



1300 Pennsylvania Avenue, NW
Washington, D.C. 20229

U.S. Customs and Border Protection

September 25, 2024

The Honorable Hampton Dellinger
Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW, Suite 300
Washington, D.C. 20036

Re: OSC Files No. DI-24-000960 and DI-24-000988

Dear Mr. Dellinger:

On July 12, 2024, the Office of Special Counsel (OSC) referred to the Department of Homeland Security (DHS) allegations that U.S. Customs and Border Protection's Acting Chief Medical Officer (aCMO) may have engaged in actions that constituted a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health and safety.

Based on OSC's referral letter and additional statements from the whistleblowers, CBP is investigating the following:

1. Allegation 1: aCMO's improper efforts to replace OCMO's Electronic Medical Records system (EMR).
2. Allegation 2: aCMO's improper creation of an agency-wide narcotics policy to personally procure Fentanyl.
3. Allegation 3: aCMO's repeated consumption of alcohol while in possession of a CBP-issued firearm; and.
4. Allegation 4: Any additional or related allegations of wrongdoing discovered during the investigation of the foregoing allegations.

CBP's Office of Professional Responsibility (OPR) is investigating each allegation and has completed investigation of Allegation #3, to include interviewing the named whistleblowers, submitting requests for information from the confidential whistleblowers through OSC, and interviewing other relevant witnesses. Attached is the resulting anonymized version of the Case Closing Report (CCR) on this allegation along with a redaction key. Pursuant to OSC-granted extensions, investigation on the other allegations continues and is not included in this 5 U.S.C. § 1213 response.

For Allegation #3, CBP OPR found that the evidence supported the allegations that the aCMO engaged in actions that constituted a violation of law, rule, or regulation. Specifically, it is undisputed that he was carrying his CBP-issued firearm at the SpringHill Suites hotel bar

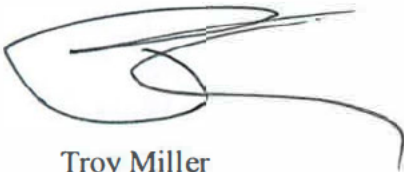
(Tucson, AZ) on January 30, 2024, when he consumed alcohol. The aCMO admits as much, although he asserts that he quickly left the bar without finishing his first drink when he realized that he still had his firearm with him. This violates CBP policy, in particular the U.S. Customs and Border Protection, Use of Force – Administrative Guidelines and Procedures Handbook, January 2021 and its corresponding provision in the Table of Offenses and Penalties.

As to the allegation that he was also carrying his firearm while consuming alcohol at an event at the Hamilton Hotel bar in Washington, D.C., the evidence is not as clear, but a violation appears likely. There was an event at the bar in September 2023 with various office members, the aCMO was in attendance and was drinking, and confidential whistleblower #2 (WB#2) asserts he “both felt the firearm under [aCMO]’s jacket when he gave him a side hug and saw the firearm when aCMO’s jacket flapped open.” No other witnesses saw a weapon. At another event at the Hamilton bar (June 2023) a witness did not observe any weapon but assumed that aCMO was armed and that his weapon was hidden by his jacket: “I can’t swear on a Bible that he had his weapon on him, but what I can say is he always had his weapon on him, so I don’t know why he would have [taken] it off then. He always had his weapon on him.”

CBP OPR’s Case Closing Report will be forwarded to DHS for review and appropriate action. In addition, upon the completion of the other investigations in this matter, I will complete the 5 U.S.C. § 1213 response.

If you require further information regarding this matter, please contact Deputy Associate Chief Counsel [REDACTED] or [REDACTED], Senior Attorney, [REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to be 'Troy Miller', with a stylized, looping flourish extending from the end of the name.

Troy Miller
Senior Official Performing the Duties of the Commissioner

DELEGATION REGARDING OFFICE OF SPECIAL COUNSEL INVESTIGATIONS AND REPORTS REQUIRED BY TITLE 5, UNITED STATES CODE, SECTION 1213

I. Purpose

This delegation vests authority in the Operational Component heads and Director of the Federal Law Enforcement Training Centers to perform functions required under Title 5, United States Code (U.S.C.) § 1213.

II. Delegation

Subject to my oversight, direction, and guidance, I hereby delegate to the Operational Component heads and the Director of the Federal Law Enforcement Training Centers, the following authority:

Conduct investigations, and review and sign investigative reports responding to referrals from the Office of Special Counsel pursuant to 5 U.S.C. § 1213 when the Office of Inspector General declines to investigate the matter.

