

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Letter] - To: Richard Mallory - From: Alphonso Jackson	1	02/20/2002	b6;
002	Memorandum	Memorandum for Alphonso Jackson - To: Alphonso Jackson - From: John Phillips	4	11/02/2001	b6;
004	Report	[Report] - To: Mel Martinez	14	02/21/2002	b6;
005	Letter	[Letter] - To: Alberto Gonzales - From: Richard Mallory	1	03/22/2002	b6;
006	Letter	[Letter] - To: Alberto Gonzales - From: Richard Mallory	1	03/22/2002	b6;
007	Letter	[Letter] - To: Alberto Gonzales - From: Richard Mallory	4	03/31/2002	b6;

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Mallory, Richard

ERC ID:

9603

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Freedom of Information Act - [5 U.S.C. 552(b)]

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009	Email	Weekly Report Items [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/12/2025 JLS] - To: Larry Bush - From: Steven Sachs	1	02/15/2002	
010	Fax Cover Sheet	Urgent Fax - To: Brett Kavanaugh - From: Richard Mallory	2	03/14/2002	b6;

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BRETT

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Following Page

EXEC. OFC. PRESIDENT
COUNSEL TO THE PRESIDENT
2002 MAR 15 PM 3:04

OFFICE OF GOVERNOR PETE WILSON

FACSIMILE TRANSMITTAL SHEET

TO:	FROM: Governor Wilson
CC:	DATE:
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
SENDER'S PHONE NUMBER: 310.282.8520	SENDER'S FAX NUMBER: 310.282.8478
RE:	REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

Feb. 25, 2002

Dear Judge Gonzales,

Please forgive the bulk of the material enclosed. I have erred on the side of trying to provide you sufficient information to give you a clear picture.

I suggest the material be read in the order of presentation. I think the newspaper clips make it easier to understand Phillips' memo to Jackson and Mallory's letter to Secretary Martinez. The letter is lengthy. I'd concentrate on pp 1, 2, and 9. What is hard to understand is Jackson's response (and lack thereof to Phillips).

Don't hesitate to call if I can be of help - and I'm sure that goes for Rich Mallory as well.

Best wishes,
Pete Wilson

Withdrawal Marker

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Feb. 12, 2002

Joan Hall
Housing and Urban Development
San Francisco, California

Ms. Hall:

KRON4 News is requesting under the Freedom of Information Act any audits and information pertaining to Lily Lee and her role and documentation of her role in a case that was investigated by our News Department in 1999. The story involved David Ziegler of New American Realty, Golden Home Loans, and Dale Lueger of National Building Inspectors, Inc.

First time homebuyers in HUD's 203K program alleged that the above parties were involved in homesales and rehabs where they were overcharged for poor quality work and work not done. These allegations were later substantiated by HUD's own investigation.

Our concern is with Lily Lee's role in the investigation. We recently read a news article mentioning that Lily Lee was named as Acting Director of the San Francisco Office of HUD. We would appreciate your expediting this information.

Thank you very much.

Sandy Lee
Executive Producer
KRON4 NEWS
(415)561-8103

FOIA
Request re
Lily Lee

Larry Bush
02/14/02 12:49 PM

To: Richard Mallory/REGDIR/SFC/HUD@HUD
cc:
Subject: Re: Media FOIA -- new

That's fine. I'll be here as well.
Richard Mallory



Richard Mallory
02/14/02 12:08 PM

To: Larry Bush/SECREP/SFC/HUD@HUD
cc:
Subject: Re: Media FOIA -- new

Why don't you just set the materials aside for Friday. I will be in then.
Larry Bush

Larry Bush
02/14/02 12:06 PM

To: Richard Mallory/REGDIR/SFC/HUD@HUD
cc: Joan H. Hall/SECREP/SFC/HUD@HUD
Subject: Media FOIA -- new

Joan Hall has given me a copy of a FOIA from KRON-TV regarding Lily Lee and the handling of investigations into improper activities of nonprofits, a lender and a broker in a 1999 case.

The station was very aggressive in its investigation of the case, which involved properties here in Northern California sold by HUD to nonprofits for first-time homebuyer discounts.

I can forward to you to reach you by Monday copies of the three segments which the station ran, including on-air interviews with me, as well as other information that I should provide Joan for a determination on whether it should be included in the FOIA response.

