

CREW | citizens for responsibility and ethics in washington

April 19, 2006

The Honorable Alberto R. Gonzales
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

BY FAX: 202-616-2665

Dear Attorney General Gonzales:

Citizens for Responsibility and Ethics in Washington (CREW) respectfully requests that the Criminal Division of the U.S. Department of Justice initiate an investigation into the activities of U.S. Representative Peter Sessions (R-TX). As explained more fully below, Rep. Sessions' contacts with entities tied to convicted lobbyist Jack Abramoff and official actions he has taken on behalf of those entities raise serious issues of potential criminal activity and undermine the credibility of Rep. Sessions' office and the U.S. House of Representatives. In addition, Rep. Sessions appears to have used the powers of his office to enrich a former staffer's business interests in exchange for campaign contributions.

As a member of both the House Rules and Budget Committees, Rep. Sessions is in a position to exercise significant influence over the actions of Congress. As you know, the Rules Committee controls the progress of legislation by deciding which bills will get a vote on the House Floor and which amendments will be considered and the Budget Committee determines appropriate levels of funding for federal government programs. By virtue of the power Rep. Sessions enjoys as a result of his role on these Committees, he appears to have been one of Mr. Abramoff's targets of influence.

A series of Rep. Sessions' official acts appear to have been designed to directly or indirectly benefit Mr. Abramoff's clients involved in the Indian gaming industry. On December 11, 2001, Rep. Sessions co-signed a letter addressed to then-Attorney General John Ashcroft asking him to shut down a casino operated by the Alabama Coushatta Tribe of Livingston, Texas.¹ The Alabama Coushatta casino was in competition with a casino run by one of Abramoff's clients, the Louisiana Coushatta.² According to the *Associated Press*, the closure of the Alabama Coushatta casino "likely" would have benefitted Mr. Abramoff's client by eliminating competition.³ Representatives Tom DeLay (R-TX), John Culberson (R-TX), and Kevin Brady (R-TX), also signed the letter.⁴

¹ Suzanne Gamboa, DeLay Tried, Failed to Aid Abramoff Client, *Associated Press*, January 11, 2006 (attached as Exhibit A).

² Id.

³ Id.

⁴ Id.

The Honorable Alberto R. Gonzales
April 19, 2006
Page Two

A few months later, on February 27, 2002, Rep. Sessions signed another letter that appears to have been part of a multi-pronged strategy employed by Mr. Abramoff on behalf of the Louisiana Coshatta.⁵ This second letter was addressed to Interior Secretary Gale Norton and opposed an effort by the Jena Band of Choctaw to build a casino in Louisiana that would have competed with the Louisiana Coshatta's gaming interests.⁶ The letter expressed concern about the spread of gambling -- particularly Indian-run casinos -- and was sent at the same time Mr. Abramoff was representing the Louisiana Coshatta in the tribe's fight against the Jena casino plan.⁷

One month after the February 2002 letter was sent, Rep. Sessions' leadership PAC, People for Enterprise, Trade and Economic Growth (PETE PAC), began receiving contributions from the Louisiana Coshatta and other tribes represented by Jack Abramoff.⁸ PETE PAC received \$3,500 from the Louisiana Coshatta and another \$3,500 from other tribes with casinos, all of which were represented by Mr. Abramoff.⁹ *The Dallas Morning News* reported that within 18 months, PETE PAC had received a total of \$20,500 from tribes affiliated with Mr. Abramoff.¹⁰

An attorney for the Louisiana Coshatta, Charles Elliott, explained Mr. Abramoff's system for getting influential lawmakers to act on behalf of his tribal clients' interests: "How those letters came about, I don't think anybody at the tribe knows. That's something Abramoff put together."¹¹ As for the donations, "Abramoff would tell the tribe, 'I need you to make this donation to this person,' for whatever reason. And they would send him a check. He would deliver it and get the credit."¹² It appears that the Coshatta's contribution to Rep. Sessions was part of this scheme.

In early 2002 -- during a period of time that overlaps with the Indian gaming letters discussed above -- Rep. Sessions had other interactions with Mr. Abramoff's clients and associates as well. On January 11, 2002, Rep. Sessions traveled to Malaysia on a trip arranged by Mr. Abramoff and Mr. Abramoff's longtime associate Michael Scanlon,¹³ who has pleaded guilty to charges of fraud and bribery. Accompanying Rep. Sessions on the trip were two lobbyists who worked for Mr. Abramoff at the law firm of Greenberg Traurig, one of whom

⁵ Todd J. Gillman, Sessions, others in casino crusade got tribal cash Abramoff not involved, official says; lawmaker's aide defends donations, *The Dallas Morning News*, January 6, 2006 (attached as Exhibit B).

⁶ Id.

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ Id.

¹¹ Id.

¹² Id.

¹³ Suzanne Gamboa, Democrats raise questions about Sessions' tie to Abramoff, *Associated Press*, January 17, 2006 (attached as Exhibit C).

