraudulent/altered DD214's as well as suspected supporting fraudulent/altered documentation relative to his pension benefits. Additionally, [REDACTED] have submitted fraudulent documentation in support of past VA educational benefits.

[REDACTED] declined to be interviewed, and provided RA with the name/contact information of his retained attorney. [REDACTED] attorney would not further cooperate with the RA relative to the allegations of this investigation.



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

05/02/2007 Appr: [REDACTED]
FILE: 2006-01530-IW-0260
By: [REDACTED]
Status: Closed
Distr: 51SE, 51B

PORTER, LARRY L.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

(Compensation Benefit Fraud)

DETAILS:

Note: This investigation annotates the arrest and charging of PORTER in King County related to criminal violations investigated by this office and the Seattle Police Department with respect to bad checks and bank fraud. After PORTER was brought to the attention of this office by Seattle Police Department for using an altered letter from the VA to obtain fraudulent and fictitious identification, which he used to open fraudulent bank accounts, another investigation was initiated by this office with regards to PORTER's fraudulent claim of Post Traumatic Stress Disorder. That investigation is reported under file number 2006-01530-IW-0297 and is crossed referenced with this case.

The United States Attorney's office and the King County Prosecutor's office reached an agreement wherein King County would dismiss the charges in their case against PORTER, and in return the U.S. Attorney's office would seek restitution for victims in the King County case.

On April 16, 2007, PORTER appeared in U.S. District Court for the Western District of Washington, before Judge James L. Robart, who sentenced Porter to 37 months to the custody of the Bureau of Prisons and ordered to pay restitution of \$178,911.88. Included in the restitution order was for PORTER to make restitution to Bank of America of \$1,539.53, to make restitution to Key Bank of \$757.49, and restitution to US Bank of \$2,614.86. (Attachment 1)

The restitution to Bank of America, Key Bank and US Bank, fulfill the agreement with the King County Prosecutor's office and the King County charges have been dismissed.

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EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

There was no evidence, contraband, or personal property seized by this office with regards to this investigation.

ADDITIONAL INFORMATION:

None.

GRAND JURY DISPOSITION:

Not Applicable.

JUDICIAL ACTION:

On April 16, 2007, PORTER appeared in U.S. District Court for the Western District of Washington, before Judge James L. Robart, who sentenced Porter to 37 months to the custody of the Bureau of Prisons and ordered to pay restitution of \$178,911.88. Included in the restitution order was for PORTER to make restitution to Bank of America of \$1,539.53, to make restitution to Key Bank of \$757.49, and restitution to US Bank of \$2,614.86. (Attachment 1)

The restitution to Bank of America, Key Bank and US Bank, fulfill the agreement with the King County Prosecutor's office and the King County charges have been dismissed.

CLOSING NCIC:

Attached is a copy of NCIC printout, Larry Porter, dated 5/2/2007.

This case is closed.

ATTACHMENTS:

1. Judgment and Sentencing report, case number CR06-409JLR, dated April 16, 2007.
2. Copy of NCIC printout, Larry Porter, dated 5/2/2007.



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

PORTER, LARRY L.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

5/2/2007

Appr: [REDACTED]

FILE:

2006-1530-IW-0297

By: [REDACTED]

Status:

Closed

Distr:

51SE, 51B

(Compensation Benefit Fraud)

DETAILS:

On April 16, 2007, Larry L. PORTER was sentenced in U.S. District Court, Seattle, WA to 37 months in prison and ordered to pay restitution in the amount of \$178,911.88.

At the time of sentencing [REDACTED] spoke to PORTER regarding the disposition of his personal property taken from him at the time his arrest. PORTER advised that he wanted his personal property sent to [REDACTED]

[REDACTED] PORTER signed a copy of the personal property inventory MFR, dated November 14, 2006, and wrote on the inventory the address and telephone number where he wanted his property delivered. (Attachment 1)

On May 2, 2007, Reporting Agent (RA) delivered PORTER's personal property to [REDACTED] at the above listed address and she signed the same MFR copy that had been signed by PORTER acknowledging receipt of the property. (Attachment 1)

Case closed.

ADDITIONAL INFORMATION:

It should be noted that the restitution that is ordered for Bank of America, Key Bank, and US Bank are not being claimed under this file number, but are claimed in file number 2006-1530-IW-0260.

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File number 2006-1530-IW-0260 reports the arrest and subsequent investigation of PORTER by this office and the Seattle Police Department with respect to PORTER using an altered VA letter to obtain DOD and Washington State identification and then using the fraudulently obtained identification to open numerous bank and credit card accounts in the Puget Sound area, which he then used to defraud banks and merchants.

