



LANDMARK LEGAL FOUNDATION

THE RONALD REAGAN LEGAL CENTER

July 15, 2009

William Welch
Chief
Public Integrity Section
Criminal Division
Department of Justice
950 Pennsylvania Ave.
Washington, DC 20530-0001

VIA FED EX

CRIMINAL COMPLAINT, REPRESENTATIVE JOHN CONYERS

Dear Mr. Welch:

Landmark Legal Foundation ("Landmark") respectfully submits this evidence documenting the possible violation of the United States Criminal Code by Representative John Conyers. Under the Ethics in Government Act, it is incumbent upon the Public Integrity Section to immediately initiate an investigation into the activities of Representative Conyers to determine the extent to which he may have violated certain sections of the Code.

It appears that the Representative may have violated § 201 (Bribery of public officials and witnesses), § 371 (Criminal Conspiracy) and 5 U.S.C. Appx. § 102 (Filing False Disclosure Statements). The Public Integrity Section should immediately institute an investigation to determine whether Representative Conyers' wife sought, received and accepted a payment of \$10,000 in order to secure the Representative's influence in the performance of his official duties. The Public Integrity Section's investigation should also determine whether the Representative's official actions were influenced by his wife's conduct and his wife's acceptance of these funds.

FACTS GIVING RISE TO THE VIOLATION.

The *Detroit Free Press* reports that, in 2007, former Detroit Councilwoman (and wife of Representative Conyers) Monica Conyers "arranged" for an aide to receive a \$20,000 contract with a businessman named Dimitrios Papas.¹ A company owned by Mr. Papas, Environmental Geo-Technologies, had previously entered into an agreement to operate waste injection wells in the city of Romulus, Michigan. During this time, the Environmental Protection Agency ("EPA") was considering terminating the permits to operate the waste injection wells and halting their

¹ M.L. Elrick, Jim Schaefer, Rochelle Riley and Gina Damron, "Conyers took cash and jewelry, ex-aide says." *Detroit Free Press*, June 29, 2009. Available at <http://www.freep.com>. Attached as Exhibit 1.

use.² The termination of these permits would adversely affect Mr. Papas' pecuniary interests. While the EPA was considering whether to terminate these permits, Mr. Papas awarded a \$20,000 consulting deal to Mrs. Conyers' aide. Shortly after receiving these funds, according to the aide, Mrs. Conyers "demanded" and received \$10,000 of the payment as a "finder's fee."³ According to the aide, this consulting deal called for no actual work. When discussing his workload, the former aide stated, "While I felt [transferring \$10,000 to Mrs. Conyers] was a bit exorbitant, it didn't feel that bad given the workload, which was nil."⁴

After the \$10,000 payment, Representative Conyers, who had previously opposed the operation of the waste injection wells, reversed his position. He "sent a letter to the U.S. Environmental Protection Agency in support of a controversial hazardous waste injection well in Romulus that one of Papas' companies was seeking to operate."⁵ It appears that his position changed subsequent to his wife obtaining the \$10,000 "finder's fee" from her aide.

Furthermore, it appears Mrs. Conyers played a significant role in securing the Congressman's influence. *The Detroit Free Press* released a copy of a draft of Representative Conyers' letter to the EPA.⁶ This draft was apparently faxed by a member of the Congressman's staff to Mrs. Conyers with a cover sheet indicating it was for her "approval." According to Mrs. Conyers' former aide, Mrs. Conyers "generated the [EPA] letter."⁷ This purported draft is the exact letter that was eventually signed by Representative Conyers and sent to the EPA.⁸

News reports indicate that Representative Conyers is intimately associated with Mrs. Conyers' activities and has been accused by former staffers of using his congressional office to support her politically and professionally. Rather than keeping their political and professional lives separate, as they claim in the media, the facts show Representative Conyers has been very involved in her career. His former congressional staffers have alleged that he required them to work on her state senatorial campaign⁹ and tutor her during law school.¹⁰ He was very involved in her race for city council, asking voters to join "the Conyers family."¹¹ In fact, the couple first

² Id.

³ Id.

⁴ Id.

⁵ Id. See also, Andrea Billups, "Conyers supported project linked to wife," *The Washington Times*, July 1, 2009. Available at <http://www.washingtontimes.com>. Attached as Exhibit 2.

⁶ Copy of draft letter attached as Exhibit 3.

⁷ M.L. Elrick, Jim Schaefer, Rochelle Riley and Gina Damron, "Conyers took cash and jewelry, ex-aide says," *Detroit Free Press*, June 29, 2009. Available at <http://www.freep.com>. Exhibit 1.

⁸ Copy of letter sent to EPA attached as Exhibit 4.

⁹ Joel Thurtell, Chris Christoff and Ruby L. Bailey, "Conyers' Staff Broke Rules for Campaign Work, Aides Charge; But Others Deny That Fund-Raising Was Done on Government Time," *Detroit Free Press*, November 21, 2003, p. 1A.

¹⁰ Joel Thurtell and Ruby L. Bailey, "Aides: Conyers Made Us Babysit; Former Staffers Airing Complaints," *Detroit Free Press*, March 2, 2006, p. 1.

