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JUN 13 2004

Mr. John Greenewald, Jr.  
[REDACTED]

SUBJECT: Freedom of Information Act (FOIA) Request

I am responding to your FOIA request for copies of "the terrorism related investigations . . . designated with the following report numbers: O-KE-01-0587, O-KE-01-0604-O, O-KE-02-0093-O, O-LB-02-0041-O, O-MF-02-0042-O, and O-MF-02-0078-O."

My initial determination regarding O-KE-01-0587-O is to provide redacted copies of three reports and to withhold the balance of reports in the file. Information about law enforcement organization is being withheld under FOIA exemption (b)(2) to protect substantial internal matters, the disclosure of which would risk circumvention of a legal requirement. 5 U.S.C. § 552(b)(2). The names of law enforcement personnel are being withheld under FOIA exemption (b)(7)(C) to protect personal privacy. 5 U.S.C. § 552(b)(7)(C). Information that could reasonably be expected to reveal the identity of confidential sources has also been deleted pursuant to FOIA exemption (b)(7)(D). 5 U.S.C. § 552(b)(7)(D). Those documents that reflect or contain references to investigative techniques and procedures for law enforcement investigations or prosecutions, the disclosure of which could reasonably be used to circumvent the law, have been withheld or redacted pursuant to exemption (b)(7)(E). 5 U.S.C. § 552(b)(7)(E).

My initial determination regarding O-KE-01-0604-O is to withhold the file in its entirety pursuant to FOIA exemption (b)(2) to protect substantial internal matters, the disclosure of which would risk circumvention of a legal requirement. 5 U.S.C. § 552(b)(2).

My initial determination regarding O-KE-02-0093-O is to provide redacted copies of the case initiation and case closing reports. The names of the pilot and of law enforcement personnel are being withheld under FOIA exemption (b)(7)(C) to protect personal privacy. 5 U.S.C. § 552(b)(7)(C). Information that could reasonably be expected to reveal the identity of confidential sources has been deleted pursuant to FOIA exemption (b)(7)(D). 5 U.S.C. § 552(b)(7)(D). Those documents that reflect or contain references to investigative techniques and procedures for law enforcement investigations or prosecutions, the disclosure of which could reasonably be used to circumvent the law, have been withheld or redacted pursuant to exemption (b)(7)(E). 5 U.S.C. § 552(b)(7)(E). Information about

administrative disposition of the matter is being withheld under exemption (b)(5) to protect the Agency's decisionmaking process.

My initial determination regarding O-LB-02-0041-O is to provide copies of two Office of Inspector General press releases and a redacted copy of the closing report. The name and identifying information about the victim, Mr. Kaplan's home address, and the name of the NASA investigator are being withheld under FOIA exemption (b)(7)(C) to protect personal privacy. 5 U.S.C. § 552(b)(7)(C).

My initial determination regarding O-MF-02-0042-O is to provide a redacted copy of the closing report. The name and identifying information about the subject of investigation and the NASA investigator are being withheld under FOIA exemption (b)(7)(C) to protect personal privacy. 5 U.S.C. § 552(b)(7)(C). Information about disposition of the matter is being withheld under exemption (b)(5) to protect the Government's decisionmaking process. 5 U.S.C. § 552(b)(5).

My initial determination regarding O-MF-02-0078-O is to provide a redacted copy of the closing report. The name and identifying information about the subject of investigation and the NASA investigator are being withheld under FOIA exemption (b)(7)(C) to protect personal privacy. 5 U.S.C. § 552(b)(7)(C). Information that could reasonably be expected to reveal the identity of confidential sources has been deleted pursuant to FOIA exemption (b)(7)(D). 5 U.S.C. § 552(b)(7)(D). Information about investigative techniques and procedures for law enforcement investigations or prosecutions, the disclosure of which could reasonably be used to circumvent the law, have been withheld or redacted pursuant to exemption (b)(7)(E). 5 U.S.C. § 552(b)(7)(E).

You have the right to appeal this initial determination to the Inspector General. Under 14 CFR 1206.605(b), the appeal must: (1) be in writing; (2) be addressed to the Inspector General, NASA Headquarters, Code W, Washington, DC 20546; (3) be identified clearly on the envelope and in the letter as an "Appeal under the Freedom of Information Act"; (4) include a copy of the request for the Agency record and a copy of the adverse initial determination; (5) to the extent possible, state the reasons why the requester believes the adverse initial determination should be reversed; and (6) be sent to the Inspector General within 30 calendar days of the date of receipt of the initial determination.

Sincerely,



Lance G. Carrington  
Assistant Inspector General  
for Investigations

Enclosures  
As Stated



O-KE-01-0587-O

September 19, 2001

**SEPTEMBER 11, 2001 INTELLIGENCE COLLECTION**

**CASE INITIATION:** This case is being opened to track intelligence received and effort expended by this office in support of other on-going investigations pertaining to terrorist acts committed on September 11, 2001.