III. Re-delegation

The Component head may re-delegate authority to conduct investigations to appropriate subordinate officials provided such re-delegation is in writing. The Component head may re-delegate authority to review and sign investigative reports only in writing and to the deputy Component heads who are the first assistant/first successor on the Components' order of succession pursuant to the most current [Delegation 00106](#), "DHS Orders of Succession and Delegations of Authorities for Named Positions."

IV. Reservations

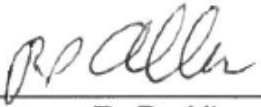
The authorities delegated herein do not include the authority to investigate, review, and sign investigate reports for any particular matters in which I exercise my discretion to retain.

V. Authorities

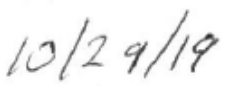
- A. Title 5, U.S.C., Section 1213, "Provisions Relating to Disclosures of Violations of Law, Gross Mismanagement, and Certain Other Matters"
- B. DHS Delegation 00002, "Delegation to the Under Secretary for Management"
- C. DHS Delegation 00106, "DHS Orders of Succession and Delegations of Authorities for Named Positions"

VI. Office of Primary Interest

The Office of the Under Secretary for Management has primary interest in this delegation.



R. D. Alles
Acting Under Secretary for Management



Date



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



CASE CLOSING REPORT

| | | | |
|----------------------------------|---|----------------------|-------------------------|
| CASE NUMBER: | 202400798 | FIELD OFFICE: | Washington Field Office |
| CASE AGENT: | SA | | |
| CASE TITLE: | Office of the Special Counsel Directed Investigation | | |
| SUBJECT NAME AND TITLE: | Acting Chief Medical Officer (ACMO), Office of the Chief Medical Officer, Office of Operations Support, CBP | | |
| DATE OF ALLEGED ACTIVITY: | June 20, 2023 - Present | | |
| SECURITY CLEARANCE: | TS/SCI | | |

ALLEGATION

On June 12, 2024, the U.S. Customs and Border Protection (CBP) Office of Professional Responsibility (OPR) Investigative Operations Directorate (IOD) received a referral to investigate allegations made to Mr. Hampton Dellinger, Special Counsel, Office of the Special Counsel (OSC), Washington, DC. (Ex. 1)

Mr. Dellinger provided whistleblower disclosures that Department of Homeland Security, Customs and Border Protection (CPB), Office of the Chief Medical Officer (OCMO), Office of Operations Support (OS), Washington, D.C., engaged in conduct that may constitute a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, an abuse of authority, as well as a substantial and specific danger to public health and safety.

Whistleblowers, [REDACTED], [REDACTED], OCMO, and two whistleblowers, who wished to remain confidential (CWB 1 and CWB 2), alleged Acting Chief Medical Officer (ACMO), OCMO, engaged in wrongdoing. The allegations were as follows:

- ACMO's improper efforts to replace OCMO's Electronic Medical Records system (ECE2).
- ACMO's improper creation of an agency-wide narcotics policy to personally procure Fentanyl.
- ACMO's repeated consumption of alcohol while in possession of a CBP-issued firearm; and

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



- Any additional or related allegations of wrongdoing discovered during the investigation.

On June 12, 2024, CBP OPR initiated this investigation, and assigned Investigating Special Agent (SA), Washington, DC Field Office (WFO), IOD, OPR, CBP, to investigate the allegations.

On September 6, 2024, CBP OPR was directed to produce a report detailing the investigation into the allegation that ACOMO's repeatedly consumed alcohol while in possession of a CBP-issued firearm.

I affirm that my statements in this report are true and correct to the best of my knowledge and belief.

| | | | |
|--------------|--|----------------|--|
| Prepared by: | <small>Date: 2024.09.23 16:21:34 -0400</small> | Report Date: | |
| Reviewed by: | | Reviewed Date: | |
| Approved by: | <small>Date: 2024.09.23 16:26:45 -0400</small> | Approved Date | |

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



POTENTIAL VIOLATIONS AND INVESTIGATIVE FINDINGS

| Potential Violation(s) of Law |
|---|
| Code of the District of Columbia § 7-2509.07(a)(7) Prohibitions on Carrying Licensed Pistols, which provides that “[n]o person holding a license shall carry a pistol in the following locations or under the following circumstances ... [a]ny premises, or portion thereof, where alcohol is served, or sold and consumed on the premises[.]” |

PROSECUTORIAL ACTION(s) (when applicable)

No prosecutorial action has been taken against ACOMO

| Potential Violation(s) of Policy, Rule, or Regulation | Investigative Findings |
|---|------------------------|
| Table of Penalties – D02 (Consuming alcoholic beverages when carrying a weapon while off-duty.) | Sustained |

ADMINISTRATIVE ACTION(s) (when applicable)

No administrative actions were taken against ACOMO during OPR’s investigation.