San Francisco Chronicle

NORTHERN CALIFORNIA'S LARGEST NEWSPAPER

A8 San Francisco Chronicle ☆☆☆☆

SATURDAY

Former S.F. housing director's plea bargain in jeopardy

U.S. attorney's office objects to terms of deal

By Patrick Hoge
CHRONICLE STAFF WRITER

A plea bargain struck in a Cleveland federal court by Ronnie Davis, suspended director of the San Francisco Housing Authority, appeared to unravel yesterday when the U.S. attorney in San Francisco balked at the deal.

Under the bargain, Davis pleaded guilty to a single misdemeanor count of taking excess compensation and, in return, had felony charges dismissed. He also agreed to repay \$5,467 to his former employer, the Cuyahoga Metropolitan Housing Authority of Cleveland, where Davis was chief financial officer before moving to San Francisco in 1996.

In return, prosecutors in Cleveland promised Davis that he would not face civil, criminal or administrative sanctions for anything related to his employment at either the San Francisco or Cleveland housing agencies.

At a sentencing hearing yesterday, prosecutors told federal



CARLOS AVILA GONZALEZ / The Chronicle 2001

Ronnie Davis, former San Francisco housing chief, pleaded guilty in Ohio to a single misdemeanor count of taking excess compensation.

Judge Kathleen O'Malley that the U.S. attorney's office in San Francisco, which wasn't consulted about the plea deal, objected to the terms of the bargain.

Furthermore, Bill Edwards, a spokesman for the U.S. attorney's office in Cleveland, said the Housing and Urban Development Department wanted to back out of the deal because of the San Francisco prosecutor's objections.

authorities nationwide, although he could never work for the San Francisco Housing Authority and could not control any housing authority until 2003.

Regardless of what happens to the plea bargain, Edwards said, Davis will remain free from the felony charges, which were dismissed when his plea was accepted on Oct. 29, but he might lose the guarantees of immunity from future sanctions.

Judge O'Malley has scheduled a hearing Feb. 26 on the matter.

Davis said in a statement that he was "both saddened and

shocked by the government's attempt to renege on a plea agreement that was negotiated in good faith and for which I fulfilled every obligation."

His attorney, Ralph Cascarilla, said the deal was binding.

Before his plea bargain, federal prosecutors said Davis faced a possible 55 years in prison and \$1.75 million in fines if convicted on felony charges that he took \$315,000 in illegal bonuses and perks at the Cuyahoga housing agency.

In March 2000, HUD auditors recommended that the strongest

possible discipline be taken against Davis. The deal would have allowed Davis to keep his salary and other benefits, but it would have required him to pay back the bonuses and other benefits he received while at the agency.

E-mail: Patrick.Hoge@sfchronicle.com

SF Chronicle
story on
Ronnie Davis
Plea Bargain -
rejected by US Atty
in San Francisco

Phillips Memo
to Dep. Sec. HUD
re HUD Mis-
handling of
Ronnie Davis
case

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SF Chronicle 1/28/00
story on demand
by HUD Regional
CDBG Director,
SACHS, that City of
SF repay HUD
\$100,000 re Nation
of Islam mosque.

Document Originally
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www.sfgate.com

[Return to regular view](#)

HUD to S.F.\$100,000 grant

HUCK FINNIE AND LANCE WILLIAMS

Friday, January 28, 2000

©2000 San Francisco Examiner

originally printed by the Hearst Examiner

URL: <http://www.sfgate.com/cgi-bin/article.cgi?file=/examiner/mchive/2000/01/28/NEWS5476.dtl>

San Francisco should repay up to \$100,000 in grant funds that were improperly spent by a nonprofit headed by **mayoral friend Charlie Walker**, the U.S. Department of Housing and Urban Development says.

In a letter Wednesday, a HUD official told Mayor Willie Brown's Office of Community Development that the Third Street Economic Development Corp. had violated federal rules in connection with a \$100,000 city-administered grant the nonprofit received in 1997.

The nonprofit, which sponsors an annual gala honoring the mayor, was set up by Walker, a long-time friend and former law client of Brown.

The firm used the public money to buy a bank building on Third Street, then sold the property to the Nation of Islam, which has used it as a mosque.

Under federal rules, community development grants cannot be given to primarily religious entities and the money can't be used to support religion, wrote Steven Sachs, director of community planning in HUD's San Francisco office.

The Examiner obtained his letter through the U.S. Freedom of Information Act.

Sachs told The City it should reimburse its Community Development Block Grant program, which is funded by HUD, for whatever the building is worth. He told The City to make the reimbursement within 45 days.

