

PRESS RELEASE

Congressman John Conyers, Jr.

Fourteenth District, Michigan
Ranking Member, Committee on the Judiciary
Dean, Congressional Black Caucus

FOR IMMEDIATE RELEASE:
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CONYERS RELEASES NEW DOCUMENTS SHOWING COVERUP IN TEXAS-GATE

Representative John Conyers, Jr., Ranking Member of the House Judiciary Committee, issued the following statement regarding the attached letter sent to Attorney General John Ashcroft regarding the illegal use of Homeland Security Department resources to find Texas Democrats:

“These documents, provided to the Judiciary Committee late last evening, are the smoking gun that shows a cover up of Texas-Gate. Who asked the Texas police to deliberately deceive the Department of Homeland Security and misuse homeland security resources? It has been alleged that the Texas Governor's office or the House Majority Leader's office may have been involved. But Texas police will only say "several individuals" made the suggestion but refuse to provide the names of those individuals to federal investigators. Who told the Texas police to destroy documents? Again, they refuse to tell federal investigators. It is extremely troubling, it is a cover up and it is a violation of federal criminal laws when public safety officers obstruct a federal investigation in this manner. The question is: who are they trying to protect and why are they trying to protect them?”

June 18, 2003

The Honorable John Ashcroft
Attorney General of the United States
U.S. Department of Justice
10th and Constitution Avenue, N.W.
Washington, DC 20530

Dear Mr. Attorney General:

After reviewing documents released by the Department of Homeland Security Inspector General late last night, we are concerned that the Department of Public Safety (“DPS”) may be involved in covering up the identity of the individual or individuals that prompted the DPS to mislead the Department of Homeland Security into using its terrorism fighting resources for partisan purposes. This conduct may constitute a violation of federal criminal laws pertaining to obstruction of justice and we ask that you open up an immediate investigation into these matters.

First, a “Memorandum of Activity” for a “personal interview” with a Member of the DPS (the identity of the interviewee has been redacted) raises substantial concerns. At the outset, it appears clear that DPS representatives were uncooperative with DHS investigators:

“During questioning of [redacted] the DHS-OIG was consistently interrupted and challenged by DPS participants that questions were not within the scope of the DHS-OIG investigation. The DPS asked the OIG if (redacted) would be given a Miranda warning. The OIG advised the DPS that (redacted) would not be given Miranda warnings since (redacted) was only a witness regarding a DHS-OIG investigation.” IN03-OIG-LA-0662, page 1.

We would hope you agree that it is extremely troubling that a public safety officer, who apparently believes he has knowledge of criminal activity, would choose to obscure such facts to federal investigators.

Second, this public safety officer revealed that there were several individuals who requested that he contact Homeland Security to look for the plane, but refused to provide the identities of those individuals:

“(Redacted) said several individuals requested (redacted) to look for the airplane. At that point in

the interview (redacted) asked (redacted) and (redacted) if (he or she) had to answer the question regarding who requested (redacted) to look for the airplane. (Redacted) advised that this question was outside the scope of the DHS-OIG investigation. The DHS-OIG informed (redacted) that this question was pertinent to the investigation; however, the DHS-OIG could not compel (redacted) to answer. (Redacted) declined to answer the question.” IN03-OIG-LA-0662, page 1.

As you know, it has been alleged that high ranking state and federal officials prompted DPS to contact homeland security. This DPS officer’s apparent reluctance to reveal the names of “several individuals” lends further credence to that claim.

Finally, the same officer declined to reveal who shredded notes from conversations regarding the missing airplane:

“(Redacted) was questioned regarding any notes taken regarding the missing airplane. (Redacted) said (redacted) noted from (redacted) conversations regarding the missing airplane with USCS were shredded. (Redacted) said (he or she) did not shred the notes. (Redacted) said (he or she) does not recall who (he or she) gave the notes to for shredding.” IN03-OIG-LA-0662, page 2.

Because the OIG’s investigation of this matter was an official proceeding, all of these actions by this officer may well constitute a violation of federal obstruction of justice laws, which provide in part, that it is illegal to "knowingly . . . engage[] in misleading conduct toward another person, with intent to . . . alter, destroy, mutilate, or conceal an object with the intent to impair the object's integrity or availability for use in an official proceeding or . . . otherwise obstruct[], influence[], or impede any official proceeding or attempt[] to do so.” 18 U.S.C. § 1512.

We ask that you open an immediate investigation into this conduct. Should you have any questions or concerns about this request, please feel free to contact us through the House Judiciary Committee Staff, 2142 Rayburn House Office Building, tel. 202-225-6504, fax 202-225-4423.

Sincerely,

Congressman John Conyers, Jr.
Congressman Jerrold Nadler
Congresswoman Sheila Jackson Lee
Congressman Robert Wexler

(More signatories to follow)

Document available at: http://www.house.gov/judiciary_democrats/txdpsinterview.pdf

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