¹¹ "'The games are over'; Conyers runs for Detroit City Council," *Michigan Chronicle*, July 27, 2005- August 2, 2005, p. A2.

met through work- she was an intern at his congressional office and had worked on one of his political campaigns.¹² In short, their professional and personal lives are intertwined.

Representative Conyers attempted to influence the EPA after his wife reportedly received a payment (through a third party intermediary) from a businessman who had a pecuniary interest in securing a favorable decision from the EPA. Such conduct appears to fall within the prohibition of § 201.¹³

REPRESENTATIVE CONYERS MAY HAVE ENGAGED IN ACTS OF BRIBERY AND CRIMINAL CONSPIRACY.

The federal bribery provision states, in relevant part:

Whoever being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for being influenced in the performance of any official act.¹⁴

Furthermore, 18 U.S.C. § 201(c)(1)(B) provides, in relevant part:

Whoever being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demand, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person.

A “public official” includes members of Congress.¹⁵ The term “official act” has been determined to be “sufficiently [broad] to encompass all of the acts normally thought to constitute a congressman’s legitimate use of his office.”¹⁶ Thus, “many non-legislative activities are an established and accepted part of the role of a Member.”¹⁷ Such activities include attempts to exert influence on agencies and branches of the federal government.¹⁸

Applying the facts in the public record, it appears Representative Conyers’ conduct has run afoul of § 201(b)(2)(A). Mrs. Conyers demanded, received and accepted a payment of \$10,000 (through an intermediary) from an individual who had a pecuniary interest in influencing the decision making process of the EPA. Mrs. Conyers played a direct role in securing the Congressman’s influence when she, apparently, approved a draft of a letter, later signed by the Representative and sent to the EPA, seeking to prevent the termination of waste-well permits. This transmittal of this letter clearly constitutes and official act.

¹² John Elvin, Inside the Beltway, *The Washington Times*, July 9, 1990, p. A6. Josh Kurtz, “Conyers’ Wife Pleads Guilty in Detroit Corruption Case,” *Roll Call*, June 27, 2009.

¹³ 18 U.S.C. § 201.

¹⁴ 18 U.S.C. § 201(b)(2)(A).

¹⁵ 18 U.S.C. § 201(a)

¹⁶ *United States v. Biaggi*, 853 F.2d 89, 97 (2nd Cir. 1988).

¹⁷ *United States v. Brewster*, 408 U.S. 501, 524 (1972).

¹⁸ *United States v. Carson*, 464 F.2d 424 (2nd Cir.), cert denied 409 U.S. 949, (1972).

Moreover, Representative Conyers' own conduct suggests a direct quid pro quo. The public record indicates that the Representative was originally opposed to the operation of waste-wells in Romulus. Shortly after his wife reportedly received a payment of \$10,000, the Representative changed his position and submitted the letter to the EPA.

In addition to these provisions, the Public Integrity Section should determine whether Representative Conyers' actions violated the Code's prohibition on criminal conspiracy. If Representative Conyers and others (including his wife) colluded to solicit, receive and accept these funds in order to secure the Representative's influence then his actions run afoul of 18 U.S.C. § 371.

REPRESENTATIVE CONYERS APPARENTLY FAILED TO REPORT THE \$10,000 AS REQUIRED BY FEDERAL LAW.

Along with bribery and conspiracy, it appears Representative Conyers failed to disclose the receipt of the \$10,000 in violation of federal law. A Member of Congress is required to disclose the source of income when a spouse earns over \$1,000:

A gift to a family member of a [Member] or a gift to any other individual based on that individual's relationship with the [Member] shall be considered a gift to the [Member] if it is given with the knowledge and acquiescence of the [Member] and the [Member] has reason to believe the gift was given because of the official position of the individual.¹⁹

Representative Conyers' disclosure statement for 2007 does not indicate the receipt of \$10,000 secured by his wife.²⁰

SCOPE OF INVESTIGATION

Your investigation of Representative Conyers should not be limited to the facts described only in this Complaint. As you are aware, Representative Conyers' wife recently pled guilty to conspiracy to commit bribery. Although the conduct that led to Mrs. Conyers plea of bribery was not directly linked to the Representative, there are additional reports of questionable activities on her part. For example, the *Detroit Free Press* reports that Mrs. Conyers accepted jewelry to obtain her support for the relocation of a local business. These activities indicate a troubling pattern and practice that demands further investigation.²¹ The Public Integrity Section should look into all of Representative and Mrs. Conyers' financial dealings to determine whether Mrs. Conyers was used as a conduit to secure Representative Conyers' influence or support.

¹⁹ 5 U.S.C. Appx § 102 (e)(1)(A).

²⁰ Exhibit 5.

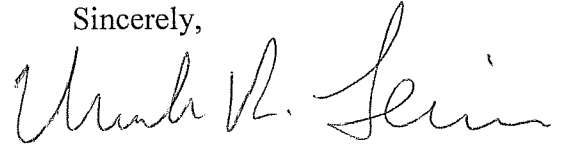
²¹ M.L Elrick, Jim Schaefer, Rochelle Riley and Gina Damron, "Conyers took cash and jewelry, ex-aid says." *Detroit Free Press*, June 29, 2009. Available at <http://www.freep.com>. Exhibit 1.