The United States Attorney's office and the King County Prosecutor's office reached an agreement wherein King County would dismiss the charges in their case against PORTER, and in return the U.S. Attorney's office would seek restitution for victims in the King County case.

Upon sentencing of PORTER in U.S. District Court on April 16, 2007, he was ordered to pay \$134,000 in restitution to the VA; \$40,000 to Social Security; \$1,539.53 to Bank of America; \$757.49 to Key Bank; and \$2614.86 to US Bank with restitution being ordered for the banks. This satisfies the agreement made between the U.S. Attorney's Office and the King County Prosecutor's Office.

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

On April 30, 2007, [REDACTED], Assistant United States Attorney, Office of the United States Attorney for the Western District of California, Seattle WA, telephone number [REDACTED] authorized the disposition of items inventoried as evidence in this case as follows:

The Micro Film Muster logs of the USS Wabash, AOR-5, that was inventoried on VA Form 50-0206, evidence number [REDACTED] being made a permanent part of the office file.

The four items listed on VA Form 50-0206, Evidence log number [REDACTED] consisting of DOD identification, two Key Bank credit cards, and two pieces of paper with the identification information of [REDACTED] and [REDACTED] were destroyed locally by running them thru a shredder.

The original room registration card from the Everett Travel Lodge and the room charge receipt for [REDACTED] that was inventoried on VA Form 50-0206 were destroyed locally by running them through a shredder.

The personal property of Larry PORTER that was inventoried on an MFR, dated November 14, 2006 was released to [REDACTED]

[REDACTED] Attachment 1)

GRAND JURY DISPOSITION:

Disposition of the Grand Jury documents, as discussed with [REDACTED] April 30, 2007, consists of one report obtained from the Marin County Sheriff's Office records, which has been placed in two sealed envelopes and placed in the official office case file.

JUDICIAL ACTION:

On April 16, 2007, Larry L. PORTER appeared before U.S. District Judge James L. Robart, Western District of Washington. Judge Robart sentenced PORTER to thirty-seven months to the custody of the Bureau of Prison, ordered him to pay restitution to the VA of \$134,000, to Social Security of \$40,000, Bank of America \$1,539.53, Key Bank \$757.49, and US Bank \$2614.86, participation in 500 hour "ROAP" program, special assessment of \$100, and 3 years of supervised release. (Attachment 2)

CLOSING NCIC:

NCIC criminal history obtained on May 3, 2007. (Attachment 3)

ATTACHMENTS:

1. Original and copy of MFR, dated November 14, 2006, reporting the inventory of the personal property of PORTER. Original with supervisor initials, copy with PORTER'S instructions and signature and [REDACTED] signature. Copy of email from RAC Stokes regarding disposition of personal property.
2. Copy of Judgment and Sentencing for case number CR06-409JLR dated April 16, 2007.
3. NCIC Criminal history printout dated May 3, 2007.



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

MACBETH, JESSE, A.

AKA: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

12/06/07

Appr: [REDACTED]

File:

2006-01823-IW-0230

By: [REDACTED]

Status:

Closed

Distr:

51SE, 51B

(Compensation Benefits Fraud)

DETAILS:

During this period of investigation, MACBETH pled guilty and was sentenced in U.S. District Court, Western District of Washington, Seattle, WA, to a two count Indictment for Making False Statements.

On June 7, 2007, MACBETH appeared before Judge Lasnik, and pled guilty to a two count Indictment for Making False Statements. (Attachment 1)

On September 21, 2007, MACBETH appeared before Judge Lasnik, and was sentenced to five months imprisonment, three years probation, 90 days in a residential reentry center program, and a \$100 assessment. (Attachment 2)

ADDITIONAL INFORMATION:

This case was prosecuted by [REDACTED] Western District of Washington, Seattle, WA.

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

N/A

GRAND JURY DISPOSITION:

N/A

JUDICIAL ACTION:

On June 7, 2007, MACBETH pled guilty to a two count Indictment for Making False Statements

On September 21, 2007, MACBETH was sentenced to five months imprisonment, three years probation, 90 days in a residential reentry center program, and a \$100 assessment.

