

Friday, August 4, 2023

TO: South Lake Tahoe Police Department

1352 Johnson Blvd

South Lake Tahoe, CA 96150

FROM: Alan Miller, Professional Engineer

PO Box 7526

South Lake Tahoe CA 96158

Syngineer1@protonmail.com

COVER SHEET FOR THE ATTACHED DOCUMENTS DATED AUGUST 1, 2023

**“RE: CRIMINAL COMPLAINT FILING AGAINST SPECIFIED PERSONS AND
POSITIONS IN THE TAHOE REGIONAL PLANNING AGENCY, CA & NV;
1000 FELONIES BY PUBLIC OFFICIALS ESTIMATED”**

TO WHOM IT MAY CONCERN:

This cover sheet documents my attempt to place the above cited document, and my associated Affidavit, also dated August 1, 2023, into the hands of a “judge or other civil official” to fulfill my duty under federal law. You know the colloquial saying regarding felonious criminal activity: “If you know something, say something.” The Complaint and Affidavit serve that purpose.

I “discovered” the criminal nature of the violations on Friday, July 28, 2023 and worked tirelessly through the weekend to complete and compile the information I felt was necessary to support the alleged violations in the complaint and supporting information. Feeling that the complaint was not something to just hand to a local “cop on the beat,” and being involved with the U.S. District Court for the Eastern District of CA (Sacramento) on related civil litigation matters, I sought to meet with a judge on Tuesday, August 1, 2023, to present the complaint. I stayed overnight near Sacramento on Monday, and called the court then to arrange a meeting on Tuesday with a judge or other court civil official. The Court Clerk’s office informed me they would not meet with me or accept the complaint, and referred me to the U.S. Attorney’s Office, located in the same building as the Court. Likewise, the U.S. Attorney’s receptionist declined a

meeting or to accept my complaint, and referred me to the Federal Bureau of Investigation, but would provide no contact information. I attempted, repeatedly after that, to contact the FBI at their “HOTLINE” to report corruption of public officials, a line which has been “busy” every time I’ve tried calling since then.

After my return to South Lake Tahoe on Tuesday, August 1, I went to the SLT Police Station around 4:40 pm and found the office closed, no hours posted, only a sign indicating to call the Police Department’s main number to make an appointment. I did that around that time and talked to “Dispatch” and you can listen to that recording if you want to hear how I was treated, and I regret any impatience on my part in my frustration. I was refused an appointment as I heard it and asked to come back another time or to contact the FBI directly. I requested contact information for the Federal Bureau of Investigation’s Stateline NV office, as recently discussed in a full-page report in the July 2023 edition of the “Mountain News,” one of our local newspapers, and was refused that information by the Dispatcher (for good reasons I assume). I said I would plan to come back Wednesday.

Then I noticed the El Dorado County Court building next door was open, so I sought to give my complaint to a civil official at the County Sheriff’s office. Uniformed officers behind glass across the hall from the Sheriff’s office refused to accept my Complaint and referred me to the Sheriff’s office. It was by that time around 4:50 pm, and I found the office door ajar, the lights off. I called through the open door for assistance and nobody came forward. Seeing the District Attorney had an office in the building, I next went there seeking a civil official. The reception desk was vacant, and a sign on the glass said there was a drop-box available that was checked daily. Since the drop-box could not refuse me, I dropped my documents there to fulfill my duty under the law, with a hand-written request to forward the documents to the local FBI agents Sean Ragan or Crosby Brackett, by way of the SLT Police Department, which reportedly works directly with the FBI.

At some point, I recall it was on Wednesday, I left a voice-mail message for Police Chief Stevens to contact me and I’ve received no call back to date. I also contacted the District Attorney’s office on Wednesday and was told they received the documents and would take no action on my request to forward them to the FBI by way of the Police Department, and that they had essentially had no use for the documents (as I knew). So I requested their return, but before I could get there I learned they had been sent to Placerville for scanning and other unknown purposes, which may include alerting violators. Fine with me; it’s ALL in the public record.