CONCLUSION

The facts raised in this complaint raise serious issues pertaining to bribery, conspiracy and failure to disclose income. The Public Integrity Section should immediately investigate the serious allegations raised in this Complaint.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark R. Levin". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark R. Levin
President



June 29, 2009

Conyers took cash and jewelry, ex-aide says

Riddle details questionable transactions she brokered; John Conyers' name used but role unclear

*BY M.L. ELRICK, JIM SCHAEFER, ROCHELLE RILEY and GINA DAMRON
FREE PRESS STAFF WRITERS*

Monica Conyers has admitted accepting bribes in a sludge deal, but the Detroit councilwoman's political adviser and onetime chief of staff told the Free Press she received cash and jewelry for brokering other questionable transactions.

The aide, Sam Riddle, said Conyers even helped draft a letter sent by her husband, Congressman John Conyers Jr., D-Mich., to help a man with whom she had financial ties. It is unclear whether John Conyers knew of his wife's alleged link to the businessman.

In that deal, Riddle said, Monica Conyers arranged for Riddle to get a \$20,000 contract with Greektown entrepreneur Dimitrios (Jim) Papas in about 2007. Riddle said Papas hired him for crisis consulting and political advising -- but he was never asked to do any work. She then demanded \$10,000 of that money as a "finder's fee," Riddle said.

At some point after Papas paid him, Riddle said, John Conyers sent a letter to the U.S. Environmental Protection Agency in support of a controversial hazardous waste injection well in Romulus that one of Papas' companies was seeking to operate.

Federal investigators examined a variety of Monica Conyers' dealings. U.S. Attorney Terrence Berg said Sunday: "We didn't have any evidence the congressman was knowingly or intentionally involved in Ms. Conyers' illegal conduct."

Monica Conyers' lawyer wouldn't discuss Papas. And Papas did not return messages seeking comment.

Karen Morgan, John Conyers' spokeswoman, declined to discuss the letter.

Riddle: How deals got done

Monica Conyers' relationship with Riddle was complicated.

She was often his client. She was once his boss. And she sometimes found consulting work for him that put cash or jewelry in her pocket, Riddle told the Free Press on Friday in an exclusive interview.

There was the consulting deal he said Conyers set up for him with Papas -- a deal that garnered Conyers half of Riddle's \$20,000 fee.

Riddle said Conyers also introduced him to the owner of Zeidman's Jewelry & Loan, a pawnshop whose efforts to relocate and expand in Southfield have become part of a federal probe into public corruption.

In that deal, Riddle said, Conyers collected jewelry from Zeidman's for her role, while Riddle received a five-figure fee and a watch from the pawnshop. Riddle said he gave some of that money to a Southfield councilman.

Conyers' lawyer Steve Fishman said of Riddle's account: "There is a factual basis for the guilty plea contained in the written plea agreement. Anything beyond the plea agreement is pure speculation."

Papas didn't return messages at his home and restaurant, nor did his attorney. Zeidman's owner, Tom LaBret, hung up on a reporter seeking comment.

On Friday, when Conyers pleaded guilty to bribery conspiracy in the \$1.2-billion Synagro sludge-hauling deal, federal prosecutors said that they would describe other wrongdoing at Conyers' sentencing. They did not provide details.

Peter Henning, a Wayne State University law professor and a former federal prosecutor, said evidence of other misdeeds could convince U.S. District Judge Avern Cohn to impose a strict sentence on Conyers. Her deal with prosecutors called for a maximum of 5 years in prison.

"I think the government's going to come after her -- both barrels," Henning said. "I would not be surprised if they ask for the max."

The Papas deal

Riddle said Conyers not only arranged his deal with Papas, she drove him to Papas' Greektown office.

"The councilwoman said she had a client for me, that she would do a contract and would do a retainer for me. And it was Jim Papas," Riddle told the Free Press on Friday.

Riddle said Conyers had brokered similar deals.

"She knew she couldn't pay me" as a consultant, "so she would go about the business of finding me clients," he said.

Something about this deal was different, however.

"I didn't have to do a lot of work," Riddle said. "And the councilwoman insisted on half of my retainer as a finder's fee."

Riddle said Papas gave him checks totaling \$20,000. He said he then paid the councilwoman

\$10,000 cash.

"While I felt it was a bit exorbitant, it didn't feel that bad given the workload, which was nil," Riddle said, adding, "It was clear he was dealing with me because of Monica, not because of any special skill set he was hoping to gain with me."

Despite the deal, Conyers was not in a position to aid Papas directly.

One of his companies, Environmental Geo-Technologies (EGT), had entered into an agreement to operate the Romulus hazardous waste injection wells for Detroit's Police and Fire Retirement System, which had invested millions in the troubled project. Conyers served on the city's general retirement fund, a separate pension for retired municipal workers.

