



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

MANAGEMENT ADVISORY MEMORANDUM

25-001

OCTOBER 2024

Notification of Concerns Regarding the
Drug Enforcement Administration's and the
Federal Bureau of Investigation's Handling
of Employee Issued Firearms Pending
Destruction

INVESTIGATIONS DIVISION



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

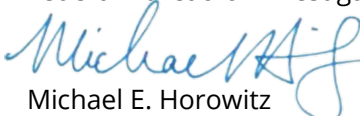
October 15, 2024

Management Advisory Memorandum

To: Lisa Monaco
Deputy Attorney General

Anne Milgram
Administrator
Drug Enforcement Administration

Christopher Wray
Director
Federal Bureau of Investigation

From: 
Michael E. Horowitz
Inspector General

Subject: Notification of Concerns Regarding the Drug Enforcement Administration's and the Federal Bureau of Investigation's Handling of Employee Issued Firearms Pending Destruction

The purpose of this memorandum is to advise you of concerns the Department of Justice (DOJ) Office of the Inspector General (OIG) identified with the Drug Enforcement Administration's (DEA) and Federal Bureau of Investigation's (FBI) handling of employee issued firearms pending destruction. The OIG identified these concerns in connection with an investigation of a recovered privately made firearm (PMF), also known as a "Ghost Gun," that contained an unserialized frame attached to a slide and barrel of a DEA employee issued firearm.¹ According to DEA records, the slide and barrel were submitted for destruction by the DEA in 2019, yet the parts were recovered during an arrest of a private citizen by local law enforcement in 2023. The firearm was test fired for the National Integrated Ballistic Information Network (NIBIN) and determined to be operable. During the investigation, the OIG found that in 2019 the DEA and FBI stored slides and barrels from firearms that were pending destruction in open bins accessible to thousands of DEA and FBI employees and contractors. While the DEA and FBI have both stated that they are no longer storing firearm parts in these open bins, neither agency has policies to address this issue.² Specifically, DEA does not have

¹ According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) [website](#), privately made firearms (PMFs) are "firearm[s], including a frame or receiver, completed, assembled or otherwise produced by a person other than a licensed manufacturer, and without a serial number placed by a licensed manufacturer at the time the firearm was produced." PMFs are commonly referred to as "Ghost Guns" because they are difficult to track.

² The FBI informed the OIG that in 2021 it relocated its Defensive Systems Unit (DSU) from the FBI Academy at Quantico, VA, to the Redstone Arsenal military base in Huntsville, AL, and that since this relocation, DSU

any official policies regarding the storage, documentation, and safe handling of employee issued firearms pending destruction, and FBI's policies have significant gaps with respect to the destruction of employee issued firearms.³ We concluded that inadequate policies regarding the destruction of employee issued firearms create significant risks that firearms or their parts could be lost or stolen and used in subsequent crimes without accountability. In this memorandum, the OIG makes four recommendations to address the concerns we identified.

Relevant Authorities

The OIG requested that the DEA provide the OIG with all policies or procedures governing the destruction of employee issued firearms within the DEA. The DEA stated there are no official written policies pertaining to the destruction of employee issued firearms. The DEA provided the OIG a one-page, undated Microsoft word document entitled, "TRDF Standard Operating Procedure (SOP)."⁴ The SOP does not specify whether employee issued firearms should be dismantled or remain intact prior to destruction or otherwise provide details on how employee issued firearms or firearm parts should be stored or safeguarded pending destruction. DEA employees told the OIG that this SOP was drafted by Firearms Training Unit (TRDF) staff and accepted as common practice but was not officially reviewed or approved.

The OIG also requested that the FBI provide the OIG with all policies or procedures governing the destruction of employee issued firearms within the FBI. The FBI referred the OIG to the FBI Asset Management Business Process Guide (FBI Asset Management Guide) and the FBI Firearms Policy Guide.

The FBI Asset Management Guide indicates that the FBI Defensive Systems Unit (DSU) is responsible for monitoring and controlling FBI employee issued firearms. Specifically, § 6.2.2.12 of the guide is entitled "Weapons/Munition" and states:

All firearms, weapons, ammunition, and munitions are closely monitored and controlled within the FBI by the Defensive Systems Unit (DSU) for FBI procured assets and the Firearms/Toolmarks Unit (TRDF) for forfeited and abandoned assets, with strict adherence to FBI and regulatory requirements.