I therefore reprinted the original documents for delivery today to the SLT Police Department, which like the DA has no jurisdiction in the matter, to forward to its FBI contacts. If the Police Department office is closed I will seek out a cop on the beat to register my complaint and give the documents to with this addendum, or mail them, at my convenience, since I’ve been multiply inconvenienced by public servants at the various levels, who seemingly can’t find the

time or responsibility to accept a report of felony criminal violations by the public officials they serve (FBI excluded, except for the constantly “busy” Hotline).

Note, federal law does not require that I find the “right” judge or civil official to disclose what I know. I have done my best to immediately find any civil official willing to actually accept the complaint for processing, short of calling 911 (which seemed inappropriate to me). The law is either out of step with reality, or vice-versa. I here reiterate my request to the FBI, should they obtain the documents, which is to inform me within 7 days of what action, if any, the FBI intends to take with regard to the complaint. I think it appropriate to interrupt the criminal activity before any more felonies are committed, and I am not involved in law enforcement, so I otherwise know very little. I expect to contact my U.S. elected representatives if some reply is not timely forthcoming from the FBI, since all the agency websites say these agencies (County DA, Sheriff, Police, FBI) reportedly work together to protect our communities from criminals. May it be so, despite my experiences to the contrary.

Sincerely, Alan Miller (public citizen)

Hand-Delivered August 1, 2023

TO: U.S. District Court, Eastern District of California
Robert T. Matsui United States Courthouse
501 "I" Street, Room 4-200
Sacramento CA 95814

FROM: Alan Miller, PE
PO Box 7526
South Lake Tahoe CA 96158
Syngineer1@protonmail.com

**RE: CRIMINAL COMPLAINT FILING AGAINST SPECIFIED PERSONS AND
POSITIONS IN THE TAHOE REGIONAL PLANNING AGENCY, CA & NV;
1000 FELONIES BY PUBLIC OFFICIALS ESTIMATED**

To Whom It May Concern:

Herein you will find an estimated 1,000 felony counts against an estimated 25 individual appointees or employees of the federal government, cut and dried, and handed to you on a silver platter, with my blessings to proceed with indictments with all due haste. It is nonetheless like nitroglycerine, so this is more-or-less in confidence for law enforcement purposes now, at the court's discretion. That is, I have discussed this planned filing only with a few close friends. I write to you today with this Criminal Complaint filing because I only recently came to understand that certain acts committed by public officials are felonies, whereas I had previously understood them as either misdemeanors or violations of civil versus criminal laws. I am not an attorney, nor particularly versed in criminal law, and seek to fulfill my duty to timely inform a judge or law enforcement agent of what I know so that you may take appropriate actions to charge and apprehend the accused upon your determination of the correctness of the allegations in this Criminal Complaint.

Briefly, the felonious criminal acts I am disclosing for review center around conspiratorially depriving the public of its right to address the public body in the public forum, the Governing Board of the Tahoe Regional Planning Agency (TRPA), at the beginning of each

public meeting. It's a simple matter to discern, and was done to cover up TRPA environmental crimes. Because I don't want you to miss the wider implications and what underlies the public relations hype, by and concerning Tahoe Regional Planning Agency (TRPA), I am filing an affidavit to accompany this complaint to assert additional facts as I understand them, and to place these violations in context.

Summary of the Complaint

I wish to stress that these crimes not only pertain to particular issues I may be interested in, but to the whole mission of the TRPA. Beyond being an ordinary citizen, I am an advocate for good government and protecting the environment. I am therefore necessarily concerned with exercising my free speech rights under the Constitution for the United States and the open meeting laws of California and Nevada before the public body known as the TRPA. I'm also concerned with protecting the free speech rights of others in the TRPA venue, their public meetings of the Governing Board. Those civil rights have been intentionally trampled and denied by the agency exercising wrong-headed notions of public service. Appointed officials are responsible for the actions of the subordinate staff, and for any legal advice they succumb to. There is no ignorance of the law here by TRPA, other than willful and knowing ignorance, as will be shown.