While the police and fire pension fund supported EGT's takeover of the well, the project still needed approval from federal regulators.

Riddle said that at some point after Papas hired him, Monica Conyers' husband, U.S. Rep. John Conyers, wrote a letter to the Environmental Protection Agency seeking favorable treatment of the well project. John Conyers, the 21-term congressman, chairs the House Judiciary Committee.

Riddle gave the Free Press an unsigned copy of the letter along with a fax cover sheet from the congressman's office addressed to "Mrs. Conyers" listing her City Council fax number. Under "Comments" it says: "Draft Letter for approval." The cover letter says it was sent by Mustafa Ali, whom the congressman's spokeswoman confirmed once worked in his office.

PDF: Draft of John Conyers' letter to the EPA

Riddle said Monica Conyers told him she wanted him to deliver the letter to Papas, but changed her mind. He said he did not know if Papas ever got a copy of the letter.

"She generated the letter," Riddle said of Monica Conyers.

It is unclear whether Papas' alleged payments to Riddle were in any way connected to John Conyers' subsequent letter to the EPA.

In any event, at some point, John Conyers signed the letter and sent it to the agency. The Free Press independently obtained a copy of the signed letter. It is identical to the draft Riddle provided.

PDF: John Conyers' letter to the EPA

Ethics rules prohibit House members from contacting federal agencies on matters in which they have a personal financial interest. It is unclear whether John Conyers knew of any financial connection between his wife and Papas.

John Conyers' spokeswoman would not answer questions about the congressman's letter, including why he sent it, or whether he knew if his wife had indirectly benefited from Papas.

Federal prosecutors previously have cleared Congressman John Conyers of any role in his wife's crimes.

Riddle was unable to provide the Free Press with copies of his contract with Papas, but said federal investigators have copies. A person familiar with the probe confirmed federal agents inquired about the deal.

The EPA later rejected the specific requests sought in the Conyers letter.

The Zeidman's deal

Riddle said Conyers introduced him to Tom LaBret, the owner of Zeidman's, which was seeking to move its Southfield location to 10 Mile and Evergreen. That transaction is now under federal investigation.

"She told him that I could help him out in Southfield," Riddle said.

He said he was paid a five-figure retainer, and the wristwatch he was wearing Friday when he spoke with a Free Press reporter.

He said Monica Conyers negotiated his deal with LaBret and took jewelry for herself.

LaBret hung up on a reporter who called Saturday. He did not return a subsequent message left on his cell phone.

A person familiar with the situation confirmed Riddle's account. The person requested anonymity because of the sensitivity of the investigation.

Riddle said he gave some of his retainer to a Southfield councilman for a community project. Riddle would not name the councilman or detail how much money he gave him. He said he did not know what the community project was or whether the money ever got there.

The person who confirmed much of Riddle's account told the Free Press the councilman was William Lattimore. Lattimore is cooperating with federal authorities probing the Zeidman's transaction in Southfield. The person said Lattimore received at least \$7,500.

Lattimore denied taking money and said Saturday the "city's process was not corrupted."

Lattimore accused Riddle of trying to "save his own ass."

"Unlike Sam, I'm not going to comment on my testimony to the U.S. Attorney's Office. I can't. Whatever Sam chooses to do or chooses to relinquish, I guess that's his business. I've been told I cannot comment on my testimony."

Riddle and former state Rep. Mary Waters, who live together, are caught up in the Southfield portion of the federal inquiry, though Riddle insists Waters was not involved.

"Mary Waters had absolutely nothing to do with that other than she introduced me to a councilman she knew out there," Riddle said.

The FBI tapped Riddle's phones from August 2007 until April 2008.

In return for his retainer, Riddle said, he "engaged in aggressive consulting ... quasi-lobbying," including mediating conflicts between Zeidman's and the councilman, showing renderings of the Zeidman's project and obtaining a letter of support from the councilman.

Lattimore denied signing such a letter.

Waters acknowledged that her political prospects had been damaged by the federal probe. "I think I have some explaining to do to the people, which I intend to do," she said, adding, "I did not believe that Sam or Bill, two people that I knew, were doing anything criminal."

Riddle said he didn't break the law.

"I never bribed anyone," he said. "I never attempted to buy any votes."

*Staff writers Jennifer Dixon, Tina Lam and Joe Swickard contributed. Contact **JIM SCHAEFER**: 313-223-4542 or jschaefer@freepress.com. Contact **M.L. ELRICK**: 313-222-6582 or mlelrick@freepress.com.*

Additional Facts

Detroit's troubled pension funds

The Detroit police and fire pension fund's investment in a star-crossed Romulus deep-injection well project is one of several troubling deals involving the city's public pensions.

In a series of investigations, the Free Press has revealed that the city's two pension funds -- one for police and fire, the other for general city employees -- have:

- Lost more than \$2 billion, 30% of their value, during an 18-month period ending in December.
- Lost about \$90 million on three bad deals alone in 2008 in which warning signs appeared to be obvious.
- Spent \$380,000 in the past year for pension trustees, staffers and lawyers to travel the globe to attend conferences, including one trustee who spent more than \$100,000.

