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Description of document: U.S. Army Criminal Investigation Command (USACIDC)
Report of Investigation (ROI) re: Missing Biological Select
Agents and Toxins - Venezuelan Equine Encephalitis Virus
(VEEV) 2009-2012

Requested date: 2020

Release date: 03-February-2021

Posted date: 02-August-2021

Source of document: FOIA/PA Division
USACIDC CRC
27130 Telegraph Road
Quantico, VA 22134

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
U.S. ARMY CRIME RECORDS CENTER
27130 TELEGRAPH ROAD
QUANTICO, VA 22134

February 3, 2021

This is in further response to your request for release of information from the files of the U.S. Army Criminal Investigation Command (USACIDC) pertaining to missing VEE vials at Fort Detrick in 2009. Your request was assigned control number FA21-0630. The enclosed Report of Investigation (ROI) 0109-2008-012-38498-7F, is responsive to your request.

The names of law enforcement personnel, as well as names, social security numbers and other personal items of information pertaining to third parties have been withheld. The withholding of this information constitutes a partial denial pursuant to Title 5, USC, Section 552, Exemptions (b)(6), and (b)(7)(C) of the FOIA, because release would violate the personal privacy of other individuals mentioned in the report. We also applied Exemption (b)(7)(E) to withhold the identification numbers of special agents, as well as investigatory records or information compiled for law enforcement purposes where the techniques or procedures for law enforcement investigations or prosecutions would be disclosed, and Exemption (b)(5), which permits withholding of information under the deliberative process privilege or information that could be withheld under civil discovery, attorney-client or attorney work product privilege. Moreover, disclosing the withheld information would harm an interest protected by these exemptions.

This partial denial is made on behalf of the Commanding General, USACIDC, the Initial Denial Authority for USACIDC records under the FOIA.

You have appeal rights concerning this partial denial. If you decide to appeal at this time, your appeal must be submitted within 90 days of the date of this letter. In your appeal, you must state the basis for your disagreement with the partial denial and you should state the justification for its release. Your appeal is made through this Center and should be addressed to the Director, U.S. Army Crime Records Center, 27130 Telegraph Road, Quantico, Virginia 22134, for forwarding, as appropriate, to the Office of the Secretary of the Army, the appellate authority. Please note that your appeal should address information denied in this response and cannot be used to make a new request for additional or new information.



You have the right to seek dispute resolution concerning this release. If you intend to do so, you may contact the U.S. Army Criminal Investigation Command, Crime Records Center FOIA Public Liaison (Ms. Michelle Kardelis), usarmy.belvoir.usacidc.mbx.crcfoiapa@mail.mil. Please put "Dispute" in the subject line.

You may also seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448 or by emailing OGIS@nara.gov.

Questions regarding this action should be addressed in writing to the address shown on the letterhead or via email to erin.l.chidester.civ@mail.mil. Please reference the above control number on any correspondence.

Sincerely,

Chester B. Longcor

Enclosures

Chester B. Longcor
Director, Crime Records Center

CUI

ATTENTION

Use this space to indicate categories, limited dissemination controls, special instructions, points of contact, etc., if needed.

THIS DOCUMENT IS THE PROPERTY OF THE UNITED STATES ARMY. UNAUTHORIZED RELEASE OR DISCLOSURE OF ITS CONTENTS IS PROHIBITED. ALL INFORMATION RELATED TO THIS MATTER IS LAW ENFORCEMENT SENSITIVE. CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS.

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CONTENTS CANNOT BE RELEASED OUTSIDE THE DEPARTMENT OF THE ARMY WITHOUT THE APPROVAL OF THE COMMANDER, UNITED STATES ARMY CRIMINAL INVESTIGATION COMMAND, RUSSELL-KNOX BUILDING, 27130 TELEGRAPH ROAD, QUANTICO, VA 22134 (PARAGRAPH 4-3, AR 195-2).

Controlled by: HQUSACIDC
Controlled by: CICR-FP
CUI Category(ies): LEI/PRVCY
Limited Dissemination Control:
POC: Erin Chidester 571-305-4231

ATTENTION

All individuals handling this information are required to protect it from unauthorized disclosure.