Prepared by:  
DISTR: File

302  
APPR: ESJ

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O-KE-01-0587-O

October 3, 2001

SEPTEMBER 11, 2001, INTELLIGENCE COLLECTION

**VIOLATION OF AIRSPACE:** On October 3, 2001,  
informed the Office of Criminal Investigations that a violation of Kennedy Space Center  
(KSC) airspace occurred last evening.  
provided the following information:

On October 2, 2001, at approximately 12:00 p.m., military radar detected an unidentified aircraft entered KSC airspace. At the time of the incident, a NASA Gulfstream jet was conducting a shuttle training mission in the same airspace. The NASA jet was able to obtain the numbers on the tail section of the aircraft.

contacted the Federal Aviation Authority (FAA) which identified the aircraft as  
belonging to Emory Riddle Aeronautical School, Daytona Beach, FL.  
were contacted to identify the occupants of the aircraft.

A female instructor pilot and a female student were identified as the occupants of the aircraft. Statements were taken from the two individuals. According to their statements, they filed a flight plan to the Melbourne airport and used the aircraft's Global Positioning System (GPS) for navigation. They claimed the GPS navigated the aircraft through KSC's airspace.

He did not believe the pilot and student intentionally violated KSC's airspace and that the incident resulted from a navigation error.

The FAA did censure the pilot's license for violation of airspace.

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1399  
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O-KE-01-0587-O

October 9, 2001

SEPTEMBER 11, 2001 INTELLIGENCE COLLECTION

COORDINATION WITH

provided RA with the following information:

At about 10:20 a.m. EST on Monday, October 1, a State Department aircraft assigned to PAFB disappeared during a routine flight from Turks and Caicos Islands to PAFB. At this time, the disappearance is being treated as an accidental loss; however, it should be noted that the type of aircraft, is significant in that the aircraft is configured for aerial crop dusting.

Terrorists linked to international criminal Osama Bin Laden and the cowardly acts of war initiated against United States on September 11, 2001 were said to be making inquiries into the availability of agricultural crop dusters. Crop dusters could be used for massive delivery of chemical or biological weapons.

Planes of this type are utilized by the State Department in Central and South America in the war on drugs.

No further details are available at this time.

Attachments

1. Related news releases, October 2 and 3, 2001

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DISTR: File

1026  
APPR: ESJ

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# NewsChannel2000.com

## Crop-Duster Disappears On Flight From Bahamas

### State Department Does Not Suspect Foul Play

POSTED: 12:21 p.m. EDT October 2, 2001

UPDATED: 9:18 a.m. EDT October 3, 2001

**COCOA BEACH, Fla.** -- Four planes continued their search Wednesday for a missing crop-duster, which disappeared during a government mission.



The plane disappeared during a State Department mission to spray cacao fields in Colombia. Cacao plants are grown to produce cocaine, a State Department spokesperson said.

Thirty-four planes are used in the program, which is managed at Patrick Air Force Base. The planes spray the herbicide Roundup to kill the plants.

Foul play is not suspected in the disappearance, and the plane had its spray equipment removed before it flew out of Colombia over the weekend. It could not readily be used for terrorist activity, the spokesperson said.

Only the pilot was aboard the plane. He was flying from the Bahamas to Patrick Air Force Base to have routine maintenance performed on the plane.

Another plane flew the same flight path early Tuesday, but saw and heard nothing. The search has covered 5,800 square miles by midday Tuesday.

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O-KE-01-0587-O

October 12, 2001

**INTELLIGENCE COLLECTION**

**CASE CLOSING:** All Kennedy Space Center Resident Agency casework related to the acts of war committed against the United States of America on September 11, 2001 will be closed and transferred to a new case number. The new case number is \_\_\_\_\_ as directed by the AIGI.

Two previous case numbers exist. They are O-KE-01-0587-O and O-KE-01-0604-O.

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402  
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O-KE-02-0093-O

November 19, 2001

**KSC Air Intrusion - November 7, 2001**

**CASE INITIATION:** On November 7, 2001, a Cessna aircraft (b)(7)(c) violated restricted air space over Kennedy Space Center (KSC). (b)(7)(E) the aircraft maintained a southern heading and departed the restricted air space. Contact with FAA disclosed the aircraft was destined for the North Perry Hollywood, FL airport and the pilot of the aircraft was (b)(7)(c).

At approximately 1400 hours on the same day, members of the South Florida Terrorism Task Force were contacted and advised of the circumstances surrounding the air space violation.

(b)(7)(E)

Task Force members confirmed the pilot to be and subsequently interrogated him. The pilot stated that he did not check closely enough at the NOTAM regarding the KSC air restrictions but argued that he was sufficiently outside KSC air space. He was informed, and acknowledged the seriousness of violating restricted air space.