Here is what led to the crimes in my understanding. Sometime in 2019, Verizon, a telecommunications company, proposed a wireless *faux*-pine macrotower, 112 feet tall, for cellular telecommunications services in a residential area at 1360 Ski Run Blvd. in the City of South Lake Tahoe, CA. Through this proposed project the public became aware of semi-secret plans being laid by TRPA and others, out of the public eye, to continue to approve of wireless facilities, as it has, with virtually no environmental planning or impact assessments in the public sphere, as required. I assert without full proof this secret agenda was developed in collusion with the other public officials and private commercial/industrial interests, the telecoms.

The public became incensed with TRPA and, with seemingly no other recourse, turned out in large numbers during 2019 to comment during the TRPA "Public Interest Comment" periods required at the beginning and end of each meeting. TRPA officials may have thought this public commenting was an impediment to the conduct of the public's business *it* tasked itself with, because it made their meetings longer despite limits on public comments allowed. (Comments, when allowed, were often three minutes or less per person at the Board Chair's discretion.) In any case, this public commenting went on and on because TRPA took no action in response and granted no concession to its detractors. Moreover, the TRPA did not want to hear the continuing criticism of its failings from the public, or face public concerns expressed with the overwhelming science of medical and ecological harms done by wireless technologies, which have been installed for decades before the current wireless expansion at Lake Tahoe with no planning whatsoever by TRPA. The potential wireless facilities are seemingly without future limits, with no alternatives considered.

In order to suit its aims to promote commercial wireless towers, including those emitting toxic microplastics from *faux*-pine macrotowers, TRPA took actions to deprive the public of its civil liberties and rights to free speech. In January of 2020 TRPA changed its published Agenda Announcements to allow public comment only at the end of each meeting, at no certain time. This change persists to the present, with the single exception of the March 2020 Agenda Announcement. This change to the agendas was known to be illegal by the agency, and could not have been a *singular* decision. The reprehensible consequence was that the public was made to wait until nearly all other agenda business was done to address the Governing Board, with meetings sometimes lasting more than eight hours, or potentially miss the chance for input.

The change was deliberate and premeditated to crush, as best it may, the burgeoning anti-wireless movement in the Lake Tahoe basin, with thousands of interested persons. In large respects it worked as TRPA plotted and hoped, except against a hardy few. Many people were disenfranchised and gave up against a despised tyrant it thought it could not overcome under the circumstances, which was precisely TRPA's desired outcome: to deprive the public of its civil rights in pursuit of its thinly-veiled intentions to promote private wireless services expansion.

Notice of Criminal Violations: Laws, Evidence, and Conspirators

Since the laws TRPA is bound by are somewhat obscure, I will lay the criminal case out as I understand it legally, present the evidence, and provide additional information and evidence to show why and how this criminal activity by our corrupt public officials has come about, and some of the ways it has affected our region and community, by way of my affidavit.

Laws violated: TRPA operates under a federal bi-State Compact ratified by Congress, the Tahoe Regional Planning Compact (PUBLIC LAW 96-551). Compact Art. III(d) states, in relevant part:

The governing body of the agency shall meet at least monthly. All meetings shall be open to the public to the extent required by the law of the State of California or the State of Nevada, whichever imposes the greater requirement, applicable to local governments at the time such meeting is held...

The applicable Nevada Revised Statutes (NRS) is NRS § 241.020 3.(d)(3) and is the "greater requirement":

...written notice of all meetings...must include...[a]n agenda consisting of:
(3) Periods devoted to comments by the general public, if any, and discussion of those comments. Comments by the general public must be taken:

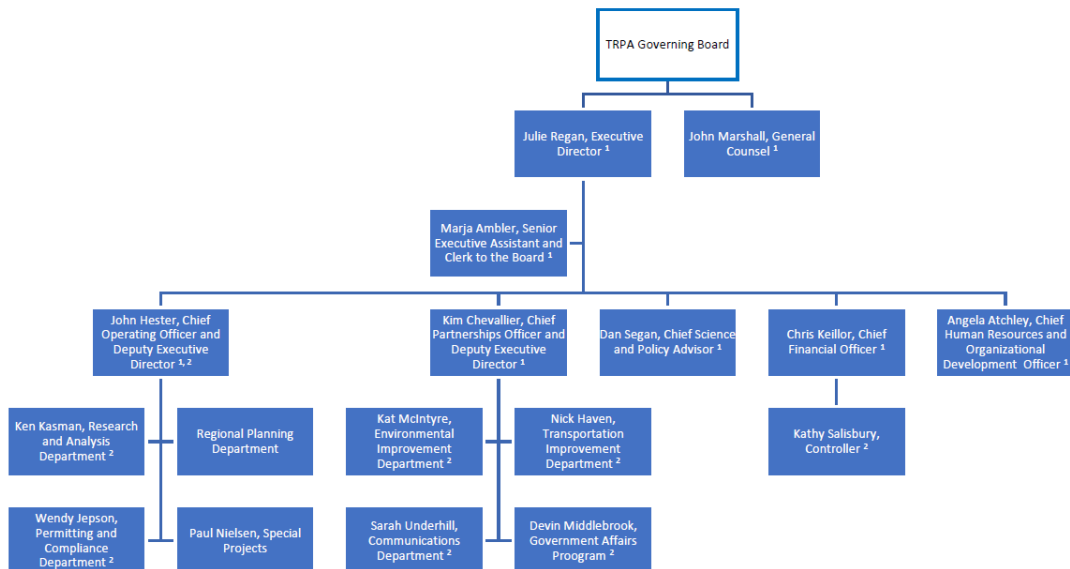
(I) At the beginning of the meeting before any items on which action may be taken are heard by the public body and again before the adjournment of the meeting;

....

(7) Any restrictions on comments by the general public.

Any such restrictions must be reasonable and may restrict the time, place and manner of the comments, but may not restrict comments based upon viewpoint. (emphasis added)

Evidence: The TRPA publishes its Agenda Announcement and detailed meeting Agenda on its website, trpa.gov, a week before each meeting. The Agenda Announcement includes the date of the meeting, the schedule of items to be considered, and the persons serving as appointees to the Governing Board of each meeting, among other things. The Agenda Announcements show whether the period(s) devoted to general “Public Interest Comments” are scheduled at the beginning and/or end of the meeting, prior to adjournment. They do not show all the staff involved in the Agenda Announcement publication, which presumably includes the designated “TRPA Executive Team” and other staff; see below for the current make-up of the Executive Team, taken from Item VII.B, of the TRPA’s July 26, 2023 Agenda, pdf p. 102, noting this Executive Team has undergone changes since 2022, with the retirement of Executive Director Joanne Marchetta, promotions, new hires, organization changes, *etc.* Governing Board members serve fixed terms, so those rosters change periodically as well, as noted in the Agenda Announcements. A “screenshot” photo below shows the current make-up of the TRPA Executive Team, comprised of the three tiers below the Governing Board.



Notes:

1. Executive Team members are shown with a superscript number one (¹). Operations Group members are shown with a superscript number two (²).

Again, the violations asserted involve scheduling the “Public Interest Comments” item only prior to the meeting adjournment, in violation of NRS § 241.020 3.(d)(3). I have enclosed as EXHIBIT 1 to this Criminal Complaint the Agenda Announcements, in relevant part, obtained from the TRPA’s website under Documents → Meetings links to meetings, by date. The Agenda Announcements provided from January 2020 through July 2023, excepting March 2020, show the “Public Interest Comments” item scheduled only prior to adjournment, in violation of NRS § 241.020 3.(d)(3), and therefore in violation of federal Compact Art. III(d).

Applicable Criminal Statute: 18 U.S. Code § 241 – Deprivation of rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

(June 25, 1948, ch. 645, 62 Stat. 696; Pub. L. 90–284, title I, § 103(a), Apr. 11, 1968, 82 Stat. 75; Pub. L. 100–690, title VII, § 7018(a), (b)(1), Nov. 18, 1988, 102 Stat. 4396; Pub. L. 103–322, title VI, § 60006(a), title XXXII, §§ 320103(a), 320201(a), title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 1970, 2109, 2113, 2147; Pub. L. 104–294, title VI, §§ 604(b)(14)(A), 607(a), Oct. 11, 1996, 110 Stat. 3507, 3511.)