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Standard Form 901 (11-18)
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CUI

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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Fort Meade CID Office

3d Military Police Group, 855 Chisholm Avenue, Fort Meade, MD 20755-5345

05 Apr 2012

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST FINAL SUPPLEMENTAL/SSI -
0109-2008-CID012-38498 - 7F1A1 / 7K1 / 7F4A1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 09 JAN 2001, 0001 - 09 JAN 2001, 2359; BUILDING 1425, FORT DETRICK,
MD 21702

2. 20 NOV 1976, 0001 - 21 APR 2008, 2359; BUILDING 1425, FORT DETRICK,
MD 21702

DATE/TIME REPORTED: 03 OCT 2008, 0900

INVESTIGATED BY:

SA (b) (6), (b) (7)(C), (b) (7)(E)
SA
SA
SA
SA
SA
SA
SA
SA

SUBJECT:

1. UNKNOWN, ; [MISSING BIOLOGICAL SELECT AGENTS AND TOXINS]
(NFI)

2. (b) (6), (b) (7)(C) CIV; (XXX-XX (b) (6), (b) (7)(C) DOB); (POB);
MALE; WHITE; (b) (6), (b) (7)(C) [THEFT OF
BIOLOGICAL SELECT AGENTS AND TOXINS (18 U.S.C. § 641)],
[TRANSPORTATION OF STOLEN PROPERTY, BIOLOGICAL SELECT AGENTS AND
TOXINS (TITLE 18 USC § 2314)]

VICTIM:

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1. U.S. GOVERNMENT; USAMRIID; [THEFT OF BIOLOGICAL SELECT AGENTS AND TOXINS (18 U.S.C. § 641)], [TRANSPORTATION OF STOLEN PROPERTY, BIOLOGICAL SELECT AGENTS AND TOXINS (TITLE 18 USC § 2314)], [MISSING BIOLOGICAL SELECT AGENTS AND TOXINS]

INVESTIGATIVE SUMMARY:

This office was notified by Investigator (b) (6), (b) (7)(C) Military Police Investigations (MPI), Directorate of Emergency Services (DES), Fort Detrick, MD (FDMD), who reported three vials of Venezuelan Equine Encephalitis Virus (VEEV) could not be located during a 100% inventory of biological select agent and toxins (BSAT) that were being transferred from one Principle Investigator (PI) to another PI (Scientist). The SIR related an internal US Army Medical Research Institute for Infectious Disease (USAMRIID) investigation concluded that past accounting errors of the large inventory was responsible for the discrepancy between the written record and physical inventory for these three vials of VEEV. No evidence was found of theft, loss, or any form of nefarious activity during the internal investigation.

This investigation was initiated in accordance with (IAW) Army Regulation (AR) 190-17, Biological Select Agents and Toxins (BSAT) Security Program. AR 190-17 states USACIDC will investigate "losses or recovery of BSAT, regardless of dollar value, to determine if criminality occurred."

The investigation determined Dr. (b) (6), (b) (7)(C) committed the offense or Larceny of Government Property and Illegal transportation of BSAT when he removed a vial of VEEV Vaccine, TC-83, from USAMRIID. Dr. (b) (6), (b) (7)(C) traveled via airplane from Maryland to New York with a vial of the vaccine in his pocket. Dr. (b) (6), (b) (7)(C) made no effort to return the vial and offered it to a colleague (NFI) to use in a laboratory experiment. Dr. (b) (6), (b) (7)(C) was interviewed and stated he knowingly possessed the vaccine. Dr. (b) (6), (b) (7)(C) related he intended to keep the vaccine and only turned it in to his supervisor after he was confronted about it.

MAJ (b) (6), (b) (7)(C) Office of the Staff Judge Advocate, FDMD (b) (5)

(b) (5)

(b) (5) Investigation established no evidence to support the loss of the three vials was a result of criminal activity.

During an operational review of the case it was determined the final report would include only the Agents Investigative Reports created during this investigation. All additional paperwork will be scanned onto a compact disk, and the disk will be forwarded to the US Army Crime Records Center. Copies of the documents will be retained in the files of this office for a period of three years in accordance with Army Regulations.

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On 13 Apr 09, the USAMRIID Command Group was briefed on the investigation. The Commander Group related the investigation was thorough and did not request any further assistance from the USACIDC.

