

# Withdrawn/Redacted Material

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### COLLECTION TITLE:

Counsel's Office, White House

### SERIES:

Kavanaugh, Brett - Subject Files

### FOLDER TITLE:

Kavanaugh, Brett Correspondence [Folder 2] [1]

### FRC ID:

9630

### RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

#### Records Not Subject to FOIA

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|--------------|------------|-------------------------------------------------------|-------|------|----------------|
| 008          | Memorandum | John F. Harrah V. United States of America [Page 5,6] | 2     | N.D. | P6/b6;         |

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# THE WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

DATE RECEIVED: 8/31/2001

NAME OF CORRESPONDENT: Sylvia James

SUBJECT: Sylvia James v. US

| ROUTE TO:<br>OFFICE/AGENCY | (STAFF NAME) | ACTION<br>ACTION<br>CODE | DATE<br>M/D/YR | DISPOSITION<br>TYPE<br>RESP | C<br>D | COMPLETED<br>M/D/YR |
|----------------------------|--------------|--------------------------|----------------|-----------------------------|--------|---------------------|
|----------------------------|--------------|--------------------------|----------------|-----------------------------|--------|---------------------|

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|--------|---|---|---|---|---|---|
| CUGONZ | A | — | C | — | — | — |
|--------|---|---|---|---|---|---|

ACTION COMMENTS: \_\_\_\_\_

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|-------|---|---|---|---|---|---|
| Brett | A | — | — | — | — | — |
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ACTION COMMENTS: \_\_\_\_\_

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ACTION COMMENTS: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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ADDITIONAL CORRESPONDENTS:

MEDIA:

Litigation Quls.  
No action.  
BK



78  
Counsel's  
Office

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

|                                             |   |                   |
|---------------------------------------------|---|-------------------|
| Sylvia C. James                             | ) | 1: 01CV487        |
| Plaintiff                                   | ) |                   |
|                                             | ) |                   |
| V.                                          | ) |                   |
|                                             | ) |                   |
| United States Government                    | ) |                   |
| President George Bush                       | ) | Affidavit         |
| Attorney General John Ashcroft              | ) |                   |
| Superior Court Judge F. Gordon Battle       | ) |                   |
| Governor Michael Easley                     | ) |                   |
| Brent D. Kiziah, Assistant Attorney General | ) |                   |
| of North Carolina                           | ) |                   |
| UNIVERSITY OF NORTH CAROLINA                | ) | Exhibit S --Also  |
| HOSPITALS AT CHAPEL HILL                    | ) | REPLY TO SECOND   |
| Defendants                                  | ) | MOTION TO DISMISS |

Plaintiff, being first duly sworn according to law, says:

When it comes to money, the government always exercises a master slave relationship over us. The government is free to take our money and use it for whatever and however and make interest off of our money that is not available to us. The government is always taking our money in various ways. For example, the government is free to charge us whatever it wants.

In addition, we are taxed on almost everything, not just income. Whenever, we buy anything except medication which is already so high, we pay taxes. Because we are taxed on almost everything, we do not even know how much we pay in taxes. The people do not even know how much money our government has for our use because the government never gives us a full accounting of our money. Our government leaders are constantly telling us that they do not have enough money, and they are constantly asking



us for more money. Governor Michael Easley went on TV on the night of August 16, 2001 to ask the public for even more money, and we do not know what has happened to all the money the state has already taken.

The government is always taking, but never giving anything back to the people that amounts to anything. The government claims it does not have the money for the necessities of life for the people such as free health care, etc. But we, the people, have to account for everything. We have to report all our money for tax purposes. When we have a need to use our own money that we, the people, have been contributing to the government for our later use, the government is always telling us how much money we can have and how much we can spend on whatever and what we can use it for.

For example, last year I filed for disability because I realized that I am disabled when I have to follow insane government orders when I am doing my job or risk legal troubles. I was given disability. When I was given food stamps for food, staff at the Orange County Department of Social Services told me that a single person who was disabled without any income was only eligible for \$130.00 per month in food stamps. I was also restricted as to what kind of food I could buy with my food stamps. I could not use those food stamps to go to a restaurant and buy food, and if there was a deli in the grocery store, I could not use my food stamps to buy any of the heated ready to eat food.

Even though the social services employees have access to computers where they can check to see if a person receiving food stamps is working or has money in any bank account, every three months the Social Services Department requires the person to come in so that they can say whether or not they are working or have any money in an account. If you have a bank account that you do not tell them about, they will write you and tell you about it. For example, I had an account that was opened in a federal credit union with \$25.00 which allows the account to remain open in case I ever want to use the account again. I did not mention this account to social services because it is really not a useable account if it only has \$25.00. In order to use the account, I need to deposit more money. The food stamp office wrote me about the account, saying that when they



checked on me, they found another account. I find that they keep check on any income that a food stamp recipient might have in an effort to make sure that the person does not have more than 2000 dollars in savings.

I have seen how the Orange County Social Services Department has access to all of this type of information on a person, but yet they still require you to come into the office every three months so that they can get you to say what you have. They use this to keep you from getting the food stamps that you are eligible for. If you do not come in and tell them what they already know or should know, they will deny the money for food that you are entitled to receive. If you come in later than they say, they will prorate the amount that you are eligible for. If you do not come in at all, they will credit nothing to your account.

If a single person is not working and not on disability, the government will not allow the person food stamps for more than 3 months. If a person is single and not working and not on disability, the government will not allow the person any Medicaid or health care benefits. If the person is single and not working and not on disability, the government will not allow the person government housing. Here the government follows the Bible. If you are below retirement age, you have to work in order to receive any government health care benefits, food stamps or housing. When my disability payments started, Social Services stopped the food stamps that I was receiving and it stopped my Medicaid benefits. I was told that I received too much in Social Security disability to get food stamps or Medicaid benefits. I was told that because I get approximately \$984 in disability per month which is above the \$716 per month maximum allowed in order to get Medicaid, I have to meet a \$4328.00 deductible or I am not eligible to receive Medicaid.

However, the government will pay a portion of my housing since I am on disability. But the Orange County Housing Department will not give the housing money to me. Instead the government will only give the money to whomever I'm renting from. But the government should not give the money to a third party. The government should give the money directly to the person it is intended for. Also the government restricts



what kind of housing I have access to live in. For example, I am restricted to a one bedroom, and I am not allowed to live wherever I want to live. The laws allow people who rent to the public to deny me housing because I am getting money from the government for housing. My Fifth and Fourteenth Amendment rights are violated because I am denied the equal protection of the laws. I am also restricted to the cheapest housing in town. In Chapel Hill, most one bedroom apartments rent for \$650 to \$700 per month. But the government housing department only sees me as eligible for the cheapest few which run about \$500 to 525. I am only allowed to rent the cheapest housing and one of the problems with the cheapest housing in Chapel Hill is it is actually worth less. For example, the cheapest housing is older and has less space and less luxuries.

Again the government is constantly taking from the people, but whenever we ask for anything back, we are given substandard help and treated like non-deserving charity cases. We are treated in a subservient way. We are put on a budget and told how much we can spend for every little thing and we are constantly spied on to make sure that we stay within our mediocre budgets. In addition, we have no say so in our budgets. Our government officials, for example, President Bush and Governor Easley are always deciding for us. The government is always looking over our shoulders and telling us how we must spend our own money. This goes against our 13<sup>th</sup> Amendment rights.

It appears that our government leaders are just mentally incompetent when they say that more money is needed. The majority of people probably believe that there is not enough money and more money is needed. But the evidence suggest that the problem is the budget. The evidence suggest that money is tied up in places where it is not needed, and thus there is not enough money for stuff that is needed. A budget is nothing but a prediction. No one can predict how much money is going to be needed for a specific thing. The money should be used as it is needed. The money should not be tied up in places where it is not needed. It is unrealistic to predict the future. Also, it appears that our government leaders see our money as being for their benefit and not for the benefit of the people. It appears that they see the people as paying them to serve the Lord, since it was reported on page 16A of the Friday, August 17, 2001 News & Observer under an



article entitled, Tax, that \$22, 000 was spent on a chandelier and \$21, 000 was used to replace a two-year old portrait of former Governor Hunt. It appears that no price is too high for them, but only the lowest priced items and services are considered ok for the people.

I applied for disability in November of the year 2000 because I realized that a person is truly disabled if they have to follow the dictates of the Bible and work for bosses who are requiring them to follow the Bible. It does not matter why you are disabled. But you are just as disabled as someone who is mentally disabled if you have to follow the orders of disabled bosses. A person is also disabled if they are perceived to be disabled. We are perceived to be disabled by our government because we are seen as dependent upon God to tell us what is right in order for us to know right. We are perceived as disabled when we are seen as dependent on God to be able to breathe and to wake up in the mornings. We are perceived as disabled when we are seen as inferior to God and our government leaders. Thus, I told Social Security that I found it disabling to have to follow the orders of incompetent bosses. When they asked why I did not go work somewhere else, I told them that I had already tried that. It is the system, not just one particular place. I told Social Security that it was useless for me to work unless I got to be President.

