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FAX NO. :
SENATE BANKING COMM

Jan. 13 2004 02:09AM P1

United States Senate
WASHINGTON, DC 20510

January 8, 2004

The Honorable Robert C. Bonner
Commissioner of Customs and Border Protection
U.S. Department of Homeland Security
Washington, DC 20528

Dear Commissioner Bonner,

We respectfully bring to your attention an issue of concern that we have been following for some time. On November 11, 2001, Ms. Diane Kleiman, a former U.S. Customs Special Agent assigned to JFK International Airport, filed a whistleblower complaint with the U.S. Office of Special Counsel (OSC). She alleged that her managers engaged in prohibited personnel practices, and that they failed to disrupt criminal activities that jeopardized security at the airport.

Based on our review of Ms. Kleiman's case and various news reports, we are deeply concerned about the specific accusations against JFK Airport security and U.S. Customs's Special Agents. Ever since 1999, Ms. Kleiman has made assertions of incompetence, wrongdoing and possible criminal activity by law enforcement officials. We believe these accusations are too troubling to dismiss.

Understanding the important and significant steps your agency is undertaking to ensure the security and safety of our nation's borders, we want to make you aware of this case and ask you to take a closer look at Ms. Kleiman's allegations, particularly focusing on the conduct and operations of the U.S. Customs officials at JFK airport and what changes have been made.

Thank you in advance for your attention to this matter and we look forward to your response.

Sincerely,

Richard Shelby

Chairman Richard C. Shelby
Banking, Housing & Urban
Affairs Committee

Susan Collins

Chairman Susan Collins
Governmental Affairs Committee

cc: Michael J. Garcia, Assistant Secretary, Bureau of Immigration and Customs
Enforcement