



## CURRENT FREEZES

(August 15, 2012 Update)

*\*The following records freezes affect records in all media formats  
(paper, electronic, audio, visual, etc.)*

*\*Criminal penalties exist for the willful and unlawful destruction, damage, or alienation of  
Federal records (36 C.F.R. Part 1228)*

Title	From Record Dates	To Record Dates	Record Categories
1. Tobacco Litigation	1950	Present	The scope of the Tobacco Litigation no longer applies to all records. The following AI-15 series numbers remain frozen: 904-03.b, 905-02.2, 906-01.2, 906-01.3, 911-01.1, 911-01.3, 911-03.1, 911-03.3, 911-04, 911-06.1, 911-06.2, 911-07, 911-08, 911-09, 911-10, and 911-11.
2. Pharmacy Payment	1997 (Apr)	1998 (Sep)	All records related to pharmacy payments and written prescriptions.
3. Columbia/HCA Hospitals	1987	Present	All records related to Hospital Corporation of America (HCA) Hospitals.
4. Inpatient or Outpatient Outlier Payments	1983	Present	All records related to inpatient or outpatient outlier payments.
5. Inpatient or Outpatient Outlier Payments	1978	1983	All records that reflect the charges of any qualified hospital, or a hospital that was eligible to receive inpatient outlier payments in 1983.
6. False Claims Act Litigation	1986	1995	All records related to checks, explanation of benefits, claim supporting documents, etc., including policies and procedures related to investigational cardiac devices, appeals, etc.; any records that indicate TMA or TMA contractors knowingly paid or refused to pay for any particular procedure or service involving investigational devices.
7. Guantanamo Bay Detention Facility	2003	Present	All records related to detainees at Guantanamo Bay Detention Facility.
8. Hurricane Katrina	2005 (Sep)	Indefinite	All records presently existing or created in the future related to Hurricane Katrina and/or the flooding and aftermath.



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9. Corporal Patrick Daniel Tillman	2004 (Apr 22)	Indefinite	All memoranda, correspondence, notes, incident reports, action records, e-mail retained on servers, within individual employee archives, or in employee accounts and forensic reports or documents either originated by TRICARE or received from other agencies related to the Tillman incident.
10. Palmera Pineda aka Simon Trinidad	2003 (Feb 13)	2004 (Jan 2)	All files, holdings, documents, materials, databases, reports, recordings, intelligence or other information related to Palmera Pineda.
11. Jose Padilla	2002 (May)	2006 (Jan)	All records, logs, notes, orders, correspondence, memoranda related to Jose Padilla.
12. Ferroz Ali Abbasi	2001 (Dec)	2005 (Jan)	All files, holdings, documents, reports, recordings, databases, intelligence or other information related to Ferroz Ali Abbasi.
<b>13. Pharmacy Records</b>	<b>1985</b>	<b>Present</b>	<b>The Pharmacy freeze has been lifted.</b>
14. White House Briefings – Elections/Candidates	2001 (Jan 20)	2007 (Apr 26)	All records related to briefings provided to DoD employees by White House officials that mention elections or candidates.
15. White House Electronic Mail	2007 (Apr 23)	Until Further Notice	All e-mails received or sent by White House officials using “gwb43.com,” “georgewbush.com,” “rnchq.org,” or other nongovernmental e-mail accounts.
16. Roya Rahmani, et al.	1978	Present	All files, holdings, documents, reports, recordings, databases, intelligence, or other information related to Roya Rahmani, et al.
17. Zeinab Taleb-Jedi	1999	Present	All files, holdings, documents, reports, recordings, databases, intelligence, or other information related to Zeinab Taleb-Jedi.
18. Terrorist Surveillance Program	2001 (Sep 11)	Present	All files, holdings, documents, reports, recordings, databases, intelligence, or other information related to Terrorist Surveillance Program.