In the Romulus project, the police and fire fund invested more than \$42 million in the wells, which are widely opposed by Romulus and surrounding communities. The fund has written off \$32 million of that debt, and put the wells' value at \$10 million.

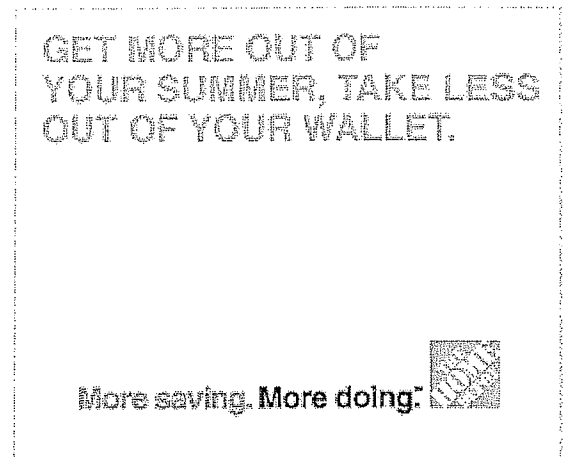
Wednesday, July 1, 2009

Conyers supported project linked to wife

Andrea Billups (Contact)

Rep. John Conyers Jr. reversed his opposition to a controversial hazardous waste project in his district, writing a letter of support to the federal government with the help of his wife, former Detroit City Council member Monica Conyers, whose aide later linked her to receiving money from the contractor in the project.

The letter, sent in July 2007, was written in support of permit transfers for a hazardous waste injection well project in the city of Romulus, Mich., which was operated by a company with ties to Mrs. Conyers, who has pleaded guilty to conspiracy to commit bribery in a federal investigation unrelated to the hazardous waste project.



In his letter to the Environmental Protection Agency, the Michigan Democrat, chairman of the House Judiciary Committee, said many things had changed in favor of the project since he stood in opposition along with fellow Michigan congressman, Rep. John D. Dingell, in 2003. He also said Detroit's pension funds, which were heavily invested in the project, could not afford to write off those investments.

Mr. Conyers' spokeswoman, Karen Morgan, said in a statement to The Washington Times: "In the context of the congressmans representational duties to his constituents, including the Detroit pension board, he determined that this was something the EPA should reconsider.

"I also refer to the statement of the United States Attorney in which he said 'I also want to make it equally clear that the evidence offered no suggestion that United States Representative John Conyers, Ms. Conyers husband, had any knowledge or role in Ms.

Conyers illegal conduct, nor did the congressman attempt to influence this investigation in any way.' "

Mrs. Conyers, a former educator who served as mayor pro-tem and resigned from the City Council after accepting a plea deal in a federal corruption probe, had ties with the business owner, according to her former chief of staff, Sam Riddle, a longtime Detroit political consultant. Mr. Riddle has been under federal investigation for his role in the ongoing scandal but has maintained that his dealings have been above board.

Mr. Riddle said Tuesday that the congressman's wife helped draft the letter to the EPA, after he was hired as an independent contractor and consultant for Detroit businessman Dimitrios Papas.

Mr. Riddle said Mrs. Conyers helped connect him with Mr. Papas, who hired him as an independent contractor, paying him \$20,000 by check for consulting. Mrs. Conyers, however, later demanded half of Mr. Riddle's consulting fees from Mr. Papas as a finder's fee, he said.

Mr. Riddle said he believes that at the time the letter was written, Mr. Conyers had no knowledge that Mrs. Conyers had ongoing business ties to Mr. Papas, who has publicly denied any wrongdoing in the case.

"During the period in question, Mr. Papas had no business before the City Council, and he sought no special consideration in any matters of government," said the statement published Monday in the Detroit News from his spokesman Walter Kraft.

"Furthermore, Mr. Papas was completely unaware of any financial impropriety on the part of Mr. Riddle and Ms. Conyers. He was contacted by federal authorities more than a year ago regarding Conyers and Riddle and fully cooperated with their investigation. At that time he was informed that he is not a target of any investigation."

Mr. Riddle said his work has always been as an independent consultant.

"One clause in my contacts, if any of my other clients held elected office, such as Mrs. Conyers, who had to deliberate or vote on any matter that concerns a prospective or new client, I could not work with them to avoid an appearance of a conflict. In the case with Papas, I had an agreement in writing with the client and as far as I knew, Mrs. Conyers didn't have to deliberate or veto any matter concerning his business."

"I have no reason to believe that John Conyers himself was involved in any of the process with Papas and his wife," Mr. Riddle said, calling the lawmaker a man of "unimpeachable integrity."


"His wife appears to have helped generate the letter because they sent the draft of the congressman's letter to her office for approval," Mr. Riddle said of the deal. "The signed copy clearly showed there was some relationship beyond me that Papas and Mrs. Conyers had."

Mr. Riddle's lawyer, David Steingold, said his client has not been indicted and has neither been offered nor accepted a plea deal in the political scandal. Mr. Steingold said Mr. Riddle has told the truth about his business connections to Mrs. Conyers and is "bewildered" by any allegations that he acted improperly.