EXECUTIVE SUMMARY

In the June 12, 2024, investigation referral memo from OSC, CWB 2 disclosed, in September 2023, while at a team-building event at the Hamilton Hotel Bar, Washington D.C., ACOMO consumed at least two alcoholic beverages, while armed with his CBP-issued pistol on his waist, a violation of CBP’s Use of Force Handbook. Additionally, on February 23, 2024, [REDACTED] disclosed, on January 30, 2024, while on official travel to Tucson, Arizona, ACOMO violated CBP’s Use of Force Policy when he consumed at least two alcoholic beverages in a hotel bar, while armed with his CBP-issued pistol. [REDACTED] explained, unlike ACOMO, the other two agency employees authorized to carry CBP-issued weapons locked their respective weapons in their hotel room safes before attending the hotel bar happy hour.

DETAILS OF INVESTIGATION

On February 22, 2024, [REDACTED] provided information detailing his observation of ACOMO consuming alcohol while armed. [REDACTED] stated, at a hotel in Tucson, AZ, on January 30, 2024, ACOMO, following a drink in the hotel bar, prepared to return to his room for the evening. During a “half-hug” goodnight, [REDACTED] stated, “*I felt what appeared to be his holster under his untucked shirt.*” [REDACTED] stated he did not see the firearm but felt a “holster.”

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



On **April 8, 2024**, **Supervisory CBP Officer (SCBPO)**, Acting Deputy (DEP) described a conversation she had with **ACMO**, wherein she told **ACMO**, her supervisor, she was to meet with **OPR** the following day. **DEP** stated **ACMO** then told her of a time he had been at a hotel and consumed alcohol while armed. **DEP** did not know specific details of the event.

On **April 25, 2024**, **ACMO** was interviewed concerning other matters related to **OSC**'s investigation referral. Following the conclusion of **ACMO**'s interview, after the recording device was dismantled, a casual conversation about **CBP** and firearms training ensued, wherein **ACMO** stated he had, at one time, been at a hotel, arrived in the evening, entered the hotel lobby, and saw **CBP** employees he knew at the hotel bar. **ACMO** indicated he approached said **CBP** employees, without first going to his room to secure his firearm.

On **May 1, 2024**, **DEP** was re-interviewed and asked to provide details about a comment she made during an interview with **OPR** on April 8, 2024. The comment was related to a conversation with **ACMO**. When **ACMO** learned **DEP** was to be interviewed by **OPR**, he asked the topic of the **OPR** interview. **DEP** told **ACMO** she did not know. According to **DEP**, **ACMO** stated he was aware a complaint had been filed alleging he had consumed alcohol while armed. **ACMO** voluntarily admitted to drinking while armed. **DEP** said **ACMO** explained that once, on a work trip, **ACMO** had come back to the hotel late. When he was going back to the hotel, located within the hotel lobby, he saw in the bar area, there were some individuals that he knew from **CBP**. He did not go up to his room to drop his firearm off. He went into the bar and "had a drink with them."

On **May 8, 2024**, **ACMO** was re-interviewed concerning **GAP** whistleblower report filed to expose the irregular possession and misuse of a **CBP**-issued firearm by **ACMO**. **ACMO** confirmed his knowledge of the allegations during an interview. The report claimed **ACMO** consumed alcohol, while armed with a **CBP** weapon, at the SpringHill Suites hotel in Tucson, AZ. **ACMO** admitted to briefly drinking a beer, while armed, but quickly realized his mistake and disposed of the unfinished beer. **ACMO** stated he did not finish the drink and was not intoxicated. **ACMO** explained he never drank while armed and had been in law enforcement for nearly 20 years without incident. **ACMO** indicated he reported the incident to his leadership, Deputy Executive Assistant Commissioner (DEAC) OS, **CBP**, and Director/Chief Medical Officer, DCMO, Office of Health Security (OHS), Department of Homeland Security (DHS), after learning of a **CBP** Joint Intake Center (JIC) complaint filed by one of the **OCMO** staff members in retaliation for being counseled about uniform regulations. **ACMO** was also informed by Assistant Chief (AC), Law Enforcement Operations Directorate (LEOD), U.S. Border Patrol, **CBP**, the JIC complaint was made by [REDACTED], who was upset about being counseled by **ACMO** for wearing a duty uniform while on light duty. **ACMO** expressed concern about [REDACTED]'s motives and believed there was a campaign to tarnish his character. He denied any previous instances of drinking while armed and stated he was aware of the **CBP** firearms policy regarding alcohol.