The Honorable Alberto R. Gonzales
April 19, 2006
Page Three

was Rep. Tom DeLay's former deputy chief of staff, Tony Rudy,¹⁴ who pleaded guilty to conspiracy and corruption charges on March 31, 2006. Mr. Abramoff's longtime friend Rep. Dana Rohrabacher (R-CA), and Rep. Gregory Meeks (D-NY), also were on the trip,¹⁵ the stated purpose of the which was to examine the "Malaysian effort on terrorism [and] trade."¹⁶

The Malaysia trip was officially sponsored by the Institute of Strategic and International Studies (ISIS), a Malaysia-based think tank that was reportedly funded in part by the government of Malaysia's former prime minister, Mahathir Mohamad.¹⁷ *The National Journal* reports that the Mahathir government "paid a total of almost \$1 million to the American International Center in Rehoboth Beach, Del., a think tank set up by ... Michael Scanlon."¹⁸ The "think tank," it was revealed in a Senate Indian Affairs Committee hearing, was a sham organization through which Messrs. Abramoff and Scanlon laundered millions of dollars in client funds over the course of several years.¹⁹ After the sham think tank received the donation from the Mahathir government, it paid \$1.5 million to Greenberg Traurig to represent Malaysia, thereby covering up the fact that the firm was representing a controversial foreign government and getting around foreign agent disclosure rules.²⁰ Greenberg Traurig was retained to help improve Malaysia's image in the United States following Prime Minister Mahathir's "well-publicized anti-Semitic remarks."²¹

We are unable to uncover any evidence suggesting that Rep. Sessions had any recorded interest in Malaysia prior to his 2002 Malaysian trip. Four months after the trip, however, Rep. Sessions became an advocate for Malaysia and helped form the Malaysia Trade, Security and Economic Cooperation Caucus in the House. The 15-member caucus is co-chaired by Rep. Sessions and Rep. Meeks, and was launched in May 2002, while Prime Minister Mahathir was in the U.S. to meet with President Bush and other leaders.²² Rep. Sessions' work on Malaysia's behalf includes a reception he hosted for the Malaysian Ambassador and his co-sponsorship of a resolution honoring the country.²³

Despite Rep. Sessions' questionable political activities funded directly or indirectly by Messrs. Abramoff and Scanlon, Rep. Sessions' chief of staff, Guy Harrison, has claimed

¹⁴ Id.

¹⁵ Todd J. Gillman, Frost links Sessions trip to sullied lobbyists; Lawmaker's aide calls ex-foe's claims about Malaysia 'sour grapes', *The Dallas Morning News*, January 17, 2006 (attached as Exhibit D).

¹⁶ Gamboa, *Associated Press*, Jan. 17, 2006 (Exhibit C).

¹⁷ Peter H. Stone, From the K Street Corridor: Rohrabacher's Abramoff Connection, *The National Journal*, December 12, 2005 (attached as Exhibit E).

¹⁸ Id.

¹⁹ Geoff Elliot, Lifeguard to exec in a day, *The Australian*, June 27, 2005 (attached as Exhibit F).

²⁰ Gillman, *The Dallas Morning News*, Jan. 17, 2006 (Exhibit D).

²¹ Stone, *The National Journal*, Dec. 12, 2005 (Exhibit E).

²² Stephen LaRocque, Lawmakers Launch Malaysia Trade and Security Cooperation Caucus, *Washington File* (U.S. Dep't of State) (attached as Exhibit G).

²³ Gamboa, *Associated Press*, Jan. 17, 2006 (Exhibit C).

The Honorable Alberto R. Gonzales
April 19, 2006
Page Four

“Sessions has never met, nor seen, nor had any contact with Jack Abramoff,” and that “Mr. Sessions never met or took money from Mr. Abramoff or Mr. Scanlon.”²⁴

Rep. Sessions’ potential criminal acts also involve promoting the interests of Promia, Inc., a San Francisco-based defense technology company that was started in the early 1990s and now has several offices throughout the United States. Promia has earned several multi-million dollar contracts with the United States Navy for research and development of computer network security software aimed at preventing computer network hacker attacks.²⁵

In 2003, Promia hired Rep. Sessions’ former communications director, Adrian Plesha, as its vice president and director of its Washington office. Mr. Plesha had worked for Rep. Sessions from July 1999 to February 2003. In November 2003, Mr. Plesha pleaded guilty to felony charges of violating the Federal Election Campaign Act and lying to the Federal Election Commission during his service with Rep. Sessions.²⁶ A *Washington Post* report indicates that as of December 2005, Mr. Plesha was still working as a lobbyist for Promia.²⁷

Rep. Sessions has advocated publicly for Promia and the nearly \$800,000 Navy research and development contract the company was awarded in May 2000. At that time Rep. Sessions announced that he was working with Rep. Curt Weldon (R-PA) -- presumably through his position on the Budget Committee -- to get an additional \$8 million to allow the software Promia was developing to be deployed throughout the Department of Defense.²⁸

On October 17, 2000, during the same month that Promia received \$2 million from a New York venture capital firm, Trautman Wasserman & Co.,²⁹ Rep. Sessions received contributions of \$1,000 each -- the maximum allowed by law -- from eight Promia executives for

²⁴ Id.

²⁵ Mission Critical, *San Francisco Business Times*, October 11, 2002 (attached as Exhibit H).