Community development director **Pamela David**, to whom the letter was addressed, was out of town Thursday and unavailable for comment.

But in a December letter to HUD, David said The City had banned Walker's nonprofit from applying for new grants because it had failed to respond to her queries about the Third Street building. She also said the office would be "pursuing legal avenues" to recover some unaccounted-for grant funds from Walker's nonprofit.

Walker refused interview

Her deputy, Gene Coleman, said he hadn't seen the HUD letter, but knew one had been written. He said he expected The City would meet with HUD to discuss the matter.

Walker has refused to be interviewed by The Examiner, saying Monday, "I don't care what you Ku Klux Klan write, I don't care. Please don't call my office any more."

Since last summer, the mayor's office has been writing letters to Walker in an effort to

HUL to S.F.\$100,000 grant

straighten out a series of irregularities with

the grant.

But a review of the correspondence shows that The City has never been able to resolve serious questions about the handling of the grant money and the tax status of Walker's nonprofit.

Walker, the self-styled "Mayor of Hunters Point," is a controversial trucker who served three years in prison in the 1980s for abusing minority contracting programs.

Focus for FBI

Now he is a focus of an FBI probe into alleged abuses of city contracting practices, according to people FBI agents have interviewed.

The Third Street firm was incorporated in 1997, with Walker listed as president and agent, state records show.

According to city records, Brown played a key role in setting up the firm.

In a 1997 memo detailing the firm's grant application, Priscilla Watts, who at the time was director of the mayor's Office of Community Development, wrote: "As background, the Third Street Economic Development Corp. was initiated through the efforts of Mayor Brown and representatives from the Bayview Hunters Point neighborhood."

In its application for grant money, the firm said it hoped to stimulate economic development along Third Street and to take advantage of "synergy with development of the (proposed) new 49ers stadium and super regional mall" at Candlestick Point.

The \$100,000 grant was supposed to be used as seed money to buy the Bayview Plaza shopping center on Third Street. According to a written proposal, the Third Street firm intended to use the center in part as a neighborhood business incubator.

The owners of Bayview Plaza, however, sold to a different buyer. Nearly two years later, the Third Street firm, again with the mayor's approval, used \$51,706.29 of the grant funds to buy an old Wells Fargo Bank branch at 5048 Third St. from another Bayview Hunters Point organization. The sum, revealed in city records, was the amount needed to retire back taxes owed by the previous owner.

Tax-exempt status claimed

In its grant applications, the nonprofit claimed to have been granted tax-exempt status, and it has also offered tax write-offs to people who buy tickets to its mayoral galas.

But according to the IRS, the nonprofit has never been granted tax-exempt status.

In her letters, David has told

Walker that the firm's misrepresentation of itself as tax-exempt, and its failure to receive

SACHS' report
that City of SF
for 3d time re-
questing HUD
waiver of repayment
— and that Dep. Sec.
is willing to waive
violation! —

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SPAN COLLECTION CONTENT

of the University of California

Steven B. Sachs

02/15/02 09:08 AM

To: Larry Bush/SECREP/SFC/HUD@HUD
cc: Steven B. Sachs/CPD/SFC/HUD@HUD
Subject: weekly report items

here are some quick items for the weekly report

Issues:

Ann Sudduth, Fresno Office Manager, and CPD Staff (Steve Sachs and Richie Post) have been working with the City of Fresno to address the issue of expanding the boundaries of the recently designated Fresno EZ. Prior to the designation being made, the City was requested to delete to non-contiguous areas and modify the three developable areas. Fruitful discussions have been held with the City. Upon receipt of the Memorandum of Agreement from Headquarters, which is expected to be mailed next week, the City is expected to submit a letter to Headquarters requesting the contiguous designated area be expanded to include some of the prior identified developable areas. The areas proposed to be added meet program requirements and will address the City's concern to include a good portion of the areas that weren't included in the designation.

The City of San Francisco for the third time has sent an appeal to Headquarters requesting relief from the requirement to repay its CDBG program the full market value for a property that was acquired with CDBG funds but is being used by a religious institution. City staff met with the Deputy Secretary who indicated that the Department is willing to waive regulations that impede carrying out the intent of HUD programs.

Meetings

CPD staff held a focus group meeting with representatives of local continuum of care organizations to develop an implementation plan for providing TA to local continuums on developing and implementing Homeless Management Information Systems (HMIS). The development and implementation of HMISs is a critical issue for local continuums as Congress has mandated that HMISs be in place by January 2004. Information received will be the basis for TA to be provided over the next six months.