The early Task Force assessment is that (b)(7)(c) was not a terrorist conducting a deliberate penetration of KSC air space.

(b)(5)

Prepared by: (b)(7)(c)  
DISTR: File

1448  
APPR: ESJ

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O-KE-02-0093-O

November 20, 2001

REPORT OF INVESTIGATION

KSC Air Intrusion - November 7, 2001

CASE CLOSING: On November 20, 2001, the Reporting Agent received a copy of the (b) (7) (D) Investigative Report pertaining to this incident from (b) (7) (D). The report correctly identified the pilot of the Cessna aircraft that violated KSC air space on November 7, 2001 as (b) (7) (C). (NOTE: The initial information received was that the pilot's name was (b) (7) (C). This information was apparently an administrative error).

During his interview with (b) (7) (D) detectives, (b) (7) (C) admitted that he had not checked the appropriate flight maps outlining extended boundaries for KSC prior to making his flight. Rather, (b) (7) (C) depended solely on Global Positioning Satellite (GPS) units ("Garmin 95" and "Magellan Skyblazer") to guide him around KSC restricted air space. It was the opinion of the interviewing officers that (b) (7) (C) did not deliberately violate KSC air space and therefore posed no threat to the security of KSC.

(b) (5)

This investigation is closed.

Attachments

1. (b) (7) (D) Incident Report, dtd November 8, 2001

Prepared by: (b) (7) (C)  
DISTR: File

1304  
APPR: ESJ

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O-LB-02-0041-O

February 19, 2002

KAPLAN, Herbert Stacey

Woodland Hills, CA

**CASE CLOSING:** On October 17, 2001, the NASA Office of Inspector General was notified by the Security and Plant Protection Office, Jet Propulsion Laboratory (JPL), Pasadena, CA, of an alleged anthrax scare. On October 17, 2001, (victim), for Titan Systems Corporation (Titan), 2700 East Foothill Boulevard, Suite 200, Pasadena, CA, reported to supervisor, what: believed to be a suspicious envelope containing anthrax.

The Pasadena City Fire and Police Departments responded to Titan and Titan personnel were evacuated. A fine powder-like substance and a "JPL Office of the Director" letter were later discovered in the envelope. The JPL letter summarized the terrorist incident of September 11, 2001, and the heightened security awareness of JPL, and it was signed by members of the JPL Executive Council, and was provided to all prime and subcontractors of JPL and NASA.

Appropriate interviews were conducted and items of evidentiary nature were taken under proper receipt. Based on the testimonies of the victim and witnesses involved and on the evidence, Herbert Stacey Kaplan, a former software engineer - technical analyst for Titan, was identified as the sole perpetrator. On October 21, 2001, Kaplan was interviewed and he admitted placing the envelope on chair, and that it was his "concept" to make the envelope appear as it contained anthrax. Kaplan said he did it as a joke. On October 18 and 25, 2001, this matter was referred to the Pasadena Judicial District, CA, and was accepted for prosecution.

On December 7, 2001, Kaplan was indicted on California State charges of "Making a terrorist Threat" and "Causing a False Police Report." On January 4, 2002, Kaplan pled "no contest" to one criminal count of "Causing a False Police Report" for his involvement in the anthrax hoax. Kaplan was given 3 years of probation, and must repay \$5283.50 to NASA for investigative costs. Kaplan was also directed to stay away from the victim in the anthrax hoax and Titan, the location of the hoax. On February 8, 2002, Kaplan appeared before the Pasadena Judicial District, showing the court "proof of payment" and the Judge reminded him that his probation was "in effect."

Prepared by:  
DISTR: File

2050  
APPR: mok

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X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-igxo using -f  
Date: Wed, 9 Jan 2002 17:35:22 -0500 (EST)  
From: NASAOIG@hq.nasa.gov  
Subject: RELEASE 2002-036: CALIFORNIA MAN PLEADS "NO CONTEST" IN ANTHRAX HOAX  
Sender: owner-igxo@lists.hq.nasa.gov

National Aeronautics and Space Administration  
Office of Inspector General  
Washington, D.C. 20546

January 9, 2002

RELEASE 2002-036: CALIFORNIA MAN PLEADS "NO CONTEST" IN ANTHRAX HOAX

On January 4, 2002, Hebert Stacy Kaplan of Woodland Hills, California, pled "no contest" to one count of Causing a False Police Report for his involvement in an anthrax hoax. Kaplan was given 3 years of probation, and must repay \$5283 to NASA for investigative costs. Kaplan was also directed to stay away from the victim in the anthrax hoax and Titan Systems Corporation, the location of the hoax.