²⁶ Press Release, Former Campaign Manager Sentenced For Making False Statements To The Federal Election Commission, Department of Justice, November 21, 2003 (attached as Exhibit I). Mr. Plesha was charged with sending mailers to and contacting registered Democrats by phone falsely saying he was from the “East Bay Democratic Committee,” a fictitious Democratic organization, and urging them not to vote for the incumbent Democratic congresswoman. Mr. Plesha lied to the FEC, denying he had any connection to the mailers and phone calls. He pleaded guilty to lying and was sentenced to a three-year probation, fines and 160 hours of community service. See id.

²⁷ See Thomas B. Edsall, Lobbyists’ Emergence Reflects Shift in Capital Culture, *The Washington Post*, January 12, 2006 (attached as Exhibit J).

²⁸ Business Editors, Promia, Inc. Awarded Internet Security Contract for the U.S. Navy: U.S. Congressman Pete Sessions Proposes \$8 million Budget Authorization to Support Effort, *Business Wire*, May 9, 2000 (attached as Exhibit K).

²⁹ Business Editors, Promia Incorporated Announces \$2,000,000 of Equity Funding through Trautman Wasserman & Co., Inc., *Business Wire*, October 2, 2000 (attached as Exhibit L).

The Honorable Alberto R. Gonzales
April 19, 2006
Page Five

his re-election campaign.³⁰ Promia executives contributed more to Rep. Sessions' campaign than to any other candidate in that election cycle.³¹

On March 2, 2002, Rep. Sessions was the keynote speaker for Promia's 6th Annual Workshop on Distributed Objects and Components Security.³² In the 2002 election cycle, Promia, Inc., contributed \$30,000 in soft dollars to Rep. Sessions' PETE PAC.³³ Apart from one other major donation from an individual, no other donation to PETE PAC exceeded \$2,500 during that cycle.³⁴

Rep. Sessions' campaign committee, Pete Sessions for Congress, has received \$2,000 from John Mullen, Promia's Chief Executive Officer, \$3,000 from Amy Reynolds, Promia's Chief Financial Officer, and \$3,000 from Thatcher Robinson, Promia's Chief Operating Officer. Ms. Reynolds has also contributed \$5,000 to PETE PAC. In total, Promia and its executives have contributed nearly \$55,000 to Rep. Sessions and his PAC since 2000 -- by far the largest contribution Promia has made to any Member of Congress.³⁵

These circumstances warrant further investigation to determine why Promia, a company lacking any affiliation with Rep. Sessions' district in northern Texas, would suddenly make such substantial and unprecedented contributions to Rep. Sessions at the same time the company was receiving lucrative federal government contracts. The situation is comparable to that of recently convicted former Rep. Randy "Duke" Cunningham. Mr. Cunningham's position as the chairman of a subcommittee of the House Committee on Appropriations enabled him to trade appropriations earmarks for cash. Similarly, as a member of the House Budget Committee, Rep. Sessions is ideally positioned to direct federal funds to Promia through government contracts. The Department of Justice should initiate a criminal investigation to determine whether Rep. Sessions acted on Promia's behalf in direct exchange for campaign contributions in violation of federal bribery laws.

Similarly, Rep. Sessions' close ties to convicted lobbyist Jack Abramoff and the confluence of Rep. Sessions' advocacy favorable to Mr. Abramoff's tribal clients with campaign contributions in one instance and a suspicious pro-Malaysia lobbying deal in another also warrant criminal investigation. It appears that, like other Members of Congress, Rep. Sessions got caught

³⁰ See OpenSecrets.org (contribution records attached as Exhibit M).

³¹ *Id.*

³² Business/Technology Editors, OMG Hosts Sixth Workshop on Distributed Object Component Security Pete Sessions to Keynote, *Business Wire*, February 14, 2002 (attached as Exhibit N).

³³ People for Enterprise, Trade and Economic Growth, I.R.S. Form 8872, Political Organization Report of Contributions and Expenditures (October 10, 2002) (attached as Exhibit O).

³⁴ *Id.*

³⁵ See OpenSecrets.org (contribution records attached as Exhibit P).

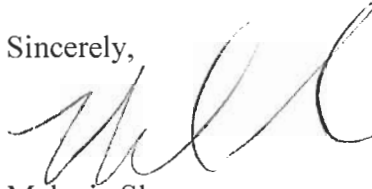
The Honorable Alberto R. Gonzales
April 19, 2006
Page Six

up in Mr. Abramoff's web of corruption in which legislative assistance was exchanged for significant contributions to election campaigns and political action committees.

As you know, the House Committee on Standards of Official Conduct has abdicated its responsibility to police and investigate the conduct of Members of the House of Representatives. As a result, only the Department of Justice stands between the integrity of Congress and the rule of cronyism and opportunism. CREW, therefore, urges you to direct a grand jury investigation into Rep. Sessions' activities. If evidence of criminal wrongdoing is found, we urge you to prosecute to the full extent of the law.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'MS', is written over a light gray background.

Melanie Sloan
Executive Director

cc: Alice Fisher
Assistant Attorney General
Criminal Division