The DSU and TRDF review forfeited and abandoned weapons for determination of retaining the firearms/weapons. If they do not elect to retain the assets for display or future training requirements, the firearms/weapons will be reviewed for repurposing of their components and destroyed. Transportation of the assets for destruction requires the accompaniment of an armed escort team comprised of FBI Special Agents (SAs) with the TRDF personnel.

The FBI Asset Management Guide provides some other guidelines for the destruction of firearms including that information about the firearms should be recorded into the FBI's Asset Management System of Record (AMS); an TRDF Weapons Escort Team should deliver the firearms to an authorized, designated facility for destruction; and the TRDF Weapons Escort Team should remain on-site to witness the destruction.

services, maintains, and destroys FBI weapons in a secure workspace only accessible to DSU personnel. The DEA informed the OIG that it is now storing its slides and barrels in a secured armory at Quantico that is only accessible to specific DEA gunsmiths.

³ After reviewing a draft of this memorandum, the FBI informed the OIG that FBI policy updates remain ongoing, and that the FBI anticipates written interim guidance to be issued while the policy update is finalized. According to the FBI, policy updates will include standard operating procedures for documenting and handling weapons to be set aside for destruction.

⁴ TRDF refers to the DEA Firearms Training Unit.

The FBI Firearms Policy Guide addresses the inventory of employee issued firearms submitted by FBI personnel when they retire or separate. Specifically, § 4.5 of this part of the policy guide is entitled “Issued Firearms” and states:

Any changes or alterations to any firearm must be authorized and performed by DSU. Upon retirement or separation, authorized personnel must return all issued firearms and related property to their [Principal Firearms Instructors (PFI)] on or before their termination of service dates. PFIs must inspect and verify serial numbers and bar codes. The firearms must be returned immediately to DSU. FBI SAs failing to comply fully with this requirement may be referred to [Initial Processing] for possible disciplinary or financial recovery actions. PFIs must ensure that any [personally owned weapons] owned by FBI SAs are removed from the AMS of record.

Neither the FBI Asset Management Guide nor the FBI Firearms Policy specifies whether employee issued firearms should be dismantled or remain intact prior to destruction or otherwise provides details on how employee issued firearms or their parts should be stored or safeguarded pending destruction.

The Issue

The OIG initiated an investigation after a local police department recovered a PMF during an arrest of a private citizen and traced the serial number of the slide and barrel of the PMF to the DEA. According to DEA records, the slide and barrel were part of a DEA employee issued firearm that had been destroyed over three years earlier. During the course of the investigation, the OIG learned that, before the PMF was recovered, the DEA’s process for destroying DEA employee issued firearms involved separating the slide and barrel from the rest of the firearm and placing the slide and barrel in open bins in a gun cleaning room that was collocated at the DEA and FBI training academies in Quantico, Virginia. The OIG further learned that the gun cleaning room was accessible to thousands of employees and contractors at Quantico, including FBI and DEA armory employees, FBI and DEA academy trainers and students, cleaning staff, maintenance contractors, and others. Because the gun cleaning room was in a shared building that also held the Quantico cafeteria, security control measures were limited to a Quantico access card provided to every individual that had access to the grounds at Quantico. There were no safeguards to ensure that the location where the slides and barrels were stored was secured, document who had access to the location or DEA property, or document when the slides and barrels were destroyed.

During the investigation, the OIG further learned that the FBI similarly, at least sometimes, separated slides and barrels from the rest of FBI employee issued firearms pending destruction and placed the slides and barrels in the same open bins accessible to thousands of individuals at Quantico. We found that multiple FBI employees disagreed on their standard practice regarding the storage of these parts. While some FBI employees stated they never separated the slides and barrels of firearms from their frames, other stated this was standard practice. Furthermore, some FBI employees stated the DEA and FBI never shared bins for scrap metal including slides and barrels, while others again recognized this as standard practice.