Mr. Steingold also defended the congressman, saying that Mr. Riddle "has absolutely no information that Congressman Conyers had any knowledge of or participation in any wrongdoing. My client believes that Rep. Conyers is beyond reproach, something I fully concur in. There has been nothing suggested by anyone including the government that suggests the congressman has done anything wrong."

In a separate incident, Mr. Riddle confirmed that Mrs. Conyers took jewelry and money from a Southfield, Mich., pawnshop owner, who had also hired him as a consultant for crisis management after she had negotiated a deal on Mr. Riddle's behalf. He said he received a five-figure fee and also a watch for his consulting work.

"This was not connected to the city of Detroit in any manner. I was given in addition to a five figure sum, a watch, and it appears that she left the store with some jewelry," Mr. Riddle said of the deal. "I don't know what prior arrangement she may have had with the owner. I know my watch was part of the retainer. But she did not work directly with me or indirectly on the project itself."

· [Ads by Google](#) 

[Conyers](#)

[Clinton Impeachment](#)

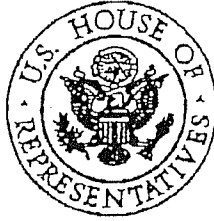
[Congressman](#)

[Clinton Impeach](#)

[Clinton Scandal](#)

Congressman John Conyers Jr.

2426 Rayburn H.O.B.
Washington, D.C. 20515
Ph. (202) 225-5126
Fax: (202) 225-0072



231 W. Lafayette, Suite 669
Detroit, MI 48226
Ph. (313) 961-5670
Fax: (313) 226-2085

2615 W. Jefferson Avenue
Trenton, MI 48183
Ph. (734) 675-4084
Fax: (734) 675-4218

Date: _____

To: Mrs Conyers

Fax: (313) 224-2011

From: Mustafa Ali

Pages: _____ (including cover)

Comments: Draft Letter for approval



JOHN CONYERS, JR.
15TH DISTRICT, MICHIGAN

COMMITTEE:
CHAIRMAN
JUDICIARY

SUBCOMMITTEES:
CONSTITUTION, CIVIL RIGHTS, AND
CIVIL LIBERTIES

COURTS, THE INTERNET, AND
INTELLECTUAL PROPERTY

COMMERCIAL AND
ADMINISTRATIVE LAW

Congress of the United States
House of Representatives
Washington, DC 20515-2214

WASHINGTON OFFICE
1425 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2214
PHONE: 202-225-6118
FAX: 202-225-0072

DETROIT OFFICE:
600 FEDERAL BUILDING
231 WEST LAFAYETTE
DETROIT, MI 48226
PHONE: 313-361-5600
FAX: 313-225-2085

TRENTON OFFICE:
2615 W. JEFFERSON AVENUE
TRENTON, NJ 08610
PHONE: 734-675-4084
FAX: 734-675-4173

E-MAIL AND WWW:
JOHN.CONYERS@MAIL.HOUSE.GOV
HTTP://WWW.HOUSE.GOV/CONYERS

Regional Administrator
Ms. Mary A. Gade, Director
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Mail Code: R-19j
Chicago, IL 60604-3507

**RE: Notice of Intent to Terminate Permit #MI-163-1W-C007 and Permit #
MI-163-C008 Environmental Disposal Systems, Inc.,
Romulus, Michigan**

I am writing to express my concern regarding the U.S. EPA's notice to terminate Permits MI-163-1W-C007 and MI-163-C008 that are necessary for the operation of the commercial injection wells in Romulus, Michigan. EPA's denial of consideration of the Permit Transfer Request, in conjunction with its Proposed Permit Termination, may constitute a denial of EGT's due process rights. Therefore it would seem EPA's Proposed Permit Termination is the most severe sanction that EPA can adopt in this situation, and there may be less onerous options in this circumstance, including transfer through a minor modification or revocation and reissuance of the permits.

It is my understanding that nearly all of the alleged noncompliance issues cited in EPA's Notice have now been cured by the current site owner and de facto manager of the Facility, RDD Operations. It is also my understanding that RDD has been managing the Facility since November 7, 2006 and has promptly responded to all of the EPA's and the Michigan Department of Environmental Quality (MDEQ) concerns. Moreover it has been conveyed to me that RDD has spent over 1.2 million to respond to EPA's requests for information and remedial actions, and to protect its financial interest in the Facility and permits, which highlights their commitment to this project.

The Retirement System still believes in the Project and wants to preserve the Project and its investment. Accordingly, the Retirement System has identified and entered into a business arrangement with Environmental Geo-Technologies ("EGT") to acquire and operate the Project to permit the Retirement System to recoup its investment. Unlike EDS, EGT is committing millions of its own capital to assure that the project is operated safely, and profitably.