Further investigation revealed, on 24 Oct 11, this office received additional information in the form of an anonymous e-mail tip pertaining to the theft of three vials of Venezuelan Equine Encephalitis Virus (VEEV) from the USAMRIID Laboratory, Fort Detrick, MD and how VEEV was used in an assassination. The author was later identified as Dr. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (NFI).

After thorough and careful vetting of the information provided by Dr. (b) (6), (b) (7)(C) it has been determined that he has not provided any information that would be deemed creditable, nor has he provided any information to back up his allegations of the VEEV being used in an assassination plot by the US Government.

This ROI was thoroughly investigated and was closed with the concurrence to HQUSACIDC.

EXHIBITS:

ADDED ATTACHED:

37. AIR of SA (b) (6), (b) (7)(C) 20 Jan 12.

38. Compact disc containing multiple emails from Dr (b) (6), (b) (7)(C) (USACRC and file copies only)

ADDED NOT ATTACHED:

None

The originals of Exhibits 37 and 38 are attached to the USACRC copy of this report.

STATUS: This is a 1st Final Supplemental Report. No further investigative activity is anticipated at this time. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

CID Reports of Investigation may be subject to a Quality Assurance Review by CID higher headquarters.

Report Prepared By:

Report Approved By:

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(b) (6), (b) (7)(C)

Special Agent

(b) (6), (b) (7)(C)

Special Agent in Charge

DISTRIBUTION:

1 – Director, USACRC, Quantico, VA (Originals)

1 – Commander, 3D Military Police Group, Hunter Army Airfield, GA (email only)

1 – Commander, Washington CID Battalion, 105 Fenton Circle, Bldg 305, JBMHH, VA 22211
(email only)

1 – File

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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
Fort Meade CID Office
3d Military Police Group, 855 Chisholm Avenue, Fort Meade, MD 20755-5345

14 Jul 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 1ST CORRECTED FINAL/SSI -
0109-2008-CID012-38498 - 7F1A1 / 7K1 / 7F4A1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 09 JAN 2001, 0001 - 09 JAN 2001, 2359; BUILDING 1425, FORT DETRICK, MD
21702

2. 20 NOV 1976, 0001 - 21 APR 2008, 2359; BUILDING 1425, FORT DETRICK, MD
21702

DATE/TIME REPORTED: 03 OCT 2008, 0900

INVESTIGATED BY:

SA (b) (6), (b) (7)(C), (b) (7)(E)
SA
SA

SUBJECT:

1. UNKNOWN, ; [MISSING BIOLOGICAL SELECT AGENTS AND TOXINS] (NFI)

2 (b) (6), (b) (7)(C) CIV; (XXX-XX (b) (6), (b) (7)(C) (DOB); (POB); MALE;
WHITE; (b) (6), (b) (7)(C) [TRANSPORTATION OF
STOLEN PROPERTY, BIOLOGICAL SELECT AGENTS AND TOXINS (TITLE 18 USC §
2314)], [THEFT OF BIOLOGICAL SELECT AGENTS AND TOXINS (18 U.S.C. § 641)]

VICTIM:

1. U.S. GOVERNMENT; USAMRIID; [TRANSPORTATION OF STOLEN
PROPERTY, BIOLOGICAL SELECT AGENTS AND TOXINS (TITLE 18 USC § 2314)],

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[THEFT OF BIOLOGICAL SELECT AGENTS AND TOXINS (18 U.S.C. § 641)], [MISSING BIOLOGICAL SELECT AGENTS AND TOXINS]

INVESTIGATIVE SUMMARY:

1ST CORRECTED FINAL:

THIS CORRECTED FINAL REPORT IS BEING SUBMITTED TO EXPAND EXHIBIT 25 AND LIST THE CD'S ATTACHED INDIVIDUALLY.

DURING AND OPERATIONAL REVIEW OF THE FINAL REPORT OF INVESTIGATION, IT WAS DETERMINED THE CD'S INCLUDED IN EXHIBIT 25 SHOULD BE LISTED INDIVIDUALLY.

ADDED ATTACHED:

25. CD CONTAINING SCANNED PORTABLE DOCUMENT FORMAT (PDF) COPIES OF CALENDARS DOCUMENTING DAILY ACCESS OF VIROLOGY SUITES 1 & 2 (V1 AND V2) GENERATED BY THIS OFFICE.