The DEA and some FBI employees told the OIG that they considered only the frames and receivers of employee issued firearms as necessary to safeguard in a secure vault prior to destruction. This is problematic given that slides and barrels can be attached to compatible frames or receivers and end up in the hands of criminals. Further, although the slides and barrels are not considered firearms in themselves, they contain serial numbers that identify their origin and implicate the DEA or FBI when recovered. While the DEA and the FBI informed the OIG that they are no longer using the open bins at Quantico to store slides and barrels of firearms that are pending destruction, neither the DEA nor the FBI have written policies memorializing this change. We concluded that the lack of safe handling and destruction policies for these

firearm parts creates a risk that allows for the theft of government property without accountability and the potential for serious crimes to be committed with that government property. Indeed, in the investigation that led to this memorandum, the OIG was unable to identify the individual or individuals who stole the DEA slide and barrel that were later recovered during an arrest.

During the OIG's investigation, we also identified concerns with the DEA's documentation processes for destroying firearms. Specifically, we found that the DEA conducted an inventory of several hundred employee issued firearms intended for destruction in 2019 and later found that 100 of those firearms were unaccounted. The DEA ultimately concluded that the 100 firearms were destroyed based on an unofficial spreadsheet created by a DEA employee; however, there was no official documentation to confirm this conclusion was accurate. The DEA does not specifically require employees, when storing employee issued firearms pending destruction, to maintain documentation identifying the particular DEA employees who handled or had access to those firearms, nor does it contain standards for how DEA employees should conduct a proper inventory of such firearms. Moreover, while DEA employees have told us that since 2019 it has been following new processes for documenting and tracking firearms pending destruction, these processes are not memorialized in official DEA policy.

More broadly, we found that the DEA does not have any official policy governing the storage, documentation, and safe handling of DEA employee issued firearms and firearm parts pending destruction. Although TRDF staff created an SOP memorializing some of TRDF's practices for firearm destruction, the SOP has not been officially reviewed or approved. Further, we found that the SOP contains only limited guidance on the DEA's destruction processes and lacks clarity in several respects. For example, the SOP does not specify whether firearms should be kept intact or dismantled prior to destruction. In addition, the SOP states that boxes of firearms should be moved to an armory after DEA gunsmiths inventory the firearms, but the SOP does not specify how long the inventory process should take or how the firearms are secured during the inventory. One of the steps of the SOP states: "Destruction Log serial numbers confirmed with [person's first name] in firearms database." However, this step does not identify the position of the person whose name is provided or what should be done if that person leaves the DEA or is otherwise unavailable.

While the FBI has a policy regarding the destruction of firearms, the policy does not specifically address whether employee issued firearms should be dismantled or remain intact prior to destruction or provide details on how employee issued firearms or their parts should be stored or safeguarded pending destruction. For example, the policy does not specify how boxes of firearms should be sealed prior to destruction or set forth security measures to control and document access to the locations where firearms are stored prior to destruction. Further, while there are guidelines in FBI's policy regarding documenting firearms that are pending destruction, the policy does not address documenting and tracking firearm parts in the event firearms are dismantled prior to destruction.

Conclusion

We concluded that the lack of an official DEA policy and gaps in FBI policy regarding the storage, documentation, and safe handling of employee issued firearms and firearm parts pending destruction create a significant risk that such firearms or their parts will be lost or stolen and used in subsequent crimes without accountability.

Recommendations

The OIG recommends that the DEA take the following measures to address the concerns identified in this memorandum:

1. Create an official policy regarding the destruction of employee issued firearms that addresses the concerns identified in this memorandum. This policy should address, among other things, the secure storage of firearms and firearm parts while they are awaiting destruction and the documentation required to track where such firearms and their parts are located and who has access to them at all times prior to destruction.
2. Provide training to relevant DEA employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

The OIG further recommends that the FBI take the following measures to address the concerns we identified in this memorandum:

3. Revise its policies regarding the destruction of employee issued firearms to addresses the concerns identified in this memorandum. The revised policies should address, among other things, the secure storage of firearms and firearm parts while they are awaiting destruction and the documentation required to track where firearms and their parts are located and who has access to them at all times prior to destruction.
4. Provide training to relevant FBI employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

The OIG provided a draft of this memorandum to the DEA and the FBI, and the DEA's and FBI's responses are incorporated as Appendices 1 and 2, respectively. The DEA and the FBI both indicated in their responses that they agreed with the recommendations directed toward them. Appendix 3 provides the OIG's analysis of the DEA's and FBI's responses and a summary of the actions necessary to close the recommendations. The OIG requests that the DEA and FBI provide updates on the status of their responses to the recommendations within 90 days of the issuance of this memorandum. If you have any questions or would like to discuss the information in this memorandum, please contact me at (202) 514-3435 or Sarah E. Lake, Assistant Inspector General for Investigations, at (202) 616-4730.

