

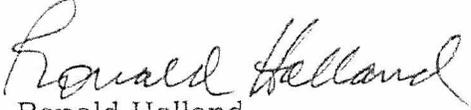


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June 13, 2014

MEMORANDUM

TO: Catherine A. McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel

FROM: 
Ronald Holland
Special Agent in Charge
Dallas Field Office

RE: OSC File No. DI-14-0457

This memorandum is submitted in response to the U.S. Office of Special Counsel's (OSC) letter to the Attorney General dated February 3, 2014. Based on the OSC letter, the Office of the Inspector General (OIG) investigated a whistleblower's complaint alleging that on December 8, 2012, Drug Enforcement Administration (DEA) Special Agent in Charge (SAC) Jeffrey Stamm arranged for the unauthorized use of a DEA aircraft for personal travel. Specifically, the whistleblower alleged that Stamm directed Aviation Division supervisors to arrange for the flight of a DEA aircraft to attend a retirement luncheon for Supervisory Special Agent Steve Orr in Houston, Texas, and the flight crew was instructed to identify the flight as a "training flight" in order to circumvent federal laws regarding personal use of the aircraft.

The OIG interviewed former DEA Supervisory Special Agent William Roche who filed the whistleblower complaint. In his whistleblower complaint, Roche alleged Stamm directed and arranged the unauthorized use of a DEA aircraft on December 18, 2012 (not December 8, 2012, as alleged in the material from OSC), to transport Stamm and five other DEA employees to Conroe, Texas, to attend a retirement luncheon for Orr. Roche believed Stamm had the flight characterized as a training flight to circumvent the federal laws and rules regarding the use of government aircraft by Senior Executive Service employees. Roche stated he chose not to report this information at the time it occurred because he was afraid of retaliation by Stamm.

SENSITIVE BUT UNCLASSIFIED

OIG review of Federal Aviation Administration records determined that the aircraft traveled roundtrip from Fort Worth to Conroe on the above date. OIG review of U.S. General Services Administration records revealed Stamm made the required notification regarding his status as a Senior Federal Official passenger on the flight.

The OIG determined DEA updated the avionics system in its fleet of Beech King Air 350 aircraft beginning in December 2012. The aircraft used in the flight at issue in this investigation was the first to receive this upgrade. Maintenance records for the aircraft show that installation of the updated avionics system was completed on December 14, 2012. A DEA mission report showed that the aircraft was used on December 18 for training two pilots on the new avionics system.

Stamm told the OIG that he arranged for his management staff to join the pilots' training flight in order to familiarize them with the capabilities of the upgraded avionics system, and the training requirements their subordinate pilots would undergo as a result of the upgrade. Stamm said the roundtrip flight to Conroe met time, distance, and altitude training parameters. He stated the flight was for training, and it did not violate ethics standards or DEA policy.

Stamm acknowledged that he planned in advance to conduct a brief visit with the DEA staff in Conroe, and to take Orr to lunch. He said that upon arriving in Conroe, he did so. However, Stamm maintained that the principal reason for the flight was so that he and the other supervisors could gain an understanding of the new instrumentation. Stamm stated that the meeting with Orr was entirely secondary, and that the lunch with Orr did not constitute a retirement party. Other DEA personnel interviewed by the OIG, including the pilots and other managers on the flight, provided accounts consistent with Stamm's about the purpose and nature of the flight.

Orr told the OIG that he would not characterize his lunch with Stamm as a planned retirement luncheon. He said there was no organization to the lunch, and, in fact, they had trouble choosing a location. The OIG learned that Orr retired from DEA at the end of December 2012. A formal retirement party for him was held in Fort Worth in April 2013, to which Stamm was not invited. The OIG did not substantiate the allegations against Stamm. The evidence did not show that he violated ethics regulations or DEA policy. The OIG has completed its investigation and provided its full report of investigation to the DEA for its review.