



**U.S. Department of Justice**

**Terrence Berg  
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Eastern District of Michigan**

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**For Immediate Release:  
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**Aug 26, 2009**

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**Event: Indictment**

**Defendant: Russell Vail**

**OAKLAND COUNTY LAWYER INDICTED FOR MAKING  
FALSE STATEMENTS**

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An Oakland County lawyer and former investigator for the federal government was indicted for making false statements in investigative reports he submitted while working as a contract employee for the Department of Homeland Security, Customs and Border Protection, United States Attorney Terrence Berg announced today. Mr. Berg was joined in the announcement by John Tiano, Special Agent in Charge, Department of Homeland Security, Office of Inspector General, Detroit Field Division and Desmond Scanlon, Special Agent in Charge, Customs and Border Protection, Internal Affairs, Detroit Field Office.

Russell Vail, 68, of White Lake Township, Michigan, was arraigned today before United States Magistrate Judge Michael Hluchaniuk in federal court in Flint. He was released on an unsecured bond.

According to the indictment from November 2008 through January 2009, while

employed as an investigator for the Department of Homeland Security, Customs and Border Protection, Vail submitted investigative reports containing fabricated summaries of interviews that he did not conduct.

As part of his duties, Vail was responsible for conducting in-person interviews of persons who knew current and potential federal employees and for submitting accurate reports of those interviews. These reports were then used to make hiring decisions and in the granting of security clearances for sensitive positions.

If convicted, Vail faces up to 5 years imprisonment and a fine of up to \$250,000 fine on each count.

United States Attorney Berg stated, "Conducting background investigations of applicants to sensitive positions in the federal government is an important job that obviously must be done honestly and thoroughly. To ensure that only qualified and suitable persons are hired for these positions, we must be able to depend on the thoroughness and accuracy of the background check."

Special Agent in Charge Tiano stated, "Department of Homeland Security (DHS) contractors responsible for conducting background investigations for DHS employees hold a very sensitive position of trust and should be held to the highest standards. Submitting false background information pertaining to applicants presents a breach of that trust and will not be tolerated. The Office of Inspector General will aggressively pursue those who betray the public trust."

The case is being prosecuted by Assistant United States Attorney Nancy Abraham.