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19. Melbourne Internal Medicine Associates (MIMA)	2003 (Jun 1)	Present	All records related to governmental investigation of MIMA, including correspondence between MIMA and DoD and TRICARE from fiscal intermediary, program safeguard contractor, and agents; provider education, sanctions, pre-payment reviews, post-payment reviews, recoupment, internal and external audits, etc.
20. Trileptal/Novartis Pharmaceutical Corporation	2000	2007	All records related to Trileptal in any form in which it is maintained, including documents containing data regarding the purchase of Trileptal, prescriptions and rebates for Trileptal, claims data, contracts and communications relating to contracts with Novartis, information related to guidance or policies regarding payment for off-label uses of Trileptal, or of pharmaceuticals generally, and documents relating to pre-authorization of Trileptal, etc.
21. Endo Pharmaceuticals Inc. – Lidoderm	1999	Present	All records, documents and other evidence, including electronic data, relating to the purchase of Lidoderm or reimbursement for the same. Additionally, documents relating to visits by Endo Pharmaceuticals Inc. personnel.
22. Log Cabin Republicans vs US & Robert Gates	1981 (Jan 1)	Present	All records, documents, and materials in your organization's possession, custody, or control for any files, holdings, documents, reports, recordings, databases, intelligence or other information, whether classified or not, which mention or relate to the categories of service members with a homosexual orientation.
23. Johnson & Johnson Health Care Systems and/or Janssen LLP	1998	2004	Documents and materials relating to the federal government's use and recommended use of antipsychotics, including Risperdal. Documents and materials relating to the federal government's use of formularies, preferred drug lists, and therapeutic interchange programs or initiatives or their equivalents. Documents and



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			materials relating to the report by the U.S. Department of Health and Human Services, Office of Inspector General entitled “Psychotropic Drug Use in Nursing Homes” (OEI 02-00-00490, Nov. 2001), and any follow up reports. Documents and materials relating to OIG’s Advisory Opinion 98-2.
24. United States ex rel. Robert A. Fry v. Guidant Corporation	2008 (Dec)	Present	Electronically Stored Information (“ESI”) or paper records related to the issues in the Guidant Corporation lawsuit.
25. Biliary Stents Sold or Manufactured by Abbott, Boston Scientific, Cordis, or Medtronic	2008	Present	ESI or paper records related to this investigation. Claims for stent related procedures to federal and state health care programs.
26. Health Alliance of Greater Cincinnati	1997	2004 (Mar)	ESI or paper records related to this investigation. All claims for cardiac procedures corresponding to the DRG codes. Including all claim forms or cost reports, submitted by the defendants from 1997 through present, as well as all documents evidencing payment to or from the defendants for these claims. All correspondence, communications, or notes thereof relating to Dr. Harry F. Fry or to the defendants, including Drs. Charles Abbottsmith and Thomas Broderick, from 1997 through the present. All documents interpreting the Anti-Kickback Statute, 42 U.S.C. 1320a-7b(b). All documents related to the solicitation of New Safe Harbors and Special Fraud Alerts, 67 Fed Reg. 72894. All documents related to 70 Reg 4858 at 4869 which states in pertinent part, “conditioning privileges on a particular number of referrals or requiring the performance of a particular number of procedures, beyond the volumes necessary to ensure clinical proficiency, potentially raise substantial risks under the anti-kickback statute.



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27. Dartmouth-Hitchcock Clinic	1998	2008	All documents, records, data, correspondence, notes, and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions that may relate to the claims. Critical Care Unit and the Pain Clinic both of which fall under the auspices of the Anesthesiology Department of the Dartmouth-Hitchcock Medical Center (DHMC).
28. Berge vs. USA, DoD, TMA, & Robert Gates	All Dates	Present	All documents, records, data, correspondence, notes, and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions that relate to the following: coverage, care, benefits, reimbursement, and/or denials, via TRICARE Basic Program regarding autism spectrum disorder (ASD), Applied Behavioral Analysis (ABA) therapy, and/or special education and curricula; Extended Care Health Option (ECHO), Individuals with Disabilities Education Act (IDEA) statute and regulations; autism treatment, care, and therapy; medical and psychological effects of autism treatment and related services, including psychological services, speech-language pathology services, social work services, counseling services, and orientation and mobility services.
29. SCIOS/Natrecor	All Dates	Present	All documents, electronically stored information, or things referring or relating to any TRICARE intermediary's consideration of uses of Natrecor eligible for reimbursement, policy for payment of claims for off-label use of any drug by any TRICARE intermediary from 2002 to 2007, treatment of patients with acutely decompensated congestive heart failure with dyspnea at rest or with minimal activity that sought care from a doctor's office or clinic, or the use of infusions of inotropes in outpatient