cc: Bradley Weinsheimer
Associate Deputy Attorney General
Department of Justice

Appendix 1: The DEA's Response



U.S. Department of Justice
Drug Enforcement Administration
Office of Compliance
8701 Morrisette Drive
Springfield, Virginia 22152

www.dea.gov

MEMORANDUM

TO: Michael E. Horowitz
Inspector General
Office of the Inspector General
Department of Justice

FROM: Edward J. Kovacs
Chief of Compliance
Office of Compliance

EDWARD
KOVACS

Digitally signed by
EDWARD KOVACS
Date: 2024. 10. 09
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SUBJECT: DEA Response to Office of the Inspector General Draft Management Advisory Memorandum – Notification of Concerns Regarding the Drug Enforcement Administration's and the Federal Bureau of Investigations' Handling of Employee Issued Firearms Pending Destruction.

The Drug Enforcement Administration (DEA) has received the Department of Justice (DOJ), Office of the Inspector General (OIG), Investigation Division, Management Advisory Memorandum titled, "Notification of Concerns Regarding the Drug Enforcement Administration's and the Federal Bureau of Investigations' (FBI) Handling of Employee Issued Firearms Pending Destruction." DEA acknowledges and is appreciative of the role OIG played in identifying areas of concern in the process of destruction of employee issued firearms.

During the scope of this investigation, DEA followed guidance provided by the FBI regarding how DEA and FBI comingled firearms would be destroyed. DEA has since taken proactive steps to ensure that additional procedures are in place to address the security of the destruction process.

DEA looks forward to working with OIG to address the remaining concerns provided in this report and provides the below response to the OIG recommendations.

Recommendation 1. Create an official policy regarding the destruction of employee issued firearms that addresses the concerns identified in this memorandum. This policy should address, among other things, the secure storage of firearms and firearm parts while they are awaiting destruction and the documentation required to track where such firearms and their parts are located and who has access to them at all times prior to destruction.

DEA RESPONSE

DEA concurs with this recommendation. To address this recommendation, DEA's Office of Training (TR) is in the process of finalizing policy and Standard Operating Procedures (SOP) that address the OIG concerns regarding storage, documentation, and destruction of employee issued firearms. Upon completion, DEA will provide the policy and SOP to OIG for closure of this recommendation.

Recommendation 2. Provide training to relevant DEA employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

DEA Response

DEA concurs with this recommendation. Once the policy and SOP regarding the storage, documentation, and destruction of employee issued firearms are complete, DEA will provide training to the appropriate personnel. Documentation of the completed training will be provided to OIG for closure of this recommendation.

If you have any questions or concerns regarding DEA's response, please contact Janice Swygert, Program Manager, External Audit Liaison Section, at (571) 776-3119.

Appendix 2: The FBI's Response



U.S. Department of Justice

Federal Bureau of Investigation

935 Pennsylvania Avenue, NW
Washington, D. C. 20535-0001

October 9, 2024

Dear Mr. Horowitz:

The Federal Bureau of Investigation (FBI) appreciates the opportunity to review and respond to your Office's Management Advisory Memorandum *Notification of Concerns Regarding the Drug Enforcement Administration's and the Federal Bureau of Investigations' Handling of Employee Issued Firearms Pending Destruction*.

We agree that having both a robust documented policy covering the destruction of employee-issued firearms and documentation of our existing training process for relevant FBI employees on the topic, would address concerns identified in the memorandum.

Prior to the captioned DOJ MAM, the FBI had taken steps to move the storage of firearms awaiting destruction to a more secured facility. Additionally, steps were already being taken by the FBI to review existing policies, document practices in a Standard Operating Procedure that otherwise existed but were not captured in an SOP or policy, and document existing training provided to relevant personnel on the topic of the destruction of firearms. The updated, relevant Training Division (TD) policy will cover, at a minimum, secure storage of firearms and firearm parts prior to destruction; documentation required to track the location of such items, and who is covered under the policies to access such items.

We appreciate your concern, and the courtesy provided to the FBI.

Sincerely,

A handwritten signature in blue ink, which appears to read "Alfred A. Watson", is written over the word "Sincerely,".