Let me give a couple of examples of what I mean by having to follow the orders of mentally incompetent bosses. In 1994, I was working as a Social Research Assistant I for North Carolina State University. This is the job I was referring to when I mentioned that I had filed a suit with the Equal Employment Opportunity Commission when I filed my answer to the complaint UNC Hospitals filed against me in 1995. They had me doing crazy made up nothing work at North Carolina State University. The following is an example.

On Friday, January 28, 1994, Carol Briles, my supervisor, gave me an assignment which she called a "bid assignment" in her conversation with me. She wrote down the assignment telling me to write up an RFP for lumber for our warehouse racks



for 80 sheets of plywood. I am labeling this written assignment to me as Exhibit T. Carol gave me an example of one that she had done entitled Request for Price Quotes which I am labeling here as Exhibit T-A. She asked me to do my assignment in that format. She said that mine would vary somewhat from hers because the one I was being asked to do would go through the purchasing office at NC State University, whereas hers had been sent through the Department of Public Instruction(DPI). She asked me to call Randy Craven who was in another building at a different location and ask him to fax me a copy of one that he had done in order to find out the differences. Part of the employees in our department were housed in the Blue Ridge Road Office where I was located, and part of us were housed in the Mckimmon Center.

Carol said that Randy might be out of the office. I called and I could not get in touch with Randy. Later that day Carol told me that she wanted the assignment completed by Monday morning at 10:00. There was no date for me to complete the assignment listed on the written assignment request and she had not mentioned when I should complete the assignment in the conversation we had. I was unable to talk with Randy that day. So Carol told me to come in by 8:00 that Monday morning instead of 8:30 as usual and instead of coming to my office at Blue Ridge Road, go to the Mckimmon Center to get what I needed from Randy in order to complete the assignment by 10:00.

On Monday morning, January 31, 1994, when I met with Randy at the Mckimmon Center, I found that the example that Carol had given me to go by had absolutely nothing to do with the assignment that she had given me. The RFP assignment that Carol had given me was a Request for Purchase and the example of the one she had done was a Request for Price Quotes. When I met with Randy, I was told that I was not allowed to get bids because that was the job of the NC State University Purchasing Office. However, Randy called to get one price quote from Lowes and wrote up a very short paragraph. He told me that all I needed to do was give the short paragraph he had written which contained the price quote he had gotten from Lowes to Sandra Mills who would give it to the Purchasing Office. I am labeling the very short paragraph which



Randy gave me as Exhibit T-B. Randy also said that they would get the plywood for an even better price than the one that had been quoted to him by Lowes.

To go along with the assignment, Carol had also asked me to get some price quotes from Mike Lyons who worked at the Blue Ridge Road building where I worked. Prior to meeting with Randy, I did not know that I was supposed to turn the information over to Sandra Mills who was located at the McKimmon Center. Thus, I had not gotten the price quotes from Mike. I told Randy about the work that Carol said Mike was doing towards the assignment. I told him that I would go get the price quotes from Mike at the Blue Ridge building and fax the information back to Sandra Mills at the McKimmon Center. I then drove to our location at Blue Ridge Road and got the price quotes from Mike which he had hand written on a sheet of paper. I am labeling the price quotes I got from Mike Lyons as Exhibit T-C.

When I got to my office at Blue Ridge Road on Monday-January 31, 1994, Carol said that Randy had called to say that he wanted to change the amount of the plywood—when he had just completed the assignment. I was thinking that Carol was deliberately giving me misleading information and made up nothing work which she planned on throwing away as soon as I did it. She often gave me confusing, misleading and incorrect information about an assignment. So I did not believe Carol, but I asked Sandra to check with Randy when I faxed the information to her. I am labeling the fax cover sheet that I sent to Sandra Mills as Exhibit T-D. Once I had faxed the completed assignment to Sandra, which was about 9:30, I told Carol that I had completed the assignment. But she tried to get me to continue working on it. She reminded me about how she had written up the assignment asking for the people to reply by February 4, 1994 and told me that she wanted me to put it in the format of the example that she had given me. She told me to call all the people that Mike had called and get mailing addresses so that I could send them a request for price quotes and have them reply by February 4, 1994 as she had asked me to do in the assignment. I reminded her that Mike had already gotten price quotes from them. But she said that he had gotten quotes over the phone, but she needed me to obtain written quotes.



I took the list Mike had given me and I called the people Mike had called and got mailing addresses, which I wrote on a sheet of paper. I am labeling the mailing addresses that I called and obtained as Exhibit T-E. Since the assignment was so crazy, I thought I should go over to the NCSU purchasing office and find out what they had to say about the assignment I had been given. When I went over to the purchasing office, I found that there was nothing left for me to do on the assignment. However, I found that since the price quote was over a certain amount, Sandra Mills was supposed to do some special paper work. I was also told that I was not supposed to get bids as Randy had informed me. I talked to Mary Ellen in purchasing.

Later that day Yevonne Brannon called me to tell me never to go on campus anymore asking questions because she said that people would think that the people in our department did not know what they were doing. She then told me I should not be getting bids, after she and Carol had sat in my office and told me that I had better have the "bid assignment" done by 10:00 Monday morning. Yevonne Brannon was Carol Briles' supervisor and Carol was my supervisor.

The truth was that Yevonne Brannon and Carol did not know what they were doing. They were mentally incompetent. I was a Social Research Assistant and Social Research Assistants do not do the kind of assignment that I am describing here. I am attaching a copy of the supervisory chart of employees in our department showing what position I held. I am labeling this supervisory chart as Exhibit T-F. I was often given made up work that is not in the job description of a Social Research Assistant. It appeared to me that they were giving me crazy, made up work just to give me something to do and then redoing my work once I had completed it. For example, I would enter a file in the computer and when I went back to look at the file, it would contain obviously different information indicating that someone else had completely redone what I had done. Four people were involved in working on the crazy assignment that I am describing here. Mike Lyons worked on the same assignment. Randy Craven worked on



the assignment. Sandra Mills worked on the assignment, and I worked on the assignment.

When Randy Craven showed me what I needed to do for the assignment, he also gave me examples of ones that he had done. I am labeling the examples that Randy gave me as Exhibit T-G. In his examples, Randy was also requesting material for the warehouse. Thus, it appears that it was Randy who should have been asking Sandra Mills for the sheets of plywood that he needed, not me. On February 4, 1994, Carol complained about my work on the assignment in her weekly job performance evaluation of me. She even told me that the example that she gave me to use had nothing to do with the assignment as if she did not remember what she had told me. I am labeling Carol Briles' Weekly Job-Performance Evaluation of me as Exhibit T-H.

I did not understand why I was being treated so crazy on my job at North Carolina State University. I thought that the people were just racists. I had found that shortly before I came, one Black employee at North Carolina State University had asked for an investigation of the department in order to find out why no African Americans were working in the department. He wanted to know why the department were not hiring Blacks. I had found that when the investigation was supposed to begin, the department started hiring Blacks. However, even though I thought they were acting so strangely because they were racists and were just trying to get me to quit, I still wondered why they would not want Black Americans working in the department. Since I was curious about this, I decided not to quit before I could figure out why they were acting so weird. This department was responsible for testing all the children of the state of North Carolina in grades 3 -12, and what they did affected a lot of people. However, now I realize they were just insane. I realize now that they were just following the Bible. For example, they were obviously making up work and creating jobs just to keep people from being idle. The Bible is against people being idle. I refer you to the Book of 2 Thessalonians of the New Testament of the Bible, Chapter 2, verses 6-10. This is obviously why the government is always creating so much red tape and unnecessary paperwork for people to complete.



These people at North Carolina State University also thought I was supposed to do exactly what I was told, no matter how crazy. Apparently they believed I should be obedient and imitate Jesus. A Research Assistant normally uses her or his mind, not their physical abilities. But they were more interested in me doing manual labor and using my physical abilities rather than using my mind. This also goes along with imitating Jesus. In the story of the Bible, Jesus was uneducated and he was only capable of manual work. He was a carpenter by trade.

When the Equal Employment Opportunity Commission finally ruled on this case in July of 1996, that office said that North Carolina State University did not violate any of my federal rights. I am labeling the letter from the U.S. Equal Employment Opportunity Commission, dated July 25, 1996 as Exhibit T-I.