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			settings for acutely decompensated congestive heart failure patients.
30. Solicitor General Elena Kagan	1997	2009	All documents containing or reflecting communications with Harvard University, Harvard Law School, or any outside counsel for these institutions, regarding the Armed Services' access to university recruiting services of facilities; regarding the interpretation by the Department or by any Branch of the Armed Services of the Solomon Amendment and implementing regulations; or regarding the Universities eligibility for federal funds under the Solomon Amendment and associated policies and regulations; and all other documents regarding the military's recruitment efforts at Harvard Law School, including any memoranda or administrative notices regarding Harvard University or Harvard Law School's compliance with the Solomon Amendment, and any After-action Reports or documents in the possession of the Army, Navy and the Air Force JAG corps or of the Staff Judge Advocate to the Commandant of the Marine Corps regarding Law School recruitment experiences or practices at Harvard Law School.
31. Fehrenbach v. Department of the Air Force, et al. DoD Don't Ask, Don't Tell (DADT)	1990	Present	All records, documents, and materials in your organization's possession, custody, or control, whether classified or not, which mention or relate to DoD's homosexual conduct policy under 10 U.S.C. § 654.



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32. Pending Litigation	1998 (Jan)	Present	All documents potentially relevant to this litigation, including paper documents and ESI, and must suspend deletion, overwriting, or any other possible destruction of information (e.g., paper documents, document management data, e-mail, etc.). Any and all documents and data reflecting communications between TRICARE and Mayo Foundation regarding surgical pathology claims or services; guidance, instruction, or recommendations regarding surgical pathology coding, including information relative to CPT codes 88302-88309 and 88331-88332; and Mayo Foundation's claims for payment for surgical pathology services, TRICARE reimbursement of those claims, and any data relating to those claims or reimbursements.
33. Patent Infringement Claim of Dr. Ralph Lamson	1992	Present	Information to be identified and preserved: Any information on the use of "virtual reality" psychotherapy systems used in psychological or psychiatric treatment, to include (but not limited to), any of the following systems: <ol style="list-style-type: none"> <li>1. The Virtual Reality Medical Center</li> <li>2. Virtually Better</li> <li>3. The Institute for Creative Technologies</li> <li>4. Hunter Hoffman, University of Washington,</li> <li>5. Jo Anne Difede, Weill Cornell Medical College, Cornell University</li> </ol>
34. Fresenius Medical Care Holdings Inc. v. United States	1994	Present	All documents potentially relevant to the Fresenius Medical Care Holdings, Inc. (FMCH) v. United States litigation, including paper documents and ESI, and must suspend deletion, overwriting, or any other possible destruction of information (e.g., paper documents, document management data, e-mail, etc.)



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35. U.S. ex rel. Garbe vs. Kmart Corporation	2005	Present	All documents that discuss or refer to the meaning of provisions that limit reimbursement of drugs, supplies, or services under any federal health insurance program and/or that relate to the drafting or history of any provision of any TRICARE medical benefits program (including, but not limited to, TRICARE and the Civilian Health and Medical Program of the Uniformed Services) that limits reimbursements for prescription drugs to (1) "usual," "customary," or "usual customary" prices or charges, or (2) prices or charges charged "to the general public." Additionally, all documents that constitute or reflect communications between Kmart and its representatives and agents, on the one hand, and TRICARE and its representatives and agents, on the other hand, regarding TRICARE coverage for prescription drugs and, all documents, including without limitation Prescription Drug Event data that reflect or concern federal payments to Kmart pharmacies for generic prescription drugs supplied by Kmart to TRICARE beneficiaries for fiscal years 2005 through the present.
36. Gaffney, et al. v. TRICARE Management Activity, United States, & Panetta; D.C. District Court	1992	2011 (Sep)	Any and all communications and ESI (documents, records, data, correspondence, notes, and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions) material, including any contractual and investigative information, such as policies and procedures to safeguard PHI/PII, its database management and encryption technology requirements, and any disclosure accounts that may relate to the September 2011 SAIC breach and its class action lawsuit, "Gaffney, et al. v. TRICARE Management Activity, United States, & Panetta; D.C. District Court," including any information regarding Jon Tyler, John Villinave, and