CLOSING NCIC:

See Attached NCIC report. (Attachment 3)

ATTACHMENTS:

1. Plea Agreement - MACBETH, June 7, 2007
2. Judgment in a Criminal Case - MACBETH, September 21, 2007
3. NCIC report - MACBETH, December 6, 2007



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

BUDDLE, Reggie

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

8/10/2007

Appr: [REDACTED]

File:

2007-00104-IW-0095

By: [REDACTED]

Status:

Closed

Distr:

51SE, 51B

(STOLEN VALOR)

DETAILS:

On March 30, 2007, an Information was filed in US District Court, Western District of Washington, Tacoma, WA charging Reggie BUDDLE with one count of wearing us military medals and decorations in violation of 18 USC 704. **(Attachment 1-2)** On April 5, 2007, BUDDLE appeared in court, was arrested and processed by the US Marshal Service, and pled guilty to the Information. **(Attachment 3)**

On July 30, 2007, BUDDLE was sentenced to 500 hours community service and 2 years probation. The judge ordered that BUDDLE serve his time at the Tahoma National Cemetery tending to the graves of soldiers who died for this country. **(Attachment 4)**

ADDITIONAL INFORMATION:

N/A

GRAND JURY DISPOSITION:

N/A

JUDICIAL ACTION:

See above paragraph

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CLOSING NCIC:

On August 8, 2007, a final NCIC report was obtained. (Attachment 5)

ATTACHMENTS:

1. Court Docket
2. Information
3. Plea Agreement
4. Judgment
5. NCIC report

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U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 3004
Seattle, WA 98174

REPORT OF INVESTIGATION

HERSEY, MERRICK K.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

08/12/2008 Appr: [REDACTED]

File: 2007-01648-IW-0175

By: [REDACTED]

Status: Closed

Distr: 51B, 51SE

(Pension Benefits Fraud)

DETAILS:

During this period of investigation HERSEY was sentenced in the U.S. District Court, Western District Washington, Tacoma, WA.

ADDITIONAL INFORMATION:

This case was prosecuted by Assistant U.S. Attorney [REDACTED] Western District of Washington, Seattle, WA.

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

No evidence, contraband or personal Property was taken by this office.

GRAND JURY DISPOSITION:

No Grand Jury Material.

JUDICIAL ACTION:

HERSEY, previously pled guilty to a one count indictment for the Use of an Altered Military Discharge Certificate.

On March 28, 2008, HERSEY appeared in United States District Court Western District of Washington in Tacoma, Washington, and was sentenced to one year probation, ordered to pay \$2,687 in restitution, and \$25 in assessments. (*Attachment 1*)

CLOSING NCIC:

Criminal History check on HERSEY was conducted on 08/12/2008, and attached to this ROI. (*Attachment 2*)

ATTACHMENT:

1. Judgment in a Criminal Case – HERSEY, 3/28/2008
2. Copy of NCIC printout – HERSEY, 8/12/2008



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 990
Seattle, WA 98174

REPORT OF INVESTIGATION

SCOTT, ROY JOHN

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

03/17/2008

Appr: [REDACTED]

File:

2007-01692-IW-0178

By: [REDACTED]

Status:

Closed

Distr:

51H, 51SE

(False Claims - Health Benefit/Unauthorized Medical Care)

SYNOPSIS:

This case was initiated based upon information received from [REDACTED] FBI - Silverdale, WA, regarding allegations that SCOTT had altered/forged a DD 214 (Armed Forces of the United States Report of Transfer or Discharge), and was wearing military medals and rank that he had not earned.

This investigation revealed that on May 29, 2006, SCOTT was photographed participating in a Memorial Day Ceremony wearing a U.S. Marine Corps League uniform with the rank of Major, with numerous unearned medals, including the Bronze Star, two Purple Hearts, and various medals or ribbons indicating his service in the Korean War.

It was also discovered that SCOTT had submitted an alleged fraudulent VA Form 21-526 (Veteran's Application for Compensation and /or Pension), using an altered/forged DD 214 as supporting documentation, in an attempt to receive VA disability compensation benefits. Although SCOTT was unsuccessful in receiving VA disability compensation from the Seattle Veterans Affairs Regional Office (VARO), he was successful in receiving approximately \$21,960 in health care benefits from the Puget Sound VA Health Care System (HCS).

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STATUTES:

Title 18, U.S. Code § 498, Forged DD-214

Title 18, U.S. Code § 704, Unauthorized Wear of Military Decorations and Medals

BACKGROUND:

It is U.S. Department of Veterans Affairs (VA) policy to provide high quality health care to its patients. VA can provide high quality care through the proper utilization of a variety of well qualified and appropriately credentialed health care providers. This VA health care is provided to those who meet the VA eligibility requirements consistent with 38 CFR 17.