My next job was at North Carolina Central University. When I worked at North Carolina Central University, which is a traditionally Black University, I found that the problem was not just a problem of racism because management at North Carolina Central University was just as racist against their own color of people. Black employees were treated just like slaves at North Carolina Central University. First of all, we were not paid enough for what we had to do. Secondly, the employees who worked in the Scholarships and Student Aid Office were not allowed any breaks during our 8-hour day. I understood that it was a federal law that all non-exempt employees should be allowed a 15-minute break in the mornings and afternoons. However, when I called the state personnel office to complain about North Carolina Central University not allowing employees any breaks, I was told that it depended on the policy of the university where the person worked. Our 13<sup>th</sup> and 14<sup>th</sup> Amendment rights were denied us. We were denied the equal protection of the laws at North Carolina Central University. Blacks are always complaining about how White people treat us. But it was Blacks at North Carolina Central University who refused to allow us Blacks to even have a break. I was allowed breaks at traditionally White universities. It did not make any sense that North



Carolina Central University did not allow breaks. If a person chose to take an obvious break, they were harassed.

At North Carolina Central University, staff were also mistreated by being asked to do the impossible. For example, we never had enough employees to do the work. North Carolina Central University has approximately 5000 students and about 80 per cent of them are on financial aid. I've seen times when students' money was not placed on their accounts simply because we did not have enough staff to put it on. We never had enough equipment to do the work. For example, up until 1997, we had only four Financial Aid Counselors to process the aid for all the students, and on top of that, they only had one computer to use to process the aid for all the students. Finally, all of the Financial Aid Counselors were given the equipment they needed, but other support staff did not have the equipment they needed. Someone always had to move around looking for a computer that someone was not using because they were out to lunch or out of the office. etc. In addition, we never had enough pens and paper to do our work. If we asked the students to bring in their tax returns, most of the time we could not make a copy for them. We had to send them somewhere else to make their own copies. We always had to recycle our paper. But it was an insane kind of recycling—not what a person would normally expect. For example, we were supposed to take paper that had something typed on one side of it and print on the back. If you put this in a person's files, how can you be sure that someone checking the file at a later date will know what is what?

As a result of us not having what we needed in order to do our jobs in addition to following some insane procedures, we had lots of complaints. President Julius Chambers and the other leadership at the University handled student complaints in a weird way. Instead of taking a realistic approach to student complaints and making sure that there were enough employees to do the job, making sure that we had enough equipment, etc. to do our jobs and that we had sane procedures to follow, the leadership of the university focused on what we said to the students. The leadership of the University decided that the problem was all about how we talked to the students.



We were constantly reprimanded about what we said, no matter what we said and no matter what the situation was. We were told that we should always deliver service with a smile. The attitude that the leadership of the University took was that if the student complained, then the problem was with what had been said. They even sent all the employees who were not in a supervisory position to customer service class at Durham Tech in December of 1997 to help us learn the right kinds of things to say. The idea was that if we could not help a student, we were supposed to say just the right thing to him/her to make the student be happy when he/she left so that we would not lose the student who was seen as a customer. In order to give the court some idea of how the leadership felt, I am attaching a letter dated September 3, 1998 from Ruby Pittman to Sharon Oliver concerning our department. I am labeling this letter as Exhibit U.

I kept wondering why the leadership kept focusing on what was said, rather than the fact that we had an impossible job. I kept wondering why what was said was so important. I kept telling the supervisors but I can not always help the students. They kept telling me, it is all in what you say and how you say it. Now I realize that they were insane. They were following the Bible. They were expecting us to give the students church type help. The preacher does not do any thing for people. But he keeps people coming back every Sunday, and at other times during the week. The preacher does absolutely nothing for the people, but church people are happy when they are in church, and they keep going even though they are getting nothing. It is the words that they enjoy.

Just as I was given crazy assignments to do at North Carolina State University, I was also given crazy assignments at North Carolina Central University. The following is an example. As if we did not have enough crazy and impossible tasks to do, in January of 1999, the U.S. Department of Education and the Director of Scholarships and Student Aid at North Carolina Central University, Sharon Oliver, decided that North Carolina Central University was going to print Renewal Free Applications For Federal Student Aid for all students who had listed North Carolina Central University as their first preference of schools to have their financial data submitted to in the previous year.



The United States Department of Education sent North Carolina Central University a tape to download in order to print the renewal form. This renewal form printed by North Carolina Central University did not represent something that sane and competent people would use. I am enclosing a copy of this renewal form printed by North Carolina Central University as Exhibit V-A. I am enclosing a copy of the instruction booklet that the Department of Education printed for North Carolina Central University to use along with the renewal form printed by North Carolina Central University as Exhibit V-B. I am attaching a copy of the renewal form printed by the Department of Education for its own use as Exhibit V-C.

It was easier for the student to complete a regular new application giving all the information a second time, rather than completing this defective renewal form printed by North Carolina Central University. I am attaching a regular Free Application for Federal Student Aid, which I am labeling as Exhibit V-D.

Using this renewal form printed by North Carolina Central University caused us more work because we had to spend more time helping students complete it and many times we had to return the form to students requesting that they give us more information. Students found this renewal form printed by North Carolina Central University impossible to complete correctly because of the crazy way in which questions 38 through 40 and 61 through 63 were asked. Question 38 on the renewal form that North Carolina Central University printed was concerning the student's information and the question read, "38. Tax Form Filed Status". Question 61 on the form that North Carolina Central University printed was concerning the parent or guardian's information and the question read as follows, "61. 1998 Tax Filing Status". On the renewal form that North Carolina Central printed, the answers that the students should choose from were missing for these two questions. The answers that the students should choose from were also missing for questions 38 and 61 in the instruction booklet provided by the U.S. Department of Education.



On the renewal form that the Department of Education printed, questions 38 and 61 were worded differently than they were on the form that North Carolina Central University printed making the question be an entirely different question and there were answers to choose from. Question 38 on the renewal form printed by the Department of Education was concerning the student's information and it read, " 38. Filed 1998 IRS Income Tax Return" and there were three answers to choose from. The answers to choose from were 1. Have already filed, 2. Will file, have not yet filed, 3. Not going to file (skip to question 45). Question 61 on the renewal form printed by the Department of Education was concerning the parent or guardians information and it read, "61. Filed 1998 IRS Income Tax Return" and the answers given to choose from were 1. Have already filed, 2. Will file, have not yet filed, 3. Not going to file (Skip to question 68).

One thing that I found quite interesting was that of the completed forms that I saw, the majority of North Carolina Central University students assumed that the answers to choose from on the renewal form printed by North Carolina Central University were the same as the ones to choose from that are given on the IRS form for the question concerning the tax filing status. They automatically assumed that the choices of answers that were given to these questions by the Internal Revenue Service on the tax forms were the possible answers. They did not even realize that the answers were missing.

Question 40 on the renewal form that North Carolina Central University printed was concerning the student's information and the question read, "40. Eligible to File a 1040A or EZ". The answers to choose from were 1. yes or 2. no. Question 63 on the renewal form printed by North Carolina Central University was concerning the parents information and the question read, "63. Eligible to File 1040A/EZ?" The answers to choose from were 1. yes or 2. no. On the renewal form that the Department of Education printed, questions 40 and 63 were asked differently than on the renewal form printed by North Carolina Central University. Question 40 on the renewal form printed by the Department of Education was concerning the student's information and the question read, "40. If you filed or will file a 1040, were you eligible to file a 1040A or 1040EZ? The answers to choose from were 1. Yes or 2. No/don't know. Question 63 on the renewal



form printed by the Department of Education read, "63. If your parent(s) filed or will file a 1040, were they eligible to file a 1040A or 1040EZ? The answers to choose from were 1. Yes or 2. No/don't know.

Many of the people who had chosen North Carolina Central University in the previous year as their first choice to have their data submitted to were not currently enrolled at North Carolina Central University. Our Director of Scholarships and Student Aid printed these renewal forms with the intent of having North Carolina Central University's staff process the forms manually and then send them electronically to the U.S. Department of Education. But students who were not enrolled at North Carolina Central University did not always want North Carolina Central University to process their renewal applications for them. Thus, many students ended up sending their renewal applications, printed by North Carolina Central University directly to the U.S. Department of Education for processing. When students sent the renewal applications printed by North Carolina Central University directly to the U.S. Department of Education for processing, they were told that these renewal forms were worthless junk and could not be processed by the Department of Education. Previously when students had called the Department of Education asking for their renewals, they had been told that North Carolina Central University was printing their renewals. Yet these renewal forms were worthless when sent directly to the U.S. Department of Education. Students and parents telephoned me upset that this form was called unacceptable by the U.S. Department of Education and because they had missed deadlines for certain types of aid because of this worthless renewal form.