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			Mathew Street. Specifics are found in TMA General Counsel Paul Hutter's November 22, 2011, Memorandum sent to each of the Chief Functional Officers and Regional Directors.
37. United States ex rel. Monahan v. Dynasplint Systems, Inc.	2004 (April)	Present	All written, printed, typed, recorded, electronic or graphic matter of every type or description including, but not limited to, material stored in any data or electronic storage media, such as, but not limited to, electronic mail, voice mail messages, faxes, videotapes, audiotapes, photographs, magnetic tapes, computer disks (including floppy disks, hard drives, hard disks), programming instructions, record layouts, and other material necessary for the retrieval of electronic or word processing material and printouts of data or information stored or maintained by electronic means, and all other documents and ESI. Documents include preliminary drafts or revisions, any attachments or enclosures, as well as copies or duplicates that are not identical to the original due to additions, deletions, alterations or notations. The documents that are most relevant are claims submitted by Dynasplint to TMA (TRICARE Management Activity) and/or its contractors to obtain payment under TRICARE for durable medical equipment (DME) and related documents as well as documents showing that TMA and/or its contractors paid Dynasplint's claim. Also to be preserved are documents relating to TMA DME program requirements, policies, and guidance made available to DME providers since April 2004; certifications that Dynasplint complied with program requirements; and any communications with Dynasplint regarding program requirements.



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38. Administrative Claim of PanMedix for Patent Infringement, Copyright Infringement and Trade Secret Misappropriation	All Dates	Present	All Electronic mail messages (email) and ESI, regardless of medium (i.e., any computer memory storage device, such as hard drives; CDs; government issued Blackberry or cell phone, including voicemail; memory sticks, including the contents of the memory on any copiers, fax, or other computer devices that have internal memory capacity), documents, records, data, correspondence, notes, and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions, relating in any way to the matter and/or mention of ANAM, NeAT, and/or PanMedix's systems, and, containing the phrases: PanMedix; HeadMinder; ANAM (Automated Neuropsychological Assessment Metrics); NCAT (NeuroCognitive Assessment Tool); Unified Tri-Service Cognitive Performance Assessment Battery (UTC-PAB); Walter Reed Performance Assessment Battery (WRPAB); Air Force Criterion Task Set (CTS); Navy Performance Evaluation Tests for Environmental Research (PETER); Naval Medical Research Institute Performance Assessment Battery (NMRI-PAB)-North Atlantic Treaty Organization (NATO) Standardized Tests for Research with Environmental Stressors battery; Evolvent; Eyak; Vista Partners; University of Oklahoma; US Patent 6,669,481; US Patent Application 11/386,086; ImPACT (Immediate Post-Concussion Assessment and Cognitive Testing); BrainCheckers; ARES - ANAM Readiness Evaluation System; Mcdonald Comrie; David M. Erlanger, Ph.D.; Clinvest; Behavioral Neuroscience System, LLC; ImPACT Applications, Inc.



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39. Cooper vs. TRIWEST Healthcare Alliance Corp.	2008	Present	All documents, records, data, correspondence, notes, ESI and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions that relate to the following: coverage, care, benefits, reimbursement, and/or denials, via TRIWEST Healthcare Alliance Corp. regarding global cerebral atrophy, absence seizures, Tonic-Clonic or Grand mal seizures, hypertonic muscle tone and microcephaly; skilled nursing supervision, and Extended Home Health Care (EHHC) Respite care. Any and all documents and data reflecting communications between TRIWEST and Jason and/or Carolyn Cooper; TRIWEST and Medi-Cal; TRIWEST and Dr. Kris Baik of Naval Medical Center, Camp Pendleton; TRIWEST and Dr. Matthew Piccone of Camp Pendleton Pediatrics; TRIWEST and Dr. J. Serena; TRIWEST and Maxim Home Health Care; TRIWEST and TRICARE Management Activity (TMA); and TMA and Jason and/or Carolyn Cooper.
40. Taylor v. Health Net Federal Services LLC and The United States of America	2004	Present	All documents, records, data, correspondence, notes, ESI and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions that relate to Dr. S. Douglas Taylor to include: Network Provider applications and any acceptance or denials of such applications, any policies or procedures in place to accept or deny Network Provider applications, and any and all documents and data reflecting communications between Health Net Federal Services LLC and Dr. S. Douglas Taylor; Jeffrey S. Miller Esq. and William M. Voharas Esq.; and Aperture and Dr. S. Douglas Taylor.