Headquarters is looking at ways to streamline the Consolidated Plan process to make it more results oriented. The SF CPD staff is part of a small working group looking at this issue. On February 19th, SF CPD will be holding a focus group meeting with 19 entitlement grantees and the State of California to get input/suggestion from grantees on ways to streamline/change the Consolidated Plan process to make it useful. The group will also look at ways that the Consolidated Plan can be linked with other planning documents/processes such as the general plan, the Public Housing Plan and the Continuum of Care strategy required to be prepared.

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Rich MALLORY
letter to

① See MARTINEZ

② Inspector
General of HUD

Document Originally
Attached to
Following Page

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	[Report] - To: Mel Martinez	14	02/21/2002	P6/b6;

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Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Mallory, Richard

FRC ID:

9603

OA Num.:

1652

NARA Num.:

1520

FOIA IDs and Segments:

2018-0016-P

2017-0345-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Alberto Gonzales - From: Richard Mallory	1	03/22/2002	P6/b6;

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S.F. asks U.S. to forgive accrued debt / \$400,000 refund demanded for project involving ... Page 1 of 2



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S.F. asks U.S. to forgive accrued debt \$400,000 refund demanded for project involving mosque

Lance Williams, Chronicle Staff Writer
Friday, March 29, 2002
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URI: <http://www.sfgate.com/cgi-bin/article.cgi?file=/c/a/2002/03/29/MN179586.DTL>

Mayor Willie Brown's office is asking the Bush administration to forgive the bulk of a \$400,000 city debt that was incurred when federal funds were used to buy a mosque for the Black Muslims.

Behind the city's plea is a politically embarrassing real estate transaction initiated with public funds by a nonprofit organization headed by convicted felon Charlie Walker, one of Brown's most avid political supporters.

In a 1999 transaction that the city admits was fraught with problems, a \$51,000 federal grant administered by the mayor's office was used by Walker's organization to buy a Hunters Point property that subsequently was sold to a Nation of Islam affiliate and used as a mosque and community center, city records show.

Last year, the U.S. Department of Housing and Urban Development ruled that the unusual deal violated strictures against using federal funds to support religion. It ordered the city to pay back the current market value of the property -- as much as \$400,000, by city estimates.

The city hasn't complied. Instead, in a Feb. 6 letter, a Brown aide appealed to HUD to forgive the bulk of the debt, citing a Bush administration policy of allowing faith-based organizations to obtain federal funds for social programs.

Black Muslims are providing "a variety of religious and nonreligious community-serving activities" at the mosque, wrote Pamela David, who is director of the Mayor's Office of Community Development.

"It seems unreasonably punitive for HUD . . . to profit from this situation at the expense of a faith-based organization, and its associated nonprofit, that has made positive contributions to the Bayview-Hunters Point neighborhood," she wrote.

Complicating matters further, public records show that the nonprofit corporation that wound up with the deed to the mosque property -- the Center for Self Improvement -- has failed to pay more than \$17,000 in real estate taxes and also has been suspended from operating by the state Franchise Tax Board for failing to file tax returns.

The Chronicle obtained David's letter via San Francisco's Sunshine Ordinance. David didn't respond to a request for comment for this story. A reporter's call to the mosque was not returned.

David's letter represents the city's latest attempt to close the books on this unusual transaction involving Mayor Brown's controversial friend Walker, known as the "mayor of Hunters Point."

S.F. asks U.S. to forgive accrued debt / \$400,000 refund demanded for project involving ... Page 2 of 2

Walker is a trucking contractor who served three years in prison in the 1980s for abusing the city's minority contracting program.

In 1997 -- with Brown's assistance, according to city records -- he founded a nonprofit called the Third Street Economic Development Corp., which during Brown's first term sponsored gala parties honoring the mayor.

That same year, Walker's nonprofit obtained a \$100,000 federal grant via the mayor's office to help buy the Bayview Plaza shopping center on Third Street.

The deal fell through, and two years later, Walker's nonprofit instead used \$51,000 of the grant money to buy a former Wells Fargo Bank building on Third Street.

The bank was being used by another organization as a community center but was about to be auctioned off for failure to pay real estate taxes.

Shortly after it bought the building, and without telling the city, Walker's nonprofit resold the building to the Nation of Islam affiliate.