I assert that I have been illegally deprived of civil rights and privileges, together with others, 1) in a manner that did injure or oppress the free exercise or enjoyment of rights to free speech granted by the Constitution, and further secured by the laws of the United States or 2) because of me and others having so exercised the same rights and privileges. My understanding from the potential penalties is that all such violations are deemed felonies under applicable provisions of the title, which I could not locate in preparing this Criminal Complaint.

The public record of TRPA Agenda Announcements comprises 42 monthly violations times the number of individuals involved on a changing basis, which I'd estimate at around 25 (up to 15 rotating board members plus staff). I'm roughly estimating 25 times 42 = 1,000 felony violations to prosecute to date in this matter, which are ongoing.

I am a citizen of the United States who has been injured and victimized, along with many, many others by the criminals at the TRPA, to say nothing of adverse impacts to the environment. I assure you this is no frivolous complaint, but is of the gravest importance to me, my community at South Lake Tahoe, California (where I reside), the bi-state Tahoe region, the nation, and the world—owing to the unique qualities of Lake Tahoe and threats to the Lake Tahoe environment, property, public safety and health from TRPA, in collusion with others. What is at risk in the hands of corrupt public officials at Lake Tahoe runs to the hundreds of millions of dollars in public money spent, with millions dollars more being allocated annually for the preservation of Lake Tahoe water quality and the unique environmental qualities of the Tahoe Region under the criminal auspices of the TRPA. Furthermore, lives and property in the billions of dollars are threatened with destruction in the event of a tower fire or collapse due to

the misfeasance and incompetence of TRPA and betrayal of the public trust, through conspiring with a dangerous, rights-trampling wireless telecommunications industry.

Notice of Possibly-Related Civil Cases in U.S. District Court, Eastern District of California

The cases noted below are active and awaiting disposition and may be related to this Criminal Complaint. The cases are not related to each other, per court judgment. Both provide additional information generally concerning the violations reported here. In seeking to timely inform the court of germane facts concerning the violations as I perceive them, to the best of my ability, I implore the court to take no action that would interfere with or in any way prejudice the outcomes of these two possibly-related cases.

Miller v. Tahoe Regional Planning Agency (No. 2:22-CV-02113-KJM-AC). This is a case I filed in *propria personae*.

Eisenstecken, et al. v. Tahoe Regional Planning Agency, et al. (No. 2:20-CV-02349-TLN-CKD). This case was reassigned to United States District Judge Daniel J. Calabretta (DJC) following his commission on February 21, 2023, and I am not privy to know if the new case ID No. has been changed to reflect that. I am not a party in this litigation, but an advisor on water quality issues.

Declaration: The foregoing statements are true to the best of my knowledge and belief, and I hereby attest and swear under penalty of perjury the information in this Criminal Complaint is offered in duty to law and without attempt to deceive or bear false witness against another, so help me God.

Signed: _____ Dated: _____
Name: Alan Miller, Professional Engineer

EXHIBIT 1: TRPA monthly Agenda Announcements, January 2020 to July 2023

Affidavit of Alan Miller, PE, to Support Criminal Complaint filed against TRPA

It took me a long time to figure Tahoe Regional Planning Agency (TRPA) out to the limited extent I have, and I'm hoping to save the valuable time of investigators. My specific interest is reporting the crimes I've become aware of concerning the violations of civil rights concerning public meeting participation requirements in my Criminal Complaint, herein incorporated by reference. This Affidavit provides additional details surrounding this matter. I believe that the evidence I've provided is enough to indict these bad actors and send a strong message to other public servants everywhere, and those that follow. Tahoe has national visibility. If arrests and fines and/or prison follow indictments, *i.e.*, for the ringleaders, I will be content to leave the judgments and punishments to the justice system. A preferred outcome in my view would be replacement of the criminals by reappointment of new, more public-minded appointees and a new executive team, overseen by a court-appointed "special master" to help prevent future abuses—the latter if I prevail in *Miller v. TRPA*.