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside **CBP** without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



On **May 13, 2024**, **DEP** was interviewed for a third time to gather additional detail of **ACMO**'s earlier admission of drinking while armed. **DEP** recounted, on April 7, 2024, **ACMO** learned about **DEP**'s April 8, 2024, meeting with **OPR**. **ACMO** then informed **DEP** about an incident where he consumed alcohol while armed at a hotel. **DEP** stated he saw colleagues from **CBP** at the bar and ordered a drink, instead of putting his gun away. **DEP** stated **ACMO** acknowledged [REDACTED] reported the incident. **DEP** was unsure how to respond, feeling hesitant to confront **ACMO**, her supervisor, for drinking while armed. The conversation did not progress further at that time. Additionally, **ACMO** mentioned he had a "source" who informed him about being reported to the **JIC** but did not identify the source. **DEP** stated, when asked for more details, **ACMO** only mentioned having a drink at the hotel, not disclosing who provided the drink nor how much he consumed. **DEP** did not inform anyone higher in her chain of command about the incident. **DEP** stated, on May 10, 2024, **ACMO** contacted her regarding the issue, wherein **ACMO** mentioned being questioned about having a source within **OPR** and denied having such a connection, as having one might jeopardize his relationship with **OPR** and its agents. **DEP** stated **ACMO** said he informed **OPR** about the complaint to the **JIC**, attributing it to [REDACTED], who allegedly boasted about it to someone else.

On **May 13, 2024**, **DEAC** was interviewed. **DEAC** stated he met with [REDACTED] on April 11, 2024, in Rio Grande Valley, TX, during Z's visit to the National Capital Region. **DEAC** stated [REDACTED] informed him **ACMO** allegedly consumed alcohol while armed, which **DEAC** believed was a serious offense. **DEAC** stated [REDACTED] expressed concern and stated anyone else would be fired for such behavior. **DEAC** urged [REDACTED] to report any knowledge of this incident. **DEAC** stated **ACMO** did not bring the issue to his attention until it was published in the May 1, 2024, **GAP** report, following a whistleblower complaint.

On **May 13, 2024**, **AC** was interviewed, wherein **AC** was present at a meeting with colleagues at the SpringHill Suites in Tucson, AZ, on January 30, 2024. After work, in the hotel bar, **AC**, [REDACTED], and others discussed work topics and drank alcohol. **AC** was unable to confirm if **ACMO** was drinking and was unaware if **ACMO** was armed.

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside **CBP** without prior, written approval from **IOD**.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



AC was aware of the May 1, 2024, GAP report alleging ACMO drank alcohol while armed and stated [REDACTED] had already reported the incident to the JIC before the report was published. According to AC, [REDACTED] reported ACMO to the JIC due to personal issues between the two of them. AC stated, at some point, ACMO had questioned [REDACTED] about wearing his gun while on light duty. AC said [REDACTED] felt targeted by ACMO, leading to tensions between the two. AC advised [REDACTED] against 'JIC'ing' and encouraged direct communication. AC eventually informed ACMO about [REDACTED]'s actions in reporting him to the JIC for drinking while armed, of which ACMO had already been made aware. AC provided no information concerning the ECE2 or Schedule II narcotics.

On **May 14, 2024, Commander (CDR)**, U.S. Public Health Service (PHS), Chief, Advanced Practice Provider Service, National Heart, Lung, and Blood Institute, Nation Institute of Health (NIH), U.S. Department of Health and Human Services (HHS), Washington, DC, was interviewed, wherein she stated she did not witness ACMO drinking alcohol while armed at the SpringHill Suites Hotel in Tucson, AZ. CDR stated, prior to the time at the hotel bar on January 30, 2024, a group, including DHS and OCMO employees, went to dinner. CDR stated ACMO was present but was not armed during dinner. After dinner, the group went to the hotel lobby bar. CDR recalled drinking wine but could not recall if ACMO consumed alcohol.

On **June 26, 2024, DCMO** was interviewed regarding allegations of ACMO consuming alcohol while armed. DCMO stated he learned of the allegation against ACMO through media reporting and was not informed by ACMO of the matter prior to that. DCMO stated ACMO described the incidents as minor and assured DCMO the matter was not a repeated problem.