My understanding of your action to terminate could mean that EGT would be required to restart a very lengthy and very expensive application process. In addition, upon such a termination by the EPA the Michigan Department of Environmental Quality would also require EGT to file a new application. Prior to the EPA indicating its intent to terminate, the MDEQ was prepared to expedite approval of the transfer of the State permits to EGT. A lengthy, costly and risky re-application process will likely discourage EGT or any other interested parties because of the significant sums of money that must be expended, coupled with the risk of ultimate rejection. I am greatly concerned that if interested parties walk away from this project we may have an environmental injustice situation unnecessarily faced by the community. I have been advised that the U.S. EPA could avoid such a situation by electing to treat the transfer request as a "minor modification", which effectively would allow for relatively timely transfer of the permits to EGT following the upcoming public hearing. I also understand that RDD and EGT have made a formal request for transfer of the permits and, in connection therewith, have addressed all substantive concerns of the EPA staff, including providing all required financial assurance. It would seem that this is an excellent opportunity for EPA's own rule 40 CFR sections 144.39-41 to be applied. The rule as you know allows the EPA clear discretion to modify a permit upon receipt of a request to transfer when a financially and technically responsible party requests a permit transfer. The transfer or revocation and reissuance, not termination are available and clearly the appropriate option in light of the facts and circumstances.

The City of Detroit and its Retirement System cannot afford to write off the investment in this Project, and thus, I ask that in the exercise of your discretion and professional judgment, you pursue an administrative process that balances the U.S. EPA's Responsibilities with the Retirement Systems need to recoup its investment.

Again thank you for your consideration and I would appreciate being appraised of your decision in this matter.

cc: Steven Chester, MDEQ
James Sygo, MDEQ

Sincerely,

John Conyers, Jr.
Member of Congress

Exhibit 4

Congress of the United States
House of Representatives
Washington, DC 20515-2214

COMMITTEE:
CHAIRMAN
JUDICIARY

SUBCOMMITTEES:
CONSTITUTION, CIVIL RIGHTS, AND
CIVIL LIBERTIES

COURTS, THE INTERNET, AND
INTELLECTUAL PROPERTY

COMMERCIAL AND
ADMINISTRATIVE LAW

WASHINGTON OFFICE
DIXIE RAYMOND HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2214
PHONE 202-225-5124
FAX 202-225-0072

DETROIT OFFICE
805 FEDERAL BUILDING
201 WEST LAMARITE
DETROIT, MI 48224
PHONE 313-981-5670
FAX 313-225-7085

TACHTON OFFICE
2514 W. JOHNSON AVENUE
TACHTON, MI 48118
PHONE 313-675-4084
FAX 313-675-4128

EMAIL AND WWW:
JOHN.CONYERS@MAIL.HOUSE.GOV
HTTP://WWW.HOUSE.GOV/CONYERS

Regional Administrator
Ms. Mary A. Gade
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Mail Code: R-19j
Chicago, IL 60604-3507

RE: Notice of Intent to Terminate Permit #MI-163-1W-C007 and Permit #
MI-163-C008 Environmental Disposal Systems, Inc.,
Romulus, Michigan

I am writing to express my concern regarding the U.S. EPA's notice to terminate Permits MI-163-1W-C007 and MI-163-C008 that are necessary for the operation of the commercial injection wells in Romulus, Michigan. EPA's denial of consideration of the Permit Transfer Request, in conjunction with its Proposed Permit Termination, may constitute a denial of EGT's due process rights. Therefore it would seem EPA's Proposed Permit Termination is the most severe sanction that EPA can adopt in this situation, and there may be less onerous options in this circumstance, including transfer through a minor modification or revocation and reissuance of the permits.

It is my understanding that nearly all of the alleged noncompliance issues cited in EPA's Notice have now been cured by the current site owner and de facto manager of the Facility, RDD Operations. It is also my understanding that RDD has been managing the Facility since November 7, 2006 and has promptly responded to all of the EPA's and the Michigan Department of Environmental Quality (MDEQ) concerns. Moreover it has been conveyed to me that RDD has spent over 1.2 million to respond to EPA's requests for information and remedial actions, and to protect its financial interest in the Facility and permits, which highlights their commitment to this project.

The Retirement System still believes in the Project and wants to preserve the Project and its investment. Accordingly, the Retirement System has identified and entered into a business arrangement with Environmental Geo-Technologies ("EGT") to acquire and operate the Project to permit the Retirement System to recoup its investment. Unlike EDS, EGT is committing millions of its own capital to assure that the project is operated safely, and profitably.