Changes are badly needed at TRPA, and Lake Tahoe must not be made to wait any longer. In my view, the restoration of Lake Tahoe requires the restoration of the rule of law, and therefore rests with us, both the citizens and law enforcement. We serve and protect each other. This TRPA criminal activity, victimizing me and others in our community, has been unabated since January 2020, as I became aware of through my involvement with Ms. Eisenstecken, and then my litigation *Miller v. TRPA* which is presently being prosecuted for civil violations in the U.S. District Court for the Eastern District of California. I didn't understand the nature of the violations was *felony criminal*. The subterfuge has been right done right under our noses, because the public doesn't fully know the laws, nobody from law enforcement is looking at TRPA, and the public officials believe themselves to be "untouchables" by the law, certainly by *criminal* law: they don't see themselves as the criminals they are. There are vipers at Lake Tahoe slithering about in the dark—and in the light. The acts in the Criminal Complaint are brazen and repeated in the face of ongoing public outcry for redress of grievance, also hidden by TRPA's electronic subterfuge. These are by no means TRPA's only legal transgressions, as the two lawsuits attest.

And therein lies the problem: the TRPA's top organizational members, political appointees at the federal, state, and local levels of government, as well as at-large members, have conspired with the staff to deny the public its civil rights and liberties. The widespread illusion, as far as I'm concerned, is that TRPA is competently managing the complex restoration of Lake Tahoe water quality while simultaneously issuing development permits in the thousands, *e.g.*, recently a 4,000-6,000 seat sports complex on a former parking lot of thirteen acres at Stateline, for just one project approved with findings of no significant effect. I and others have a contrary view based on long experience and evidence, and a civil right to express it, so I am hoping to shatter any illusions about that going in. All are nonetheless entitled to state their own free-speech opinions of the TRPA, no matter the views expressed.

That said, the information in the *Eisenstecken* litigation points to a much wider corruption scandal, involving also City of South Lake Tahoe officials, officials from five counties on the TRPA board, a quasi-governmental agency “The Tahoe Prosperity Center” rife with conflicts of interest, officials of the CA Regional Water Quality Control Board—Lahontan Region (my pre-retirement employer to July 2018), representatives of Verizon telecommunications and other interested telecoms, and even the Tahoe Daily Tribune newspaper. Many towers are located on, and polluting, public lands as allowed by officials of the U.S Forest Service—Lake Tahoe Basin Mngt. Unit. The TRPA is riddled with electronic fraud and use of electronic means to deprive the public of civil rights associated with written comments, as the administrative record in my case shows. Everything happens across state lines.

A diligent investigation could uncover much, and more could be done via easy “stings” and trap set-ups I myself have contemplated, knowing you can’t entrap honest officials. That said, I urge the prosecution of these crimes forthwith for the good of all, before more damage is done to our special environment and Lake Tahoe through the misfeasance of TRPA public officials. All the information you would likely need for subsequent investigations of crimes and conspiracies is contained in the public files or computer systems of the agencies, with time to follow up the indictments. How many more felonies are *needed* with 42 counts per person? This is low-hanging fruit: one similar indictment for 25 people, change the names and dates. Who was appointed or employed when is easier record information for you to obtain, if not contained in the Agenda Announcements.

The cases noted below are active and awaiting disposition and may be related to this Criminal Complaint. The cases are not related to each other, per court judgment. Both provide additional information generally concerning the violations reported here. In seeking to timely inform the court of germane facts concerning the violations as I perceive them, to the best of my ability, I implore the court to take no action that would interfere with or in any way prejudice the outcomes of these two possibly-related cases. I have attached copies of my First Amended Complaint in *Miller v. TRPA*, and my Motions for Summary Judgment and to Supplement the Administrative Record, filed July 23, 2023. I am also attaching the much-longer, latest Plaintiff’s filing in *Eisenstecken, et al. v. Tahoe Regional Planning Agency, et al.*, being prosecuted in the same court, but separately, over the same tower. None of my associates are trained *criminal* investigators; my background is in administrative civil violations. The latter case was reassigned to United States District Judge Daniel J. Calabretta (DJC) following his commission on February 21, 2023, and I am not privy to know if the new case ID No. has been changed to reflect that.

