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To: State Director, Nevada  
From: Deputy State Director, Lands and Renewable Resources  
Subject: Request for Disciplinary Action

Copy of written request for disciplinary action given to Mr. Templeton on June 12, 1991  
*David C. B. Keith* 11/10/93

The purpose of this memorandum is to request that a disciplinary action be taken against Mr. Robert Stager, Range Conservationist, Las Vegas District Office, based on the following offenses:

1. Insubordination, refusal to comply with proper orders, disregard of directives or regulations.
2. Delay or failure to carry out assigned work.
3. Damage to Government property involving gross negligence and malfeasance of duty.
4. Requiring subordinate to violate rules.
5. Failure to devote adequate attention and care to assigned duties when hazard to property is acute and when there has been injury.
6. Making false, malicious, or highly irresponsible statements against other employees, supervisors, other officials or subordinates that could damage the reputation, authority or official standing of those concerned.
7. Conversion of Government property to personal use.
8. Unauthorized taking of Government property.
9. Falsification, misrepresentation and concealment of material fact in connection with work.
10. Violation of the requirements of 43 CFR 20.735, Standards of Conduct:
  - a. 20.735-15 Government Property.
  - b. 20.735-17(n) False Statements in a Government matter.

Specifically Mr. Stager has failed to meet the standards in the following ways:

Insubordination. During preparation of the Removal Plan for Nellis Air Force Range, Mr Stager was given concepts and specific language to use in several sections. The portion dealing with handling of media contacts was developed in a meeting involving the Associate District Manager. During preparation of the final copy, and contrary to the specific direction of the Associate District Manager, Mr. Stager changed the text and concept back to support his original position. He did not identify this change to us and it was only discovered during review of the document in the District Manager's office immediately prior to signature. At that point it was too late to make the correction and still meet required deadlines.

Further, during selection of project inspectors, Mr Stager was repeatedly informed that he was to rotate various individuals as PIs in order to expand the knowledge of selective removal techniques throughout the workforce in the State. Mr Stager blatantly refused to meet this standard. Under significant pressure, he acquiesced to accommodate this requirement. However he then attempted to manipulate military clearance to avoid

compliance with the directive. He deliberately falsified statements regarding the military's position on clearances in order to support this non-compliance. This was confirmed during conversations with military personnel.

Delay or failure to carry out assigned work. Mr Stager has failed to maintain the Contracting Officer's Representative (COR) daily log as required. He has allowed this log to go unattended for several days. He has failed to carry this log with him to the work site.

In addition, during preparation of the removal plan Mr Stager was assigned the task of printing the final document and bringing it to Nellis AFB for signature by the State Director and the District Manager. He was advised of the need to accomplish this assignment in order to meet critical time schedules to obtain the review and signatures at higher organizational levels. His failure to give this task an appropriate priority, in spite of the knowledge of its importance forced additional work on others and nearly caused the failure to obtain signatures in time to meet a contracting deadline.

Damage to Government property involving gross negligence and malfeasance of duty. Mr Stager's assigned duties include care and welfare of wild horses using the Nellis Air Force Range. This includes issuing guidelines for providing water to the wild horses. On June 8, 1991 the military provided water to wild horses using Breen Creek. Because temperatures were approximately 100F degrees and there was a significant number of wild horses present at this site, individuals involved asked Mr Stager if they should anticipate delivering water to the site on Sunday, June 9. Mr Stager told them that he did not want the wild horses watered on Sunday because he wanted the number to increase and have them standing around on Monday, June 10 when visitors from wild horse advocacy groups would be present. During his conversation with me and Curtis Tucker he indicated that he wanted the wild horse advocacy groups to see wild horses suffering from lack of water, in order to reinforce the need for the Bureau's planned action. In essence, Mr Stager had manipulated a situation that caused suffering of wild horses and possible death loss through additional abandonment of foals and dehydration.

In addition, an aspect of the removal includes marking of selected wild horses for identification reasons. This is accomplished by removing a portion of the hair from the tail of the selected wild horse. Discussions prior to the initiation of the action set a standard of 8-10 inches for removal. With full knowledge of the potential for disagreement with the wild horse advocacy groups, Mr Stager unilaterally made the decision to crop the tail of immediately below the flesh of the tail. This action makes the tail useless in warding off insects and increases the stress of the effected animals.

Requiring subordinate to violate rules. The withholding of water,

described above, is in violation of 43 CFR 4770.1 (a) which prohibits the malicious injury or harassment of a wild horse. Mr Stager's actions prevented subordinates from delivering water to wild horses.

Further, the removal plan requires destruction of wild horses that are determined to be lame. It has been alleged by individuals working at the holding site that Mr. Stager refused to allow the of a wild horse suffering from "malfunctioning limbs which permanently impair its freedom of movement". Mr Stager allegedly stated that he did not want a high death loss reported on "his" capture insisting that destruction of a large number of wild horses would reflect negatively on the operation.