One reason this renewal form could not be processed by the U.S. Department of Education was because the U.S. Department of Education uses a machine to process the form. The answers were read by a machine. The answers were supposed to have ovals or circles next to them so that the students could blacken in the circle in order for the machine to read. The renewal form that was printed by North Carolina Central University had no circles or ovals on the form for the students to complete and thus a machine would not be able to read.



It did not make any sense that the U.S. Department of Education would send us that tape to download in order to print the renewal form that North Carolina Central University printed. It also did not make any sense that North Carolina Central University would use this renewal form. In addition to that, what sense does it make that North Carolina Central University would prefer to take on a project that had to be done manually rather than allow a machine to do the work? Yet we were told we had to give this form to students and mail it to them if they did not come in and pick it up. I objected to this renewal form, but the Director of Scholarships and Student Aid, Sharon Oliver, acted as if she could see nothing really wrong with the form even when I pointed out the problems to her. She said that she could not understand why the Department of Education would not process it. At one point we were all required to spend our time mailing out this defective renewal form to students not currently enrolled at North Carolina Central University. While North Carolina Central University did not have enough money for necessary things, amazingly the University had enough money for mailing out this defective form.

It was while I was working at North Carolina Central University that I realized that the people in this country were not getting anywhere because those who made the decisions at the top in the United States Congress were handing down crazy orders for us to follow. Not only were they handing down crazy orders, they were enforcing them. We were constantly audited at North Carolina Central University to make sure that we followed orders. One example of an insane order is people who are convicted of drug offenses are denied access to financial aid, while people convicted of other crimes are not denied access to financial aid. Also, our government leaders do not appear to know when a person is an adult. If a person under 24 did not meet certain qualifications, they were considered to be dependent on their parents, even if they were out in their own apartment making their own money. Please see steps two through four on pages 4 through 5 of the Free Application for Federal Student Aid which is Exhibit V-D. Please note that step 4 says that a student must give parental information if they answered no to all questions in step 2. It is insane for a person to have to be 24 to be considered an adult. It was while I



was at North Carolina central University that I first noticed that the people at the top needed someone to help them.

I left my job at North Carolina Central University on May 13, 1999. I found it confusing to work for insane people. Also, it did not make any sense to keep following orders and performing a service for people when you know that you are following crazy orders and not helping the people who you are supposed to be helping. When I left North Carolina Central University, I did not know what the problem was. I was wondering why the people were doing the things they were doing. I decided to try to figure it out. I started reading the Bible because I noticed how people were putting so much emphasis on God and the Bible. At North Carolina Central University, the students and staff praised God all the time. Throughout the Scholarship and Student Aid Office where I worked at North Carolina Central University, the staff played religious music all day every day. Whenever, we had a function at North Carolina Central University where a meal was served, prayer always had to be said before we could eat. People routinely prayed before having a meal. It was as if the people at the University had never heard of separation of Church and State. When I read the Bible I noticed that our government leaders including our leadership at North Carolina Central were following the dictates of the Bible. That is crazy.

On August 9, 2001, President bush gave a speech saying that he had decided to allow limited stem cell research. President Bush said,

“On the first issue, are these embryos human life? Well, one researcher told me he believes this five-day-old cluster of cells is not an embryo, not yet an individual, but a pre-embryo. He argued that it has the potential for life, but it is not a life because it cannot develop on its own.

An ethicist dismissed that as a callous attempt at rationalization. Make no mistake, he told me, that cluster of cells is the same way you and I and all the rest of us started our lives. One goes with a



heavy heart if we use these, he said, because we are dealing with the seeds of the next generation.”

Later in his speech, President Bush said,

“I also believe human life is a sacred gift from our creator.”

President Bush believes that we all have one single creator. He believes there is a God who created us. But we do not all have one single creator. President Bush is ignoring the fact that it is the parents who create the children. I find it so insane how people know that people are created by the union of the sperm and the egg, but yet they still think God created us just like a person creates pottery. The statements made by President Bush shows that he does not know what a human being is. During his speech to the nation on Thursday, August 9, 2001, the picture shown on TV of the stem cells was just a cluster of cells with no resemblance to a human being which a person would not even be able to see with the naked eye. Yet President Bush was on national TV discussing whether or not a cluster of cells had the right to live, while he has made no argument against putting to death any of the living human beings who are breathing on their own and capable of life on their own that he has put to death.

President Bush talks about protecting human life in all of its stages as if he actually believes that the embryo is capable of life without developing in the mother's womb and being born. He believes that an embryo is an important life being that should be protected. But we know that these embryos are nothing if they do not develop in the mother's womb and be born. If they remain embryos, they are nothing , and thus have no need to be protected as important human life.

The court should rule that life begins with the union of the sperm and the egg and that life does not begin with God. People are not created by God. The court should rule that we are created by our parents and not by God. Although life begins with the union of the sperm and egg, the embryo is not a human being. It is the mother who creates the embryo into a human being by growing it inside her body where it forms into a human



being and becomes able to be born and breathe on its own. The court should rule that I was created by my parents and not by God. I am attaching a copy of my birth certificate as Exhibit W. On my birth certificate, our last name Currie is misspelled as Curry, but this is my birth certificate. My mother is Nannie Belle Thompson Currie and my father is Rainey Young Currie. I want the court to acknowledge that my mother is Nannie Belle Currie and that my father is Rainey Young Currie, not God. The court should also rule that it is the parents who decide if they want to create a life and that an embryo is not an important human life that should be protected unless the mother decides that she wants to create a life, since the embryo is nothing on its own. The court should rule that when women are forced to create a human life that is slavery and thus against their 13<sup>th</sup> Amendment rights.

Giving an embryo the same rights as a human being devalues life and says that a human being deserves nothing, not even the right to be able to breathe the air on their own. Giving an embryo the same rights as a human being uses the fact of how we began our lives against us to enslave us. Giving an embryo the same rights as a human being is legalizing the false teachings of the Church which says that a person's body is not important and is unnecessary for life. The Church wrongfully teaches people that we can live on after our bodies are destroyed as unseen spirits that are able to do all kinds of things. Giving an embryo the same rights as a person who is developed with a body and able to breathe on their own gives the government the right to meddle in our own personal decisions concerning our own bodies which gives the government the right of master over us. This is against our 13<sup>th</sup> Amendment rights.

I did not name all the people I have named in this affidavit as a part of the suit because I simply cannot afford to make copies and serve these people with the appropriate information. Thus, I did not list all my complaints against them. I just gave a few examples. In my original complaint I gave examples of what has been reported in the news showing how our government operates in an insane manner. But in the preceding in this affidavit I have given examples of what has happened in my own experience showing that the government operates in an insane manner.



In my last Affidavit, dated August 16, 2001, I did not mean to say that authorities always say there is life after death. I meant to say that it is said by many of those in authority and it is implied that there is such a thing as life after death by those in authority because of the legality that our government gives to the teachings of the Church.

This the 22<sup>nd</sup> day of August , 2001

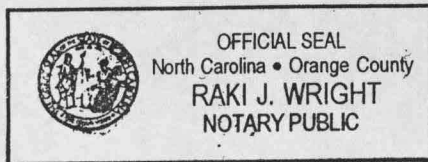
Sylvia C James

Sylvia C. James, Plaintiff, Affiant  
123 C Cole Street  
Chapel Hill, North Carolina 27516

Sworn to and subscribed before  
me this 22 day of August, 2001

Raki J Wright  
Notary Public

My commission expires: 2/15/04





## EMPLOYEE DAILY TASK LIST

Exhibit T

NAME

Sylvia James

DATE

| TASK                                               | COMMENTS | COMPLETE BY | TIME STARTED | TIME COMPLETED |
|----------------------------------------------------|----------|-------------|--------------|----------------|
| Write up an RFP for lumber for our warehouse racks |          |             |              |                |
| notes: • 4' x 8' x 3/4" plywood sheets (80)        |          |             |              |                |
| • separate request for delivery to 1500 Blue Ridge |          |             |              |                |
| • reply by Feb 4, 1994                             |          |             | 1-28-94      | 1-31-94        |
|                                                    |          |             |              |                |
|                                                    |          |             |              |                |

Example of assignment Carol gave me and deliberately gave me incorrect information so that I would not be able to complete the assignment. Afterwards she told me that the example she gave me had nothing to do with the assignment.



