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The Honorable Clark Kent Ervin  
Inspector General  
Office of the Inspector General  
US Department of Homeland Security  
Washington, DC 20528

April 19, 2004

Dear Mr. Ervin,

I am writing to request a review into the possibility of unwarranted security disclosures made by Federal Air Marshal (FAM) executives. In March I sent a letter to Secretary Ridge asking him to look into concerns raised by The Federal Law Enforcement Officers Association (FLEOA) regarding information given to the NBC television FAM executives regarding the FAM program. The news segments in question aired February 5<sup>th</sup> and 6<sup>th</sup> on NBC news in which operational security procedures of the FAM program were showcased. My concern is that in an attempt to bolster public confidence, the safety of air travel passengers and individual Federal Air Marshals may have been placed at greater risk.

While I have yet to receive a formal response to the letter, spokespersons for the Department indicated the news segments had been vetted through all levels of the Department to ensure no sensitive information made it onto the nightly news. While I appreciate their response and apparent diligence, I know the FLEOA still maintains information that was included in the two broadcasts should have never been aired on national television and Air Marshals remain at risk because of its broadcast.

Please note that FLEOA, concerned about the taping of the news segments, contacted FAM Director Thomas Quinn to discuss their concerns about the information the news segments contained. Not only has Director Quinn not met with FLEOA officials, we have reports that during a Phase II Regional Training Session in New Jersey, Director Quinn made statements to approximately 200 FAMs that were derogatory towards FLEOA. It has been reported to us that he repeatedly referred to FLEOA as "flea", he stated that he immediately discards any correspondence with the name FLEOA and he will not meet with them. It was reported that he also stated that FLEOA's letters to Congress are meaningless and will not accomplish anything. Finally he referred to national FLEOA officers as "pea-brains."

The combination of airing information that may place FAMs and air passengers at higher risk, alleged comments by Director Quinn regarding FLEOA and past directives by the FAM

Program that has placed a gag order on individual FAMs from expressing concerns over operating procedures raises serious concerns that there are no set procedures for whistle-blowing in the FAM Program even regarding safety issues.

Because of these concerns, I would appreciate an answer to the following questions:

1. What are the written procedures DHS uses when working with the press on an issue that has the potential of containing sensitive information?
2. Are these written procedures adequate to protect against sensitive information from being reported by the press?
3. Were these procedures followed for the previously mentioned news segments?
4. While it has been reported in the press that these segments were vetted by all levels of the department, who specifically approved the segments with NBC to be taped?
5. Who saw the final segments at the Department of Homeland Security before they aired on NBC?
6. Did DHS retain final editing privileges?
7. Was there concern with anyone in DHS regarding the final product before it aired on NBC?
8. What reason's has FAM Director Thomas Quinn given for not meeting with FLEOA or individual FAMs before the airing of the segments and after the segments considering the issues that have been raised?
9. What written guidelines does DHS and its officials follow for who to respond to and meet with?
10. Is it written policy for a director of an agency not to meet with national officers of a union that represents his or her employees?
11. What systems are in place to ensure communication between the management, individual FAMs and the union that they belong to?

12. What recourse do individual FAMs or their union have to address concerns about their job and their security?

I appreciate any assistance you can provide in answering these important questions. Insuring the safety of the traveling public must remain all of our goal.

If you have any questions or comments please do not hesitate to contact me or Edward Mills of my staff at [edward.mills@mail.house.gov](mailto:edward.mills@mail.house.gov) or at (202) 225-7944.

Sincerely,

  
CAROLYN B. MALONEY  
Member of Congress