Kaplan was charged with making a terrorist threat and making a false report of an emergency after he allegedly placed a sealed, white envelope on an employee's office chair while working at Titan, a NASA subcontractor. Examination of the envelope, which did not contain a postmark and had only the victim's name written on it, revealed that it contained a "granule-like substance." Based on the discovery, the Pasadena City Police and Fire departments, the NASA Office of Inspector General, Long Beach Resident Agency, and the Security and Plant Protection Office, Jet Propulsion Laboratory, Pasadena, California, responded to the scene.

Special Agents of the NASA Office of Inspector General, Office of Criminal Investigations, the Pasadena Police Department, and the Jet Propulsion Laboratory Security and Plant Protection Office conducted this investigation. Deputy City prosecutors Constance Orozco-Morgan, Alison B. Weissman and Michelle B. Bagneris handled the prosecution.

For more information on this release, please call Samuel A. Maxey, Assistant Inspector General for Investigations at (202) 358-2580.

Previous Release:  
2002-028, 12/12/01, California Man Charged in Anthrax Hoax  
<http://www.hq.nasa.gov/office/oig/hq/press/pr2002-028.html>

\*\*\* End \*\*\*



## NASA Office of Inspector General (OIG) News Release

National Aeronautics and Space Administration  
Office of Inspector General  
Washington, D.C. 20546

December 12, 2001

RELEASE: 2002-028

### CALIFORNIA MAN CHARGED IN ANTHRAX HOAX

On December 7, 2001, Hebert Stacy Kaplan, of Woodland Hills, California, was arraigned in Superior Court, County of Los Angeles, where he faces separate charges of making a terrorist threat and making a false report of an emergency for his alleged involvement with an anthrax scare incident.

On October 17, 2001, a sealed white envelope was discovered on the office chair of an employee of Titan Systems Corporation, a NASA subcontractor located at 2700 East Foothill Boulevard in Pasadena, California. Examination of the envelope, which did not contain a postmark and had only the employee's name written on it, revealed that it contained a "granule-like substance." Based on the discovery, the Pasadena City Police and Fire departments, the NASA Inspector General's Office of Criminal Investigations and the Security and Plant Protection Office, Jet Propulsion Laboratory (JPL), responded to the scene.

Kaplan, a former software engineer/technical analyst for Titan, was allegedly the sole perpetrator behind this anthrax scare incident. A January 4, 2001, hearing date has been set in connection to the state charges.

Special Agents of the NASA Office of Inspector General, the Pasadena Police Department, and the Security and Plant Protection Office at JPL conducted this investigation. Deputy City prosecutors Constance Orozco-Morgan and Alison B. Weissman are handling the prosecution.

For more information on this release, please call Samuel A. Maxey, Assistant Inspector General for Investigations at (202) 358-2580.



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*Last Update: December 13, 2001*

*Curator: Wesley E. Pippenger*

*Responsible NASA Official: Wesley E. Pippenger*





O-MF-02-0042-O

September 6, 2002

**REPORT OF INVESTIGATION**

**CASE CLOSING:** This investigation was initiated in October 2001, based on allegations that a former employee of Lockheed Martin Michoud Space Systems (LMMSS), New Orleans, LA, at the Michoud Assembly Facility (MAF), perpetrated an anthrax hoax in supervisor's office at the MAF. was also alleged to have desecrated a U.S. flag, was fired by LMMSS after this incident occurred.

The investigation revealed simulated dumping anthrax powder on supervisor's desk as a joke, which was actually coffee creamer in a white envelope. stated did not know and understand the severity of the matter at the time; however, the investigation disclosed that attended a safety briefing a few days earlier, which focused primarily on the anthrax issues. It was also revealed that had been warned about offensive behavior by supervisor prior to perpetrating the anthrax hoax. This was a result of a complaint by a fellow employee alleging simulated blowing his nose in the U.S. flag.

closed.

This investigation is

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1438  
APPR: JHC

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O-MF-02-0078-O

June 17, 2003

**REPORT OF INVESTIGATION**

**NASA THREAT AT MICHLOUD ASSEMBLY FACILITY**

**CASE CLOSING:** This investigation was initiated on November 8, 2001, based on information from [redacted] alleging graffiti had been found on the wall of a men's restroom, which was perceived by some LMMSS workers as a terrorist type threat to NASA's Michoud Assembly Facility (MAF), New Orleans, LA, following the terrorist attacks on the United States on September 11, 2001.

As a result of this writing, added security measures were taken at the MAF and a criminal investigation was undertaken by the NASA Inspector General, Michoud Post of Duty, in an attempt to identify the author.

All logical leads have been exhausted in connection with this investigation; therefore, it is closed. There have been no additional reports of threats or graffiti of this type at the MAF since this incident occurred.

Prepared by:  
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1453  
APPR: JHC

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