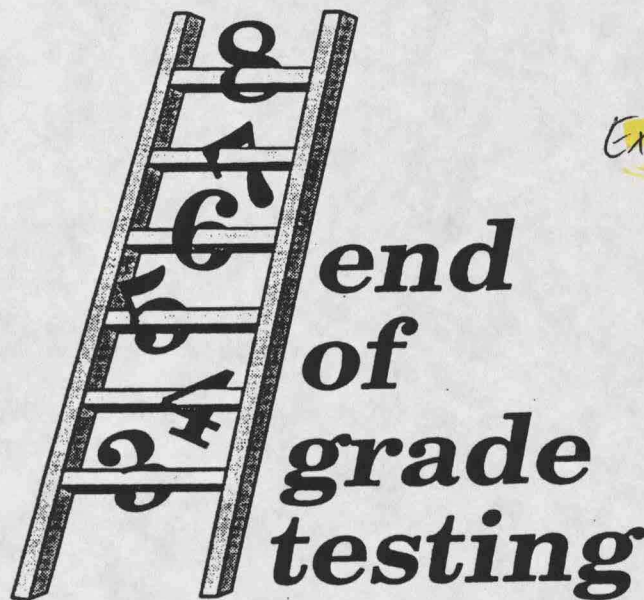
Exhibit T-A

## REQUEST FOR PRICE QUOTES

**North Carolina End-of-Grade Testing Program**

**NC/NAEP Grade 8 Mathematics Assessment**

**1993-1994**



Example

Carol gave  
me to use

Responses or statement of non-response to this Request for Price Quotes  
are due no later than noon, February 2, 1994 to Testing Section,  
Division of Accountability Services, Department of Public Instruction,  
301 N. Wilmington Street, Raleigh, NC 2760-2825.



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**REQUEST FOR PRICE QUOTES**  
**NC/NAEP GRADE 8 Mathematics Assessment**  
**1993-1994**

**Section I: Background and Purpose**

The purpose of this document is to define a shipping job for commercial carrier vendors within North Carolina and to solicit vendor quotations and plans for performing that job. The Testing Section, Division of Accountability Services, of the North Carolina Department of Public Instruction will obtain such services by issuing a purchase order no later than February 16, 1994. Vendor quotations and all accompanying information requested should be put in writing and sent to:

Rod Moore  
Testing Section  
Division of Accountability Services  
NC Department of Public Instruction  
301 N. Wilmington St.  
Raleigh, NC 27601-2825

Responses should be delivered no later than 12:00 noon, February 2, 1994.

The Department of Public Instruction will be administering the NC/NAEP Mathematics Assessment Test in 57 public school systems across North Carolina. This phase of the testing program involves testing approximately 3,500 students in the eight grade from January 31-February 28, 1994. The approximately 500 pounds of completed paper documents in the shipment are considered "critical materials" by the State.

**Section II: Scope of Work**

The vendor will be responsible for the inside pick-up of the testing materials on March 2, 1994, at the 57 NC school systems, here after referred to as Local Education Agencies (LEAs), listed on Attachment A at the locations identified in Attachment B. The names of persons serving as the contact at the school system level are supplied in Attachment B along with telephone numbers. The vendor will safely and securely transfer the shipment by 10:00 am on March 3, 1994 to:



**NCSU-TOPS**  
**1500 Blue Ridge Road**  
**Raleigh, NC 27607**

Estimated shipping weights for each shipper are provided in Attachment A. Weights may vary slightly from those provided but generally should not vary more than 10%. Weight estimates for each pick-up were calculated by using the actual number of students in each school system being tested and multiplying by the actual document scale weight. The shipment will include boxes with a typical shipping weight of 30 pounds or less each.

The vendor will be solely responsible and accountable to the State for all parcels picked up for delivery and for the condition they are in upon delivery.

**Commodity Description**

Our commodity is completed test answer documents (printed forms) to be packaged and sealed in boxes weighing 30 pounds or less and each box clearly identifiable by a shipping label to be filled out and attached to each box by the shipper (Local Educational Agencies as listed in Attachment B). Each shipment will consist of one or more boxes that will be covered by a single bill of lading.

**Schedule**

Pick-ups from LEAs will occur on March 2, 1994 in accordance with the schedule to be completed by the vendor on Attachment A. The shipment will be delivered to NCSU-TOPS on March 3, 1994 by 10:00 am. The vendor must supply a targeted time of day for each pick-up scheduled with the understanding that actual pick-ups may vary by no more than one hour either before or after the targeted time for pick-up—i.e., a 9:00 a.m. pick-up could vary between 8:00 a.m. and 10:00 a.m. The State reserves the right to modify the schedule for any pick-up time with the mutual consent of the vendor and with the understanding that a reasonable length of time (at least five working days) be provided the vendor for adjustment of operations.

**Pick-up Locations**

A listing of pick-up locations, contact persons, and phone numbers for LEAs involved are provided in Attachment B.

**Delivery Location**

All materials are to be delivered inside by 10:00 am on March 3, 1994 to NCSU-TOPS, 1500 Blue Ridge Road, Raleigh, NC 27607.



Appropriate time must be allowed upon delivery for receiving staff of other contractors to account for the receipt of and condition of all parcels listed on the bills of lading.

### **Section III: Changes in Scope of Work**

Every effort has been made by the State to fix locations, pick-up schedules, and quantities of materials. However, in the event that changes are necessary, the State reserves the right to adjust the scope of this job by as much as 10% (number of locations, dates, quantities). Should variations in the total weight of all shipments be more than 5% of the supplied estimate, the vendor may negotiate with the Testing Section for a price adjustment of the authorizing purchase order to the mutual consent of both parties.

Any such changes and negotiations should be carried on between the responsible officer of the vendor and the responsible officer for the N.C. Department of Public Instruction. A total variation of price on the original purchase order may not exceed 20%. Any negotiated changes should be summarized in writing before a final settlement is made.

### **Section IV: Method of Payment**

After delivery of the last shipment on the schedule the vendor, in order to receive payment for these services to the State, should bill Accounts Payable Section, North Carolina Department of Public Instruction, but direct the invoice to Rod Moore for approval of payment.



Testing Section  
Department of Public Instruction  
301 N. Wilmington St.  
Raleigh, NC 27601-2825

**Section V: Instructions to Respondents**

- A. Each vendor supplying a quotation should address the following points in a response:
1. Indicate time of day for pick-up at each LEA listed on Attachment A. Pick-up times should conform to typical daily working hours (8:00 a.m.-5:00 p.m.).
  2. Confirm time of delivery for each shipment (next day by 12:00 noon).
  3. Describe how the typical shipment will be moved from shipper to consignee at a Raleigh location.
  4. Describe the pick-up and delivery operation and method of handling and accounting for materials.
  5. Describe any label requirements beyond those described in this request.
  6. Send samples of your Bill of Lading (and any instructions on filling it out), and indicate willingness to supply 100 continuous-form bills of lading if awarded the purchase order.
  7. Define your system of tracking materials in the event parcels are misplaced or lost. Since the test materials are "critical", potential vendors must completely describe their regular quality control procedures and any special quality control procedures put in place for this project.
  8. Define emergency backup procedures that would assure the security of documents and timely delivery of the shipments. Indicate supervision responsibilities for deliveries and how problems of reconciliation would be solved.
  9. Supply names, addresses, titles, phone numbers of the individual(s) responsible for coordinating this job.
  10. Quote a total price for your services and confirm your company's willingness to adjust that price for variations in number of pick-ups and quantities (use attachment statement).
  11. Vendors should respond with information and quotes only if the vendor can do the entire shipping job.
  12. The vendor should affix labels (2) found on the last page of the "Request For Price Quotes" to the mailing envelope containing the response .
- B. **Contractor Solicitation.** Pursuant to Article 3 and 3C, Chapter 143 of the North Carolina General Statutes and Executive Order No. 34, the State invites and encourages participation in this procurement by businesses owned by minorities, women and the disabled including utilization as subcontractors to perform functions under this Request for Price Quotes.

Vendors should direct inquiries to Rod Moore in our Raleigh office (919/715-1186).



**Section VI: Official Quote**

Schedule Quote

The \_\_\_\_\_ offers to provide the services  
(Company)  
requested for the amount of \$ \_\_\_\_\_ subject to the stated terms  
(Price)  
and conditions as written in the "Request for Price Quotes".