26. CD CONTAINING SCANNED PDF COPIES ACCESS RECORDS OF V1 AND V2.

27. CD CONTAINING SCANNED PDF COPIES OF USAMRIID INTERNAL EMAIL TRAFFIC REGARDING THE MISSING VIALS OF VENEZUELAN EQUINE ENCEPHALITIS VIRUS (VEEV).

28. CD CONTAINING SCANNED PDF COPIES OF CID FORM 44'S AND INTERVIEW WORKSHEETS.

29. CD CONTAINING SCANNED PDF COPIES OF THE LABORATORY NOTEBOOKS OF DR. (b) (6), (b) (7)(C)

30. CD CONTAINING SCANNED PDF COPIES OF BIOSURETY INVENTORY NOTES AND INVENTORIES OF V1 & V2.

31. CD CONTAINING SCANNED PDF A COPY OF CDC FORM 3 SUBMITTED BY

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USAMRIID.

32. CD CONTAINING PHOTOGRAPHS TAKEN AT USAMRIID.

33. CD CONTAINING ELECTRONIC COPY OF MICROSOFT ACCESS DATABASE USED TO TRACK INTERVIEWS.

34. CD CONTAINING KEY CARD ACCESS RECORDS FROM 2001.

35. CD CONTAINING KEY CARD ACCESS RECORDS OF SUITES AA301, AA317, B3, B4, 1412 - 127, AND 129 FROM 1/1/00 TO 3/02.

36. CD CONTAINING KEY CARD ACCESS RECORDS AND KEY CARD RECORDS FROM 8/1/98-6/4/02.

ADDED NOT ATTACHED:

NONE.

THE ORIGINALS OF EXHIBIT 25, 28, AND 33, ARE MAINTAINED IN THE FILES OF THIS OFFICE AND WILL REMAIN STORED IN ACCORDANCE WITH ARMY REGULATIONS. THE ORIGINALS OF EXHIBITS 26, 29, AND 30 ARE MAINTAINED IN THE FILES OF THE UNITED STATES ARMY MEDICAL RESEARCH INSTITUTE OF INFECTIOUS DISEASE, 1425 PORTER STREET, FORT DETRICK, MD 21702. THE ORIGINALS OF EXHIBIT 27 ARE MAINTAINED IN THE FILES OF THE FORT DETRICK DIRECTORATE OF INFORMATION MANAGEMENT, 1422 SULTAN DRIVE, FORT DETRICK, MD 21702. THE ORIGINALS OF EXHIBIT 31 ARE MAINTAINED IN THE FILES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION, 1600 CLIFTON ROAD NE, MAILSTOP A-46, ATLANTA, GA 30333. THE ORIGINALS OF EXHIBIT 32 ARE FORWARDED WITH THE USACRC COPY OF THIS REPORT. THE ORIGINALS OF EXHIBIT 34, 35, AND 36, ARE MAINTAINED IN THE FILES OF THE FEDERAL BUREAU OF INVESTIGATION, ANTHRAX TASK FORCE, 9325 DISCOVERY BLVD, MANASSAS, VA 20109.

STATUS: THIS IS A FINAL REPORT. COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION (DA FORM 4833) IS NOT REQUIRED.

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CID REPORTS OF INVESTIGATION MAY BE SUBJECT TO A QUALITY ASSURANCE
REVIEW BY CID HIGHER HEADQUARTERS

Report Prepared By:

Report Approved By:

(b) (6), (b) (7)(C)
Special Agent

(b) (6), (b) (7)(C)
Special Agent in Charge

DISTRIBUTION:

Dir, USACRC, Ft Belvoir, VA

CDR, 3rd MP Group, ATTN: Operations, Fort Gillem, GA 30297

CDR, WASHINGTON BN CID FT MYER VA 22211

GARRISON COMMANDER, FORT DETRICK, MD

INSTALLATION COMMANDER, FORT DETRICK, MD (COL (b) (6), (b) (7)(C))

PROVOST MARSHAL OPERATION OFFICER, FORT DETRICK, MD

DIRECTORATE OF EMERGENCY SERVICES, FORT DETRICK, MD (MR

(b) (6), (b) (7)(C)

STAFF JUDGE ADVOCATE, FORT DETRICK, MD (LTC (b) (6), (b) (7)(C))

CDR, USAMRIID (b) (6), (b) (7)(C)@us.army.mil)

FILE