DETAILS:

During this period of investigation, SCOTT was sentenced in U.S District Court, Western District of Washington, Seattle, WA.

DISPOSITION OF EVIDENCE, CONTRABAND AND PERSONAL PROPERTY:

N/A

GRAND JURY DISPOSITION:

N/A

JUDICIAL ACTION:

On November 30, 2007, SCOTT appeared before U.S. District Judge Mary Alice Theiler, Western District of Washington, Seattle, WA. Judge Theiler sentenced SCOTT to two years probation; 120 days home confinement; 100 hours of community service; \$20 assessment; and \$1000 fine. (*Attachment 1*) As a condition of SCOTT's plea agreement, SCOTT paid \$21,960 in restitution to the VA. (*Attachment 2*)

CLOSING NCIC:

NCIC criminal history obtained from U.S. Customs and Border Protection (Sector) for a National Criminal Information Center (NCIC) printout of SCOTT'S criminal history. (*Attachment 3*)

ADDITIONAL INFORMATION:

This matter was prosecuted by Assistant U.S. Attorney [REDACTED], Western District of Washington, Seattle, WA.

ATTACHMENTS:

1. Judgement in a Criminal Case – SCOTT, November 30, 2007
2. Restitution Payment – SCOTT, to VA
3. NCIC Print Out – SCOTT



U.S. DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Seattle Resident Agency
Federal Building
915 Second Avenue, Room 3004
Seattle, WA 98174

REPORT OF INVESTIGATION

CHOPARD, JACK S.

DOB: [REDACTED]

SSN: [REDACTED]

LKA: [REDACTED]

9/17/2008

Appr: [REDACTED]

File:

2007-02410-IW-0176

By: [REDACTED]

Status:

Closed

Distr:

51SE, 51H

(False Claims – Health Benefit/Unauthorized Medical Care)

DETAILS:

On September 17, 2008, Jack CHOPARD pled “No Contest” in Circuit Court, Multnomah County, Portland OR to an eight count Indictment; four counts of Theft in the First Degree by Deception, and four counts of Aggravated Theft in the First Degree by Deception. As a result, the Court found CHOPARD guilty and sentenced CHOPARD to 60 months probation, 48 hours community service, ordered \$135,000 in restitution to the VAMC – Portland, and assessed a \$107 court fee. In addition, the Court ordered CHOPARD to refrain from any communication (to include claims), either directly or indirectly, with the U.S. Department of Veteran Affairs during the period of probation. (Attachment 1)

With the adjudication of this matter, this case is closed.

EVIDENCE:

N/A

GRAND JURY:

N/A

b6 + b7C

CLOSING NCIC REPORT:

On September 17, 2008, the Department of Homeland Security provided a criminal history report. (Attachment 2)

ADDITIONAL INFORMATION:

N/A

ATTACHMENTS:

1 – Judgment

2 – Criminal History

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DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Criminal Investigations Division
P.O. Box 70732
Oakland, CA 94612-0732
(510) 637-6360

REPORT OF INVESTIGATION

DOB: [REDACTED]

SSN: [REDACTED]

VA Claim #: [REDACTED]

07/07/08 Appr: [REDACTED]

File: 2005-02498-IW-0140

By: [REDACTED]

Status: Closed

Distr: 51SF, 51B,

(False Statements)

DETAILS:

As reported previously, the U.S. Attorney's office decline to pursue this case criminally and civilly due to statute of limitation issues. Consequently, this investigation was referred to the VA in efforts to take administrative action against [REDACTED] for fabricating his stressors for the purpose of receiving VA compensation for Post Traumatic Stress Disorder (PTSD).

[REDACTED] Regional Office, Reno, NV, reviewed this investigation along with [REDACTED] claim files. [REDACTED] advised that [REDACTED] did misrepresent events during his service in Vietnam. [REDACTED] explained that the evidence, however, does not establish that the diagnosis of PTSD and the basis of the grant of disability compensation were based entirely on the misrepresentations. [REDACTED] concluded that it is not likely that the VA would be able to meet the burden of establishing that there is a fraud, Attachment (1) pertains. Based on this decision, this investigation is closed.

DISPOSITION OF EVIDENCE, CONTRABAND, AND/OR PERSONAL PROPERTY:

There was no evidence, contraband or personal property seized during this investigation.

ATTACHMENT

(1) E-mail from [REDACTED] June 23, 2008

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