\_\_\_\_\_  
(Signature) Vendor Representative

Date: \_\_\_\_\_



**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 1**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>     | <b>CITY</b> | <b>WEIGHT</b>  |
|--------------|-------------|----------------|-------------|----------------|
| _____        | 200         | Cherokee Co.   | Murphy      | 5              |
| _____        | 440         | Haywood Co.    | Waynesville | 10             |
| _____        | 500         | Jackson Co.    | Sylva       | 5              |
| _____        | 810         | Rutherford Co. | Spindale    | 5              |
|              |             |                |             | -----          |
| <b>TOTAL</b> |             |                |             | <b>25 lbs.</b> |



**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 2**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>       | <b>CITY</b>   | <b>WEIGHT</b>  |
|--------------|-------------|------------------|---------------|----------------|
| _____        | 20          | Alexander Co.    | Taylorsville  | 5              |
| _____        | 50          | Ashe Co.         | Jefferson     | 5              |
| _____        | 120         | Burke Co.        | Morganton     | 5              |
| _____        | 140         | Caldwell Co.     | Lenoir        | 5              |
| _____        | 182         | Newton City      | Newton        | 5              |
| _____        | 290         | Davidson Co.     | Lexington     | 5              |
| _____        | 292         | Thomasville City | Thomasville   | 5              |
| _____        | 300         | Davie Co.        | Mocksville    | 5              |
| _____        | 340         | Forsyth Co.      | Winston-Salem | 20             |
| _____        | 850         | Stokes Co.       | Danbury       | 5              |
| _____        | 860         | Surry Co.        | Dobson        | 5              |
| _____        | 950         | Watauga Co.      | Boone         | 5              |
| _____        | 990         | Yadkin Co.       | Yadkinville   | 5              |
| <b>TOTAL</b> |             |                  |               | <b>80 lbs.</b> |

**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 3**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>      | <b>CITY</b> | <b>WEIGHT</b>                    |
|--------------|-------------|-----------------|-------------|----------------------------------|
| _____        | 130         | Cabarrus Co.    | Concord     | 5                                |
| _____        | 360         | Gaston Co.      | Gastonia    | 25                               |
| _____        | 470         | Hoke Co.        | Raeford     | 5                                |
| _____        | 550         | Lincoln Co.     | Lincolnton  | 10                               |
| _____        | 600         | Mecklenburg Co. | Charlotte   | 45                               |
| _____        | 620         | Montgomery Co.  | Troy        | 5                                |
| _____        | 630         | Moore Co.       | Carthage    | 15                               |
| _____        | 800         | Rowan Co.       | Salisbury   | 20                               |
| _____        | 900         | Union Co.       | Monroe      | 5                                |
| <b>TOTAL</b> |             |                 |             | <div>-----</div> <b>135 lbs.</b> |



**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 4**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>     | <b>CITY</b> | <b>WEIGHT</b>  |
|--------------|-------------|----------------|-------------|----------------|
| _____        | 280         | Dare Co.       | Manteo      | 5              |
| _____        | 330         | Edgecombe Co.  | Tarboro     | 5              |
| _____        | 420         | Halifax Co.    | Halifax     | 10             |
| _____        | 720         | Perquimans Co. | Hertford    | 5              |
|              |             |                |             | -----          |
| <b>TOTAL</b> |             |                |             | <b>25 lbs.</b> |

**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 5**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>          | <b>CITY</b>  | <b>WEIGHT</b>  |
|--------------|-------------|---------------------|--------------|----------------|
| _____        | 240         | Columbus Co.        | Whiteville   | 5              |
| _____        | 241         | Whiteville City     | Whiteville   | 5              |
| _____        | 250         | New Bern-Craven Co. | New Bern     | 5              |
| _____        | 260         | Cumberland Co.      | Fayetteville | 15             |
| _____        | 310         | Duplin Co.          | Kenansville  | 5              |
| _____        | 400         | Greene Co.          | Snow Hill    | 5              |
| _____        | 650         | New Hanover Co.     | Wilmington   | 5              |
| _____        | 670         | Onslow Co.          | Jacksonville | 20             |
| _____        | 690         | Pamlico Co.         | Bayboro      | 5              |
| _____        | 780         | Robeson Co.         | Lumberton    | 10             |
| _____        | 960         | Wayne Co.           | Goldsboro    | 5              |
|              |             |                     |              | -----          |
| <b>TOTAL</b> |             |                     |              | <b>85 lbs.</b> |



**ATTACHMENT A  
PICK UP TIME SCHEDULES  
MARCH 2, 1994**

**TAC 6**

| <b>TIME</b>  | <b>CODE</b> | <b>LEA</b>     | <b>CITY</b> | <b>WEIGHT</b>   |
|--------------|-------------|----------------|-------------|-----------------|
| _____        | 320         | Durham Co.     | Durham      | 20              |
| _____        | 350         | Franklin Co.   | Louisburg   | 10              |
| _____        | 390         | Granville Co.  | Oxford      | 5               |
| _____        | 410         | Guilford Co.   | Greensboro  | 30              |
| _____        | 430         | Harnett Co.    | Lillington  | 5               |
| _____        | 510         | Johnston Co.   | Smithfield  | 5               |
| _____        | 530         | Lee Co.        | Sanford     | 5               |
| _____        | 640         | Nash Co.       | Rocky Mount | 10              |
| _____        | 730         | Person Co.     | Roxboro     | 5               |
| _____        | 760         | Randolph Co.   | Asheboro    | 5               |
| _____        | 761         | Asheboro City  | Asheboro    | 5               |
| _____        | 790         | Rockingham Co. | Wentworth   | 5               |
| _____        | 910         | Vance Co.      | Henderson   | 5               |
| _____        | 920         | Wake Co.       | Raleigh     | 25              |
| _____        | 930         | Warren Co.     | Warrenton   | 5               |
| _____        | 980         | Wilson Co.     | Wilson      | 5               |
|              |             |                |             | -----           |
| <b>TOTAL</b> |             |                |             | <b>150 lbs.</b> |

**ATTACHMENT A  
TOTAL PICK-UP WEIGHT PER  
TECHNICAL ASSISTANCE CENTER  
MARCH 2, 1994**

|              |                 |
|--------------|-----------------|
| TAC 1        | 25 lbs.         |
| TAC 2        | 80 lbs.         |
| TAC 3        | 135 lbs.        |
| TAC 4        | 25 lbs.         |
| TAC 5        | 85 lbs.         |
| TAC 6        | 150 lbs.        |
|              | -----           |
| <b>TOTAL</b> | <b>500 lbs.</b> |



**ATTACHMENT B****LEA PICK UP LOCATIONS****Lea**  
TAC 1**Coordinator****Address****Phone**

Cherokee Co.

Janette Hedrick

Haywood Co.

Dr. Larry Leatherwood

Jackson Co.

Frank Burrell

Rutherford Co.

Ray Huskey

(b)(6)

**ATTACHMENT B****LEA PICK UP LOCATIONS****Lea**  
TAC 2**Coordinator**

Alexander Co.

Jo Foster

Ashe Co.

Sandra King  
Calvin Miller

Burke Co.

Margaret Church

Caldwell Co.

Dr. Bob Will

Newton-Conover  
City

Danny Lentz

Davidson Co.

Barbara Everhart

(b)(6)

Thomasville City

Judy Dorety

Davie Co.

Mike Hendrix

Forsyth Co.

Gary Edge

Stokes Co.

Joan Tilley Kinzie

Surry Co.

Frank Marion

Watauga Co.

Mark Hurst



**ATTACHMENT B**

**LEA PICK UP LOCATIONS**

**Lea**  
TAC 2 CONTD.

**Coordinator**

Yadkin Co.

Ken Rudolph

(b)(6)

**ATTACHMENT B****LEA PICK UP LOCATIONS**

**Lea**  
TAC 3

**Coordinator**

Cabarrus Co.

Leonard Cummings

Gaston Co.

Brenda Benton

Hoke Co.

Linda Steed

Lincoln Co.

Renee Hoyle

Mecklenburg Co.

Sue Henry  
Lisa Ross

(b)(6)

Montgomery Co.

John C. Norris

Moore Co.

Dr. Sally Ward

Rowan Co.

Colby Cochran

Union Co.

Carolyn White



**ATTACHMENT B****LEA PICK UP LOCATIONS**

**Lea**  
TAC 4

**Coordinator**

Dare Co.

Terry Jones

Edgecombe Co

Linda Whitley

Halifax Co.

Ms. Reed Jackson

Perquimans Co.

Paul Ward

(b)(6)

**ATTACHMENT B****LEA PICK UP LOCATIONS****Lea**  
TAC 5**Coordinator**

Columbus Co.

William Paul Pope

Whiteville City

Dr. Lon Pierce

Craven Co.

Florence Litchfield

Cumberland Co.

Dr. Pete Spiliotis

Duplin Co.

Gary Sanderson

Greene Co.

Genevieve Taylor

New Hanover Co.

Maurice Hawes

Onslow Co.

Dale Weston

Pamlico Co.

Ben Potter  
Paul Delamar

Robeson Co.

Donald Locklear

Wayne Co.

J. D. Evans

(b)(6)



**ATTACHMENT B****LEA PICK UP LOCATIONS****Lea**  
**TAC 6****Coordinator**

Durham Co.

David Aman  
Brenda Harris

Franklin Co.

Monty Riggs  
Shelby Street

Guilford Co.

Nancy Simon

Hamett Co.

