



U.S. Customs Service

1350 Pennsylvania Avenue, N.W. Washington, D.C. 20229

APR 29 2003

The Honorable Joseph I. Lieberman
Ranking Minority Member
Committee on Governmental Affairs
Washington, D.C. 20510

Dear Senator Lieberman:

Thank you for your letter of January 7, 2003, on behalf of your constituent, Ms. Diane Kleiman. In your correspondence, you asked the Customs Service, now part of the Bureau of Immigration and Customs Enforcement (BICE), to address the various allegations Ms. Kleiman made regarding BICE employees. Please allow me to address this situation.

During 2002, Ms. Kleiman lodged similar allegations of misconduct with the Office of Internal Affairs (OIA) and the Treasury Office of the Inspector General (OIG). Investigations conducted by the OIA and the OIG into Ms. Kleiman's claims of theft, obstruction, discrimination, retaliation and mismanagement on the part of supervisors assigned to the John F. Kennedy Airport failed to disclose any evidence to substantiate the allegations.

In her letter, Ms. Kleiman raised issues regarding the deaths of former Customs Special Agents Thomas Sullivan and Thomas Calamia. Mr. Sullivan was arrested during June 1991 after it was determined he was involved in the theft of drugs from Customs custody. In February 1992, subsequent to his conviction in Federal court, Mr. Sullivan took his own life.

Mr. Calamia died in September 1992 while he was a Customs employee. Mr. Calamia's death was investigated by Nassau County Police Department and ruled a drug overdose. Customs employees were not involved in the discovery of Mr. Calamia's body and were not implicated in Mr. Calamia's death. A subsequent investigation conducted by the OIA determined that Mr. Calamia was involved in the theft of drugs from Customs custody.

TRADITION

SERVICE

HONOR

Special Agent Gary St. Hilaire was an employee of the Drug Enforcement Administration (DEA). Accordingly, BICE possesses no records regarding the allegations of misconduct on the part of Mr. St. Hilaire that Ms. Kleiman referenced in her letter. The DEA's Office of Professional Responsibility is the appropriate respondent to any inquiry into this matter.

In the 10 years that have passed since the unfortunate deaths of Mr. Sullivan and Mr. Calamia, a number of policies, procedures and practices have been developed and instituted to further ensure the integrity and security of both drug and non-drug evidence seized by BICE personnel and maintained in our seizure facilities. Any discrepancies discovered in BICE seizures are referred to the OIA and Department of Homeland Security, Office of the Inspector General, for review and, where warranted, investigation.

Ms. Kleiman also raised issues regarding security breaches at our Nation's airports. It is our policy to restrict access to our facilities located within U.S. airports and to conduct background investigations on individuals who work in those secure areas. We also conduct background investigations on personnel who, as part of their employment, come into contact with international flights, international passengers and international cargo. However, the overall security of U.S. airports is the responsibility of the Transportation Security Administration and local airport authorities that exist throughout the Nation.

I appreciate your interest in the Bureau of Immigration and Customs Enforcement. If we may offer further assistance, please contact me or have a member of your staff contact Senior Special Agent James Dennis, Office of Internal Affairs, at (202) 927-1840.

Yours truly,



William Keefer
Assistant Commissioner
Office of Internal Affairs