Alfred A. Watson
Deputy Assistant Director
Training Division

Appendix 3: Office of the Inspector General Analysis of DEA's and FBI's Responses

The OIG provided a draft of this memorandum to the DEA and the FBI. The DEA's response is incorporated as Appendix 1, and the FBI's response is incorporated as Appendix 2. The DEA and the FBI both indicated in their responses that they agreed with the recommendations directed toward them.

The following provides the OIG's analysis of the DEA's and FBI's responses and a summary of the actions necessary to close the recommendations. The OIG requests that the DEA and FBI provide updates on the status of their responses to the recommendations within 90 days of the issuance of this memorandum.

Recommendation 1: The DEA should create an official policy regarding the destruction of employee issued firearms that addresses the concerns identified in this memorandum. This policy should address, among other things, the secure storage of firearms and firearm parts while they are awaiting destruction and the documentation required to track where such firearms and their parts are located and who has access to them at all times prior to destruction.

Status: Resolved.

DEA Response: The DEA reported the following:

DEA concurs with this recommendation. To address this recommendation, DEA's Office of Training (TR) is in the process of finalizing policy and Standard Operating Procedures (SOP) that address the OIG concerns regarding storage, documentation, and destruction of employee issued firearms. Upon completion, DEA will provide the policy and SOP to OIG for closure of this recommendation.

OIG Analysis: The DEA's response is responsive to the recommendation. The OIG will consider whether to close this recommendation after the DEA creates an official policy regarding the destruction of employee issued firearms that addresses the concerns identified in this memorandum.

Recommendation 2: The DEA should provide training to relevant DEA employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

Status: Resolved.

DEA Response: The DEA reported the following:

DEA concurs with this recommendation. Once the policy and SOP regarding the storage, documentation, and destruction of employee issued firearms are complete, DEA will provide training to the appropriate personnel. Documentation of the completed training will be provided to OIG for closure of this recommendation.

OIG Analysis: The DEA's response is responsive to the recommendation. The OIG will consider whether to close this recommendation after the DEA provides training to relevant DEA employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

Recommendation 3: The FBI should revise its policies regarding the destruction of employee issued firearms to addresses the concerns identified in this memorandum. The revised policies should address, among other things, the secure storage of firearms and firearm parts while they are awaiting destruction and the documentation required to track where firearms and their parts are located and who has access to them at all times prior to destruction.

Status: Resolved.

FBI Response: The FBI reported the following:

We agree that having both a robust documented policy covering the destruction of employee issued firearms and documentation of our existing training process for relevant FBI employees on the topic, would address concerns identified in the memorandum. Prior to the captioned DO] MAM, the FBI had taken steps to move the storage of firearms awaiting destruction to a more secured facility. Additionally, steps were already being taken by the FBI to review existing policies, document practices in a Standard Operating Procedure that otherwise existed but were not captured in an SOP or policy, and document existing training provided to relevant personnel on the topic of the destruction of firearms. The updated, relevant Training Division (TD) policy will cover, at a minimum, secure storage of firearms and firearm parts prior to destruction; documentation required to track the location of such items, and who is covered under the policies to access such items.

OIG Analysis: The FBI's response is responsive to the recommendation. The OIG will consider whether to close this recommendation after the FBI revises its policies regarding the destruction of employee issued firearms to addresses the concerns identified in this memorandum.

Recommendation 4: The FBI should provide training to relevant FBI employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.

Status: Resolved.

FBI Response: The FBI reported the following:

We agree that having both a robust documented policy covering the destruction of employee issued firearms and documentation of our existing training process for relevant FBI employees on the topic, would address concerns identified in the memorandum. Prior to the captioned DO] MAM, the FBI had taken steps to move the storage of firearms awaiting destruction to a more secured facility. Additionally, steps were already being taken by the FBI to review existing policies, document practices in a Standard Operating Procedure that otherwise existed but were not captured in an SOP or policy, and document existing training provided to relevant personnel on the topic of the destruction of firearms. The updated, relevant Training Division (TD) policy will cover, at a minimum, secure storage of firearms and firearm parts prior to destruction; documentation required to track the location of such items, and who is covered under the policies to access such items.

OIG Analysis: The FBI's response is responsive to the recommendation. The OIG will consider whether to close this recommendation after the FBI provides training to relevant FBI employees regarding the safe handling, permissible storage, destruction, and documentation of employee issued firearms.