Soon after that, Walker's nonprofit was suspended from operation for failure to file tax returns, state records show. Walker's nonprofit also never obtained tax-exempt status from the IRS, according to federal records, even though it was supposed to provide the city proof of that before receiving federal funds.

In her letter, David conceded that the city broke HUD rules when it allowed Walker's nonprofit group to buy the bank. She also agreed it was wrong for Walker's group to resell the property.

David said Walker's nonprofit and the Center for Self Improvement both have since been banned from getting any more grants.

Nevertheless, David argued that the remedy imposed by HUD on the city was too tough.

She said the center had put \$51,000 -- the amount of the original grant -- in an escrow account while the dispute was playing out, and she asked HUD to accept that money to resolve the matter.

If HUD insists on recouping more, the city would face messy and unproductive lawsuits, she wrote: Walker's nonprofit has no assets, while the Muslim affiliate might successfully argue that it was "unconscionable" for the city to collect hundreds of thousands in damages in the dispute.

E-mail the author at lmwilliams@sfgchronicle.com.

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**MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT
CITY AND COUNTY OF SAN FRANCISCO**



WILLIE LEWIS BROWN, JR.
MAYOR

PAMELA H. DAVID
DIRECTOR

February 6, 2002

The Honorable Roy A. Bernardi
Assistant Secretary, Community Planning and Development
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

RE: Third Street Economic Development Corporation
Disposition of 5048 Third Street, San Francisco
Request for Reconsideration

Dear Assistant Secretary Bernardi:

It was a pleasure to meet you at the National Community Development Association meeting in Washington two weeks ago. I am writing this request for reconsideration of the above-referenced matter after hearing your comments, including those on regulatory issues and faith-based partnerships, and after consultation with our City Attorney.

This issue has a very long history, and there has been a significant amount of correspondence between my office, HUD, and the other parties. We are assuming you have access to this correspondence, particularly our letters of March 24 and August 8, 2001 that contain the text and rationale for our proposal to bring this matter to a satisfactory and just resolution, along with numerous supporting documents. I will, thus, only provide a brief recap of the situation.

A number of years ago Wells Fargo Bank decided to close its branch in the Bayview-Hunter's Point neighborhood of San Francisco. Located in the southeast sector of San Francisco, Bayview-Hunter's Point has been an historically African-American neighborhood with high levels of poverty and distress. In 1990, in light of community protests regarding the bank closure, Wells Fargo chose to summarily transfer ownership of the actual bank branch building (5048 Third Street) to an ad-hoc consortium called the Bayview Hunters Point Association of Community Organizations. After a lengthy period of vacancy and sporadic use, during which the building condition deteriorated, the Association leased the building to Mohammed Mosque #26, a branch of the Nation of Islam, for a 10-year term as of 1996. The Mosque, according to community members, used the building for a variety of purposes, including educational and human service activities. No public dollars were involved.

Steven B. Sachs
02/15/02 09:08 AM

To: Larry Bush/SECREP/SFC/HUD@HUD
cc: Steven B. Sachs/CPD/SFC/HUD@HUD
Subject: weekly report items

here are some quick items for the weekly report

Issues:

Ann Sudduth, Fresno Office Manager, and CPD Staff (Steve Sachs and Richie Post) have been working with the City of Fresno to address the issue of expanding the boundaries of the recently designated Fresno EZ. Prior to the designation being made, the City was requested to delete to non-contiguous areas and modify the three developable areas. Fruitful discussions have been held with the City. Upon receipt of the Memorandum of Agreement from Headquarters, which is expected to be mailed next week, the City is expected to submit a letter to Headquarters requesting the contiguous designated area be expanded to include some of the prior identified developable areas. The areas proposed to be added meet program requirements and will address the City's concern to include a good portion of the areas that weren't included in the designation.

The City of San Francisco for the third time has sent an appeal to Headquarters requesting relief from the requirement to repay its CDBG program the full market value for a property that was acquired with CDBG funds but is being used by a religious institution. City staff met with the Deputy Secretary who indicated that the Department is willing to waive regulations that impede carrying out the intent of HUD programs.

Meetings

CPD staff held a focus group meeting with representatives of local continuum of care organizations to develop an implementation plan for providing TA to local continuums on developing and implementing Homeless Management Information Systems (HMIS). The development and implementation of HMISs is a critical issue for local continuums as Congress has mandated that HMISs be in place by January 2004. Information received will be the basis for TA to be provided over the next six months.

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