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41. Patient First Corporation, a/k/a Patient First Richmond Medical Group, P.L.L.C. and Patient First Maryland Medical Group, P.L.L.C	May 2006	Present	All documents, records, data, correspondence, notes, ESI and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions that might relate to communications concerning the negotiation and administration of the May 1, 2006 provider contract and the previous Humana Military 2/5, Inc. and Sierra contracts, particularly as it would relate to extenders, payment for the services of extenders and identification of extenders working for Patient First, including credentialing of the same; any modifications, changes or revisions of or to the provider contract; and any publications, notices, informal advice or other contracts with Patient First, which relates to payment for extender services and as to publications, notices, etc., and any evidence of the delivery to and receipt by Patient First.
42. Ishtiaq Malik, Ishtiaq Malik M.D. P.C., and Advanced Nuclear Diagnostics (D.D.C)	2000 (Jan)	Present	All documents, records, data, correspondence, notes, ESI and other materials, whether official or unofficial, original or duplicative, drafts or final versions, partial or complete versions relating to claims submitted by Ishtiaq Malik, M.D.P.C., or Advanced Nuclear Diagnostics for services; payment and denial decisions related to claims submitted by Ishtiaq Malik; any guidance, training, or education material of any type (e.g., provider bulletins) provided to Ishtiaq Malik, M.D., regarding proper billing for nuclear medicine services or any information on how to submit a claim; any prepayment review claims submitted by Ishtiaq Malik, M.D., any documents related to any allegations that Ishtiaq Malik M.D. submitted false or fraudulent claims for services and any investigation of those allegations; and any documents related to potential improper billing, including beneficiary or patient complaints, by Ishtiaq Malik M.D.



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43. Possible Unauthorized Disclosure in Media Articles Related to Cyber Operations	2012 (Jan)	2012 (May 10)	All records (regardless of media), documents, materials, databases, whether classified or not, that may be relevant to this investigation must be preserved for potential dissemination to the Department of Justice. Please refer to the attached list for specific search criteria relevant to this Preservation Order.
44. Defense and Veterans Brain Injury Center, Henry M Jackson Foundation	2011 (Feb 17)	2011 (Oct 31)	All emails from Fred Labrecque and Karyn George.
45. Litigation Support in Kellogg, Brown and Root Services Inc (KBR) Contract Disputes Act Case, ASBCA Nos. 57530, 58161	2003 (Nov 1)	2004 (Jul 31)	All records (regardless of media), databases, recorded information and other documentary materials such as drafts, notes, calendars, emails, holdings in your organizations custody or control, whether classified or not, that may be relevant to this production request to include: Any documents relating to the availability of military convoys between 2003 and 2004 to transport goods and equipment from Kuwait into Iraq; Any communications involving the "Bed Down Mission" (to replace tents with trailers and living containers for soldiers' living accommodations in Iraq) and any KBR subcontracts awarded or performed during 2003-2004 for the acquisition, delivery, and installation of trailers in Iraq to fulfill the Bed Down Mission requirements under Logistics Augmentation Program (LOGCAP III); Any documents relating to convoy support provided by the U.S. Army for First Kuwaiti Trading Company (FKTC) trucks/trailers entering into Iraq from Kuwait and for FKTC trucks/trailers returning to Kuwait from Iraq for the time period November 1, 2003 through July 31, 2004.



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46. United States v. \$1,703,815.73 in Funds Formerly on Deposit in Charter One/Citizen's Bank	2004 (June 1)	2011 (Dec 31)	DOJ has requested that DoD search for and preserve all records, including electronically stored information (ESI), relevant to the events giving rise to the attached forfeiture action. Similar requests were made by DOJ to the Department of the Army and U.S. Army Medical Command. DoD General Counsel advises that this search should include a search of all records, documents, and materials in our organization's possession, custody, or control for any files, holdings, documents, reports, recordings, databases, or other information, including ESI, relating to Dr. Rooney, Dr. Rooney-Song, Ms. Eller, Altiva Corporation, Allure Spine, or alleged "front companies" Spondylos Consulting, LLC and Chasong Enterprises, LLC, and the fraudulent activity alleged in the complaint.