Robert Wells

Johnston Co.

Jenny Edwards  
Sue Woods

Lee Co.

Emily Lucas

(b)(6)

Nash Co.

Doug Watts

Person Co.

Rachel Winstead

Randolph Co.

Pam Henderson

Asheboro City

Jack Stallard

Rockingham Co.

Gail C. Collins

Vance Co.

Jody Brame

Wake Co.

Bob Michaud

**ATTACHMENT B**

**LEA PICK UP LOCATIONS**

**Lea**  
TAC 6 CONT'D.

**Coordinator**

Warren Co.

Dr. Tom Daly

Wilson Co.

Paul Speziale

(b)(6)



Exhibit T-B

**Request for purchase of Plywood**

We need 80 sheets of 3/4" thick 4' x 8' plywood of B grade on one side and C grade on the other or standard "subfloor" grade. Price must include delivery.

Lowe's quote on 1/30/94 \$24.96 per sheet

Completed  
Assignment

# Exhibit T-C

Price quotes  
Mike gave me

1. CAROLINA BUILDERS

828-7471

3000 YONKERS RD.

\$ 20.29 / SHEET

2. LOWES

233-7000

WALNUT ST.

\$ 20.79 / SHEET

3. ZALEIGH HARDWOOD CENTER

834-0999

1505 S. BLOUNT ST.

\$ 25.50 / SHEET (WITH DISCOUNT)

4. CAPITAL CITY LUMBER COMPANY

832-8094

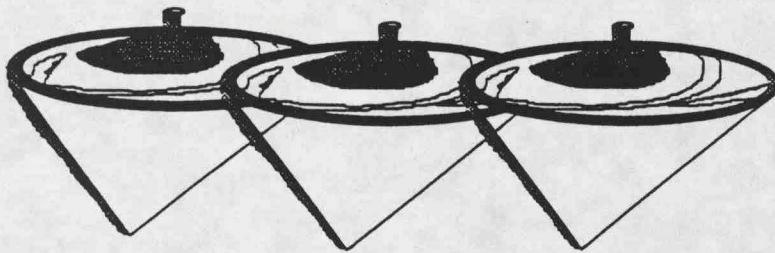
4216 BERYL RD.

\$ 21.95 / SHEET

PRICE QUOTES, OVER THE PHONE, FOR  
80 4'x8', 3/4" SHEETS OF PLYWOOD.



Exhibit T-D



# TOPS

---

**Technical Outreach For Public Schools**

CUACS, NCSU

1500 Blue Ridge Road

Raleigh, NC 27607

Phone: (919) 515-4640

Fax: (919) 515-4645

---

Date: Jan 31, 1994

To: Sandra R. Mills

From: Sylvia James

---

Number of Pages to Follow: 2

Comments: Sandra, I am sending you a request for purchase of plywood. Randy completed the request since I had not done one before. However, at the time I did not have the price quotes from Mike. So I am sending the price quotes from Mike along with Randy's request for purchase of plywood. Please check with Randy before submitting this order because I got a message ~~from~~ from Carol that he had apparently changed his mind about the amount of plywood needed.

Exhibit T-E

Carolina Builders Corp  
3000 Yonkers Rd Ral

828-7471

PO Box 40599  
Raleigh, NC 27629

Lowes

233-7000

Walnut St

~~2000 W~~

PO Box 1628

Cary, NC 27512

Raleigh Hardwood Center

1505 S. Blount St

834-0999

Raleigh, NC 27511

Capitol City Lumber Company

832-8084

4216 Beryl Rd

PO Box 3306<sup>or</sup>5

Raleigh, NC 27636

Addresses I  
wrote down as  
I called the places  
Mike had given  
me price quotes  
for.



Exhibit T-G

APPS- INIT

INITIAL SCREEN

M682001B

11/04/93

TYPE: RG FISCAL YEAR: C STATUS: 02 DATA COMPLETE

PR #: R4025897

INITIATED: 11/04/93 EFFECTIVE: / / --> / /  
PRIOR YEAR ORDER NUMBER: 0000000

PO #:

-----DEPARTMENT-----

OUC: 070401 URBAN AFFAIRS  
INITIATOR: MILLS, SANDRA R.  
TECH PERSON: RANDY CRAVEN  
TEL: 919 - 515 - 3211  
NCSU EMAIL ADDRESS:

*Examples  
Randy  
gave me.*

TEL: 919 - 515 - 3211

-----SHIP TO-----

OUC NAME : CAROL BRILES  
070401 ADDRESS: URBAN AFFAIRS  
1500 BLUE RIDGE ROAD

DATE DELIVERY  
IS REQUIRED

DEPT: / /  
PURCH: / /

CITY: RALEIGH

STATE: NC ZIP: 27607-

COUNTRY:

AGENT: 000

DEPT FIELD:

DELETE PR:

INQUIRY PROCESSING. NO UPDATE ALLOWED.

PF1 PF2 PF5 PF12 CLEAR  
INQUIRY REFRESH HELP MENU-NO-UPDATE RETURN

NEXT SCREEN:

<ENTER>

LINE 24 COL 72

1B

A

APPS-LITEMS

LINE ITEMS

M682001C

11/04/93

GO TO LINE ITEM: 00 OF 1

PR #: R4025897

PO #:

LINE ACTION (A=ADD, C=CHANGE, D=DELETE)

ITEM CODE-COMMODITY ID-- NCSU \*\*QTY\* UNIT  
01 - - - 1 EA

\*\*\*UNIT COST\*\*\*

EXTENDED COST

8,825.77

8,825.77

TAX PERCENT:

6.00

LINE ITEM TOTAL:

9,355.32

|----- DESCRIPTION -----|

STEEL PALLET RACK COMPONENTS FOR TOPS  
WAREHOUSE AS FOLLOWS:

55 - UPRIGHTS, 42 X 120, PART # U42120SX  
AT \$52.55 EACH.

164 - 108" BEAMS, 4100 LB. CAPACITY,  
PART # H35BO-108, \$23.65 EACH.

8 - 96" BEAMS, 4600 LB. CAPACITY,  
PART # H35BO-96, \$21.40 EACH.

38 - BACK TO BACK TIES, PART # BBT-6,  
\$3.55 EACH.

30 - BACK TO BACK WALL SUPPORT, 6", PART  
# BWT-6, \$3.55 EACH.

TO SEE DESCRIPTION LINES 13 -> 23  
KEY "F" IN SCROLL FIELD & ENTER

TO SEE DESCRIPTION LINES 1 --> 12  
KEY "B" IN SCROLL FIELD & ENTER

STATE CONTRACT: N

SCROLL (F/B):

INQUIRY ON PURCHASE REQUEST: NO UPDATE

PF1 PF2 PF3 PF5 PF7 PF8 PF9 CLEAR  
INQITEM REFRESH UPDATE HELP PREV NEXT COMLIST RETURN

NEXT SCREEN:

<ENTER>

LINE 3 COL 19

1B

A

APPS-LITEMS

LINE ITEMS

M682001C

11/04/93

GO TO LINE ITEM: 00 OF 1

PR #: R4025897

PO #:

LINE ACTION (A=ADD, C=CHANGE, D=DELETE)