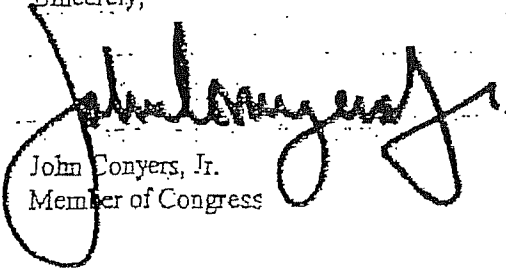
My understanding of your action to terminate could mean that EGT would be required to restart a very lengthy and very expensive application process. In addition, upon such a termination by the EPA the Michigan Department of Environmental Quality would also require EGT to file a new application. Prior to the EPA indicating its intent to terminate, the MDEQ was prepared to expedite approval of the transfer of the State permits to EGT. A lengthy, costly and risky re-application process will likely discourage EGT or any other interested parties because of the significant sums of money that must be expended, coupled with the risk of ultimate rejection. I am greatly concerned that if interested parties walk away from this project we may have an environmental injustice situation unnecessarily faced by the community. I have been advised that the U.S. EPA could avoid such a situation by electing to treat the transfer request as a "minor modification", which effectively would allow for relatively timely transfer of the permits to EGT following the upcoming public hearing. I also understand that RDD and EGT have made a formal request for transfer of the permits and, in connection therewith, have addressed all substantive concerns of the EPA staff, including providing all required financial assurance. It would seem that this is an excellent opportunity for EPA's own rule 40 CFR sections 144.39-41 to be applied. The rule as you know allows the EPA clear discretion to modify a permit upon receipt of a request to transfer when a financially and technically responsible party requests a permit transfer. The transfer or revocation and reissuance, not termination are available and clearly the appropriate option in light of the facts and circumstances.

The City of Detroit and its Retirement System cannot afford to write off the investment in this Project, and thus, I ask that in the exercise of your discretion and professional judgment, you pursue an administrative process that balances the U.S. EPA's Responsibilities with the Retirement Systems need to recoup its investment.

Again thank you for your consideration and I would appreciate being appraised of your decision in this matter.

cc: Steven Chester, MDEQ
James Sygo, MDEQ

Sincerely,



John Conyers, Jr.
Member of Congress

Exhibit 5



4 of 19 DOCUMENTS

Copyright 2002 LEXIS-NEXIS, a division of
Reed Elsevier Inc. All rights reserved.
U.S. Congress Financial Disclosure Statement

Calendar Year 2007

Annual (May 15)

John Conyers, Jr

FORUM: U.S. House of Representative

STATE: Michigan

EARNED INCOME:

Source	Type	Amount
Council Members for the City of Detroit, Michigan	Spouse Salary	NA

HONORARIA:
NONE REORTED

ASSETS:

Assets and "Unearned" Income SP, DC, JT	Asset and/or Income Source	Value of Asset	Type of Income	Amount of Income	Transaction
SP	Investment Properly	\$ 15,001 - \$ 50,000	NONE	None	
	3351 Charlevoix St. Detroit, MI 48207				

TRANSACTIONS:
NONE REORTED

LIABILITIES:

Amount of Liability

U.S. Congress Financial Disclosure Statement

SP,
DC,
JT

Creditor	Type of Liability	
Congressional Federal Credit Union	Overdraft Reserve	\$ 1,001-\$ 15,000
Sallie Mae	Unsecured loan	\$ 1,001-\$ 15,000

GIFTS:

NONE REORTED

REIMBURSEMENTS:

Source	Date(s)	City of Departure -- Destination -- City of Return	Was a Family Member Included?	Number of days not at sponsor's expense
Rainbow Push Coaliton	Jan 7-8	DTW - LGA - DTW		
Cong Steve Cohen	Feb 22-23	Memphis - DTW		
Herold Washington Archives and collections Advisory Comm	Apr 15	Charlotte - Chicago - DCA		
Community Clinic Assoc. of Los Angeles	July 20-22	IAW - SanDiego -		
American Sociological Assoc	Aug 13-14	DTW - NY - DTW		
Health Case now	Aug 25	DTW - Nework - DTW		
Cincinnati Branch NAACP	Oct. 5-6	DCA - Cinci - DTW		
Institute of the Black words				
21st Century Haith Support Pros	Oct 7-8	DCA - Heisti - DCA		
Coalition of Labor Union [ILLEGIBLE TEXT]	Oct 12-13	DCA - LU - DTW		
UAW Intl	Oct 14-15	DTW - Pelstone - DCA		
Evanston North Shore Branch NAACP	Oct 20-21	DTW - Chic - DTW		
The Brennan Center	Oct 25-26	DCA - NY - DTW		
The New School	Oct 29	DTW - LGA - DCA		
Global Family Day Program	Dec 7-8	Chic - LGA - DTW		

U.S. Congress Financial Disclosure Statement

Rainbow Push Coaliton	Y	N	N	none
Cong Steve Cohen	Y	N	N	none
Herold Washington Archives and collections Advisory Comm	N	N	N	none
Community Clinic Assoc. of Los Angeles	Y	Y	N	none
American Sociological Assoc	Y	Y	N	none
Health Case now	N	N	N	none
Cincinnati Branch NAACP	Y	Y	N	none
Institute of the Black world				
21st Century Haith Support Pros	Y	Y	N	none
Coalition of Labor Union [ILLEGIBLE TEXT]	Y	Y	N	none
UAW Intl	Y	Y	N	none
Evanston North Shore Branch NAACP	Y	Y	N	none
The Brennan Center	Y	Y	N	none
The New School	N	N	N	none
Global Family Day Program	Y	Y	N	none

POSITIONS:

NONE REORTED

AGREEMENTS:

NONE REORTED

COMPENSATION IN EXCESS OF \$5000:

NONE REORTED

LOAD-DATE: August 27, 2008