Further, prior to my visit to the removal site. Mr. Stager conducted meetings and briefings to individuals involved stating that he did not want them to talk to me or other visitors from the wild horse advocacy. It was reported to me that he implied threats of reprisal if they spoke to me regarding aspects of the gather. Three individuals (one Air Force and two contractor) reported to me that Mr Stager told them not to talk to me about any aspect of the gather.

Making false, malicious, or highly irresponsible statements against other employees, supervisors, other officials or subordinates that could damage the reputation, authority or official standing of those concerned. During administration of the contract Mr. Stager has repeatedly demeaned Ms. Jule Durfee in the presence of contract and military personnel. This has occurred both in Ms. Durfee's presence and behind her back. He has impuned her technical knowledge, discounted her ability and unmined her authority in dealing with the contract.

In addition, it was reported to me that during his instructions not to talk to me or the visitors about the removal, he included demeaning remarks which undermined the role and responsibilities of the State Office.

Failure to devote adequate attention and care to assigned duties when hazard to property is acute and when there has been there has been injury. Outside of his delegated authority, Mr Stager has attempted to stage various events for news media. Specifically he directed the contractor to set up a temporary pen, off of the Nellis Range Complex and to transport wild horses to this site for a news conference. Not only does this exceed his delegated authority, but it is outside the scope of the contract and places both the handlers and the wild horses at unnecessary risk. Removal of wild horses is a difficult and dangerous process. Hazards abound, both to the animals and to the individuals involved. Had it not been for the intervention of the Area Manager and me, he would have completed this unauthorized action.

See also, Damage to Government property, above.

Conversion of Government property to personal use. An aspect of the removal includes marking of selected wild horses for identification reasons. This is accomplished by removing a portion of the hair in the tail of the selected wild horse. This horse hair has commercial value for a variety of products including belts, ropes, etc.. Mr Stager, has been directing employees to collect this hair and he has accumulated it. In addition, he has transferred possession of a portion of the hair to private individuals. It is alleged that he has received compensation for this hair. It is further alleged that he has participated with the veterinarian serving this gather in loading the hair for future private use. This violates the intent of the Wild Free Roaming Horse and Burro Act in addition to conversion of government property to personal use.

Unauthorized taking of Government property. See Conversion ... above.

Falsification, misrepresentation and concealment of material fact in connection with work. During his discussions with superiors concerning publicity activities, Mr Stager characterized an event which involved filming a stock truck loaded with wild horses as it left the gate of the Nellis Range Complex. Included also, was stopping the truck, interviewing a few selected individuals by the media and then releasing the truck and driver to proceed to their destination. After obtaining concurrence of this concept, he then directed the contractor to establish a temporary corral, unload wild horses for the cameras, and then reload the animals for the camera crews. During subsequent discussions with superiors, Mr Stager continued to characterize the event as merely stopping the stock truck on the highway. During discussions with me it took several questions before he revealed the true concept of the event. However, he continued to insist that he had the sanction of the District Manager for the more elaborate event involving a temporary corral and unloading-reloading the wild horses. It was not until I spoke with the District Manager that I discovered that he did not have the concurrence of the District Manager. He had deliberately misrepresented the event to the District Manager. Also, he had deliberately misrepresented the District Manager's position on the event to me.

In addition, during the discussion on cropping the tails of the wild horses, I asked what was being done with the cropped hair. Mr Stager initially responded that he did not know. When I pressed him for a more complete response he indicated that he had given it away to various unknown individuals. Upon additional questioning, he indicated that he had accumulated the hair in sacks in his Bureau trailer in Tonopah. Through all of the discussion, he indicated that he could not give me the name of even one individual to whom he had released the tail hair. Later I was told by two individuals at the holding site that they had observed Mr Stager assisting the veterinarian loading the hair. Later the veterinarian told contract workers that he had Mr Stager's permission to take the sacks of hair.

In another matter, Mr Stager indicated to both me and the District Manager that it would not be possible to use non-Las Vegas District project inspectors because the Air Force would not grant clearances to the individuals. This later turned out to be false.

In an incident involving work hours for the contract, I observed Mr Stager tell the contractor the a 3:00PM shut down time was a requirement of the Air Force. I later observed Mr Stager asking Air Force personnel to say that the 3:00PM shut down time was their idea. The Air Force employee indicated that this was not his requirement and never had been. Mr Stager was deliberately falsifying the position of the Air Force in order to have meet his needs.

In summary, Mr. Stager has committed several serious offenses. His performance has degraded the credibility of the Bureau in a very serious and volatile situation. His actions have brought unnecessary suffering to wild horses and the additional stress has caused foals to be abandoned by their mothers. His disregard for statute, regulation, policy and authority reflects negatively on the Bureau and jeopardizes accomplishment of Bureau objectives. This set of charges are not Mr Stagers first infraction of rules.

Because some of his actions are repeat offenses, it is my recommendation that any proposed notice of adverse action that is given to Mr Stager include a proposal to remove him from Bureau employment. As a minimum I request that the final notice reduced him in grade and remove him from the wild horse program.