On **June 28, 2024**, [REDACTED] was interviewed. [REDACTED] learned about ACMO drinking while armed in Tucson, AZ, from members of the OCMO staff. [REDACTED] provided additional information. At a team-building event in June 2023, at The Hamilton in Washington, DC, near the Reagan Building, [REDACTED] said ACMO wore a jacket, but he did not notice if ACMO was wearing a firearm. [REDACTED] mentioned that ACMO was always armed while at the Reagan Building, but he did not observe ACMO drinking while armed. [REDACTED] stated, "I can't swear on a Bible that he had his weapon on him, but what I can say is he always had his weapon on him, so I don't know why he would have [taken] it off then. He always had his weapon on him." Despite suspecting ACMO was always armed, [REDACTED] never asked ACMO directly about being armed. He didn't report his concerns about ACMO drinking while armed during a November 2023 interview with OPR because his main worry was ACMO's temper and cavalier attitude towards weapons.

On **July 12, 2024, ACMO** was interviewed. ACMO stated, during his tenure at OCMO, he had been to the Hamilton on multiple occasions for impromptu gatherings, team building events, and

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



going away parties with and for members of the OCMO staff, but he could not recall being at the Hamilton Hotel (Hamilton) during the month of September 2023 or who would have joined him. ACOMO stated, while at The Hamilton bar, he did drink alcohol, but was adamant about the fact he was never intoxicated. ACOMO stated he always secured his firearm prior to imbibing alcohol, at his hotel if traveling, or in his office if after work. ACOMO added he would put the firearm in his safe but leave his holster on his belt. ACOMO stated he could understand how someone might confuse his empty holster printing under his clothing with carrying a firearm. According to ACOMO, since his arrival at CBP in June 2023, the night of January 30, 2024, in Tucson, AZ, was the only instance where ACOMO consumed alcohol while armed.

On August 20, 2024, OPR received an email response to questions forwarded, through OSC, to WB#2. WB#2 stated they saw ACOMO's firearm on his person while in the Hamilton Bar. WB#2 both felt the firearm under ACOMO's jacket when he gave him a side hug and saw the firearm when ACOMO's jacket flapped open. WB#2 indicated they addressed the matter with [REDACTED] the next day or shortly thereafter. WB#2 stated several people were present, but only recalls the presence of PA, CE1, CE2, and HRS specifically.

On August 21, 2024, OCMO Program Analyst (PA) E was interviewed concerning the allegation that ACOMO consumed alcoholic drinks while armed at The Hamilton Hotel bar in September 2023. PA indicated she was at the bar and did see ACOMO drinking alcoholic drinks but did not see any indication ACOMO was armed.

On September 4, 2024, Human Resources Specialist (HRS), OCMO, OS, CBP, was interviewed. HRS indicated she was at the Hamilton Hotel bar in September 2023 and did see ACOMO drinking alcoholic drinks but saw no indication he was armed. HRS also stated she was present in June 2023 at The Hamilton Hotel bar, wherein, again, she saw ACOMO drinking alcoholic drinks but saw no indication he was armed.

On September 4, 2024, SBPA was interviewed. SBPA stated he was not in Washington, DC during September 2023 and could provide no information concerning the allegation of ACOMO drinking alcohol while armed.

On September 5, 2024, OSC provided answers to follow-up questions concerning the specific date of the event at The Hamilton and who was present. Per OSC, WB#2 was unable to recall the specific date for the Hamilton happy hour event. WB#2 recalled [REDACTED] presence at the event and believed SBPA may have attended too.

On September 16, 2024, Contractors CE1 and CE2 (OCMO, OS, CBP), were interviewed, wherein

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.



**U.S. CUSTOMS AND BORDER PROTECTION
OFFICE OF PROFESSIONAL RESPONSIBILITY
INVESTIGATIVE OPERATIONS DIRECTORATE**



both stated they have never seen ACMO consume alcohol while armed. Additionally, neither recalled attending a function at The Hamilton, Washington, D.C., in September 2023; however, CE1 stated he did find a credit card statement indicating he was at The Hamilton in September 2023.

This document, along with any attachment(s), is loaned to you for official use only and remains the property of U.S. Customs and Border Protection Office of Professional Responsibility Investigative Operations Directorate (IOD). You are prohibited from copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the document or its attachments within or outside CBP without prior, written approval from IOD.

The contents of this document and its attachment(s) may contain information, which is unclassified, law enforcement sensitive, proprietary, privileged, or confidential, and may be legally protected or otherwise exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. § 552 and Privacy Act of 1974.