In bringing this complaint I considered contacting the local Federal Bureau of Investigation office at Stateline NV (South shore) and could not locate contact information. I also considered the FBI’s field office in Reno NV for the filing, but ultimately decided to file with the District court and let them forward the information to the appropriate persons, and in view of the court working with the U.S Attorney’s Office and further not wanting to taint the current litigation above.

I'll point out John Marshall, their attorney, as the ringleader. He formerly aided and abetted Executive Director Joanne Marchetta, also an attorney, and now serves Julie Regan, who has replaced Marchetta as of this year. Marchetta, however, may still be employed by the agency, out of view. These writings will provide much background to aid in your understanding, and much more information can be found on TRPA website under the Documents → Meetings links, including complete "Agenda Packets" and recordings and "minutes" or notes of things discussed at past meetings. The corruption story doesn't lack "juice," though the public is largely unaware of what goes on thanks to our dour news coverage locally.

Representing myself in federal court is a new experience for me. In preparing the motions I filed July 24, 2023, I had cause to again review and cite the applicable public meeting laws; see the Motion to Supplement the Administrative Record, allowed me by the judge due to "bad faith" by TRPA. It was around that time that I discovered the violations and put them together with the criminal laws. I cite below some additional relevant law, 5 CFR § 2635.101 - Basic obligation of public service, **bolding** provisions of subsections I believe are most relevant.

§ 2635.101 Basic obligation of public service.

(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.

(b) General principles. The following general principles apply to every employee and may form the basis for the standards contained in this part. Where a situation is not covered by the standards set forth in this part, employees shall apply the principles set forth in this section in determining whether their conduct is proper.

(1) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

(2) Employees shall not hold financial interests that conflict with the conscientious performance of duty.

(3) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.

(4) An employee shall not, except as permitted by subpart B of this part, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency,

or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

(5) Employees shall put forth honest effort in the performance of their duties.

(6) Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.

(7) Employees shall not use public office for private gain.

(8) Employees shall act impartially and not give preferential treatment to any private organization or individual.

(9) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.

(10) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.

(11) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

(12) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

(13) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

(14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

(c) Related statutes. In addition to the standards of ethical conduct set forth in this part, there are conflict of interest statutes that prohibit certain conduct. Criminal conflict of interest statutes of general applicability to all employees, 18 U.S.C. 201, 203, 205, 208, and 209, are summarized in the appropriate subparts of this part and must be taken into consideration in determining whether conduct is proper. Citations to other generally applicable statutes relating to employee conduct are set forth in subpart I and employees are further cautioned that there may be additional statutory and regulatory restrictions applicable to them generally or as employees of their specific agencies. Because an

employee is considered to be on notice of the requirements of any statute, an employee should not rely upon any description or synopsis of a statutory restriction, but should refer to the statute itself and obtain the advice of an agency ethics official as needed.

State laws contain similar provisions for State civil servants, based on my work experience. I suggest the record I here provide contains instances of actions by TRPA officials and other public officials that trespass the bolded provisions above, and which may also trespass criminal laws, pending further investigations at the discretion of law enforcement personnel. Law enforcement has an opportunity to perform a tremendous service for our region and nation by interrupting the criminal activity and bringing the perpetrators to justice.

If I can be of further assistance you may reach me at the mailing address in my Criminal Complaint, or by way of email to Syngineer1@protonmail.com.

Declaration: The foregoing statements are true to the best of my knowledge and belief, and I hereby attest and swear under penalty of perjury the information provided is offered without attempt to deceive, mislead or bear false witness against another, so help me God.

Signed: _____ Dated: _____
Name: Alan Miller, Professional Engineer

Attachments:

1. *Miller v. Tahoe Regional Planning Agency* (No. 2:22-CV-02113-KJM-AC). First Amended Complaint
2. *Miller v. Tahoe Regional Planning Agency* (No. 2:22-CV-02113-KJM-AC). Motion for Summary Judgment, Motion to Supplement the Administrative Record (with exhibits)
3. *Eisenstecken, et al. v. Tahoe Regional Planning Agency, et al.* (No. 2:20-CV-02349-TLN-CKD). Third Amended Complaint.