

# United States Senate

WASHINGTON, DC 20510-7012

March 23, 2007

Ambassador John M. Ordway  
Embassy of the United States of America in the Republic of Kazakhstan  
Ak Bulak 4,  
Str. 23-22, Building #3, Astana 010010  
Astana, Kazakhstan

Dear Ambassador Ordway:

We write to you out of our deep concern over the plight of our constituent, a United States citizen, Mr. Mark Seidenfeld. As you know, Mr. Seidenfeld remains incarcerated in Almaty while awaiting trial. He has been incarcerated for months in Almaty, with no opportunity for bail. We are advised by his counsel that his trial, and the opportunity to be exonerated, continues to be delayed by authorities in the Kazakhstani legal system.

We are particularly alarmed by information we continue to receive that strongly indicates Mr. Seidenfeld's accuser is able to manipulate investigations and legal proceedings in an effort to build a false case against Mr. Seidenfeld and to prevent proper consideration of evidence that his counsel in Kazakhstan and the United States adamantly tell us should clear him of charges. For example, while the charges against Mr. Seidenfeld, filed by a former Kazakhstani business associate, center on allegations of theft or embezzlement, extensive audits performed by highly credible auditors appear to leave no doubt that the charges are untrue.

Earlier this month, a scheduled trial date for Mr. Seidenfeld was abruptly cancelled, despite the reported closure of the lengthy investigatory phase of this case.

While we are relieved to hear that U.S. Embassy representatives in Almaty report that Mr. Seidenfeld is being well treated during his incarceration, we are concerned that his case may be prolonged and manipulated to the point he cannot receive justice under Kazakhstani law. We continue to be frequently informed by Mr. Seidenfeld's counsel, friends, and family of persistent efforts by his accuser to enter new and specious evidence into the record and to press ransom demands.

We ask that our Embassy exert all means at its disposal to assure a fair and speedy legal process that adheres to all laws, rules, and procedures that apply to Mr. Seidenfeld's case.

Mr. Seidenfeld has been incarcerated for well more than a year, including his time behind bars in Russia, where he was arrested on a warrant from Kazakhstan. It is becoming urgent that the legal system in Kazakhstan move ahead in a timely fashion so

the case may come to a conclusion. We have recently received word, since your conversation by phone earlier this month with Congresswoman Berkley, that the uncertainty of his status, and the lengthy period of incarceration, are beginning to take a severe toll on Mr. Seidenfeld. We ask that you continue to diligently monitor his condition and treatment while in custody, and take all appropriate steps to assure justice in his case.

Sincerely,

  
HARRY REID  
U.S. Senate

  
SHELLEY BERKLEY  
Member of Congress