ITEM CODE-COMMODITY ID-- NCSU \*\*QTY\* UNIT  
01 - - - 1 EA

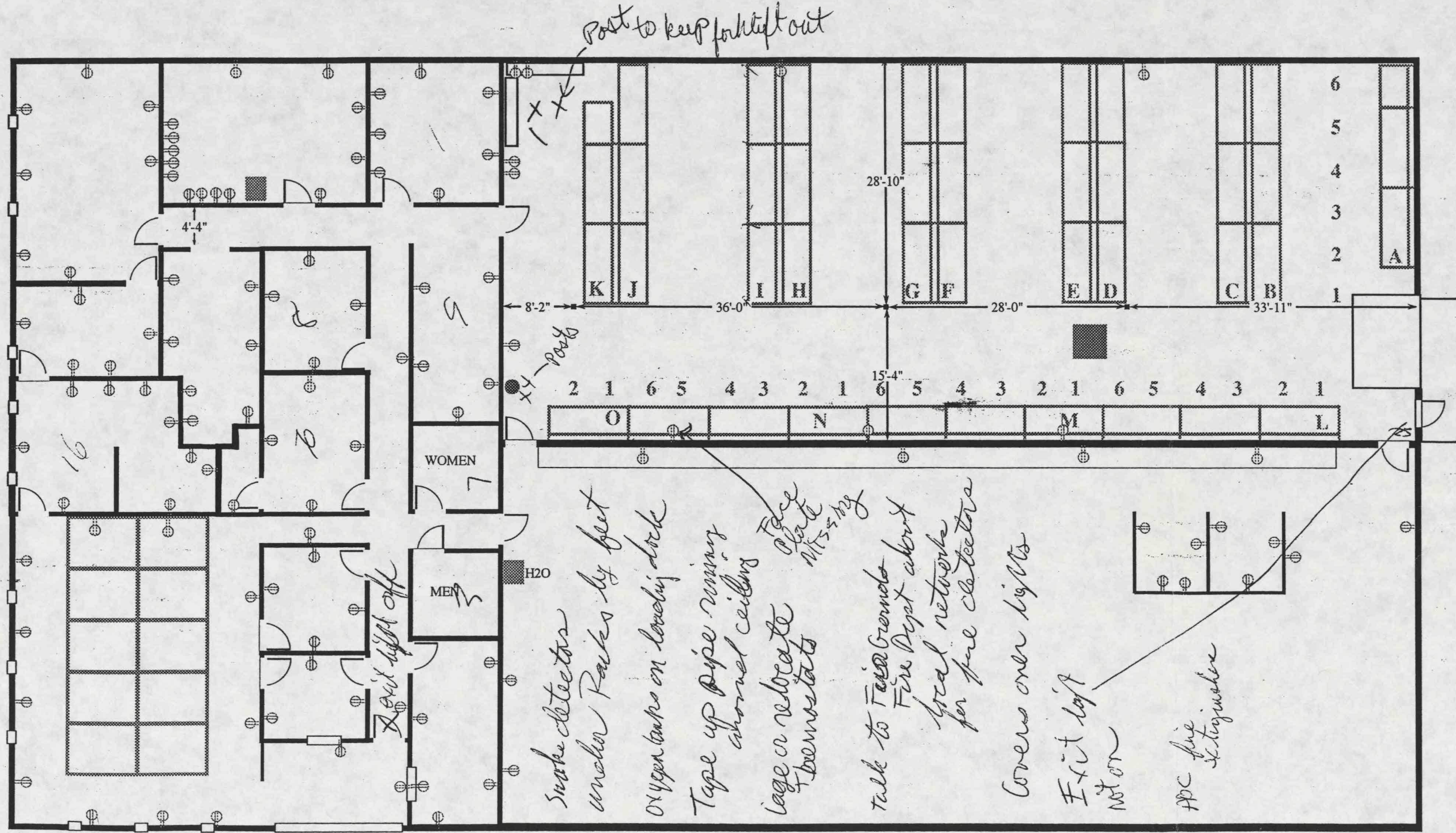
\*\*\*UNIT COST\*\*\*

EXTENDED COST

8,825.77

8,825.77



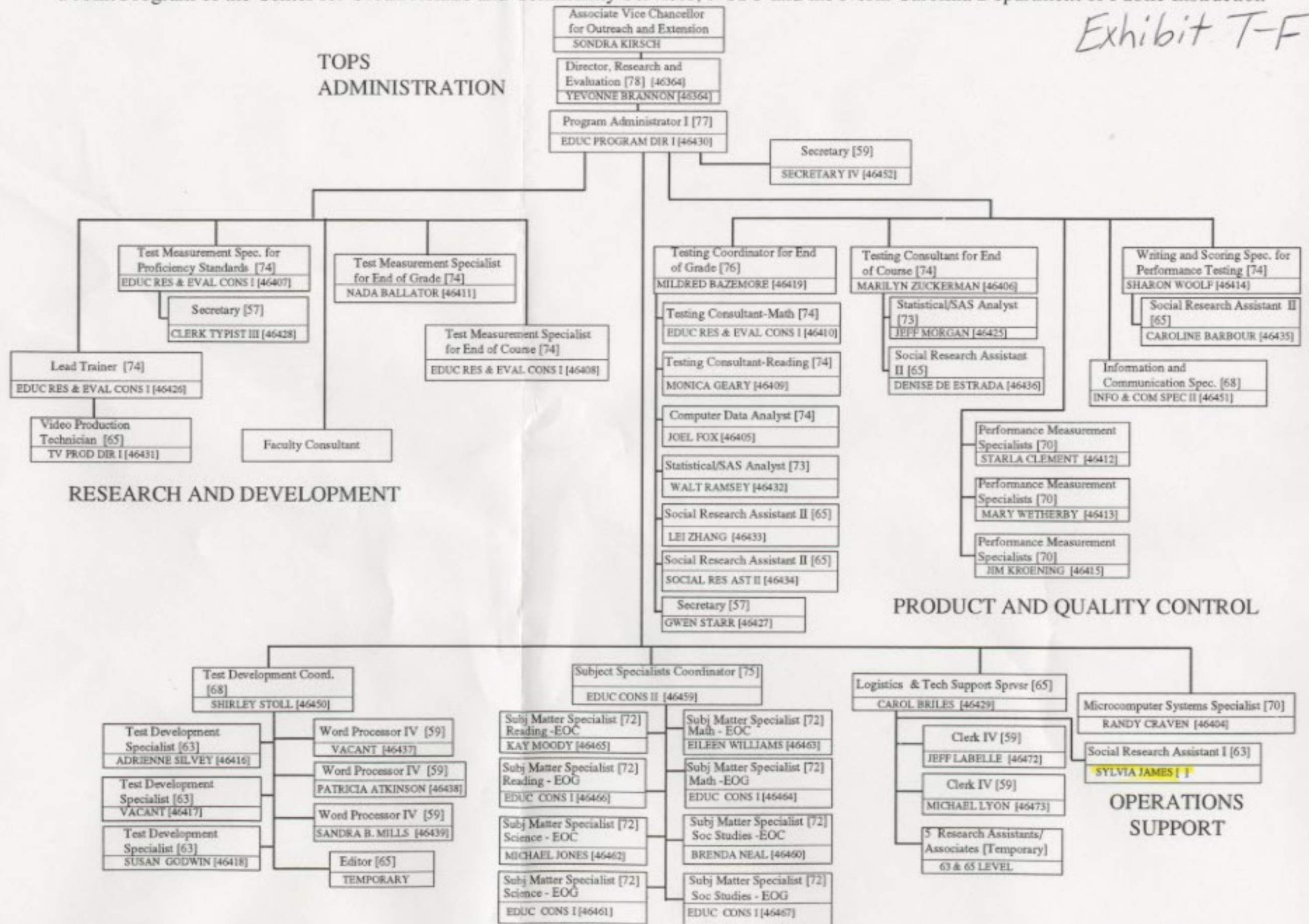




# TECHNICAL OUTREACH FOR PUBLIC SCHOOLS [TOPS]

a Joint Program of the Center for Urban Affairs and Community Services, NCSU and the North Carolina Department of Public Instruction

*Exhibit T-F*



September 27, 1993

SUPERVISORY CHART



# Withdrawal Marker

## The George W. Bush Library

| FORM       | SUBJECT/TITLE                                      | PAGES | DATE       | RESTRICTION(S) |
|------------|----------------------------------------------------|-------|------------|----------------|
| Memorandum | Memorandum - To: Sylvia James - From: Carol Briles | 2     | 02/04/1994 | P6/b6;         |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

#### **COLLECTION:**

Counsel's Office, White House

#### **SERIES:**

Kavanaugh, Brett - Subject Files

#### **FOLDER TITLE:**

Kavanaugh, Brett Correspondence [Folder 2] [1]

#### **FRC ID:**

9630

#### **OA Num.:**

1822

#### **NARA Num.:**

1740

#### **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]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

##### **Deed of Gift Restrictions**

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

##### **Records Not Subject to FOIA**

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.





U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Charlotte District Office

129 W. Trade St., Suite 400  
Charlotte, NC 28202  
PH: (704) 344-6682  
TDD: (704) 344-6684  
FAX: (704) 344-6734

Exhibit T-I

EEOC Charge No: 14B940033  
FEPA Charge No: 94-CRD-0027

Ms. Sylvia C. James

(b)(6)

Charging Party

NC State University  
Urban Affairs & Community Services Center  
Post Office Box 7401  
Raleigh, NC 27695-7401

Respondent

DETERMINATION

On behalf of the Commission, I issue the following determination on the merits of the subject charge. All requirements for coverage have been met. Substantial weight has been accorded to the findings of the North Carolina Office of Administrative Hearings, and having examined that agency's findings and the record presented, I conclude that the evidence does not establish violations of the Federal statutes.

This determination and dismissal concludes the processing of this charge. This letter will be the only notice of dismissal and the only notice of the Charging Party's Right to Sue sent by the Commission. Following the dismissal, the Charging Party may only pursue this matter by filing suit against the respondent(s) named in the charge within 90 days of receipt of this letter. Otherwise, the Charging Party's right to sue will be lost.

You are reminded that Federal law prohibits retaliation against persons who have exercised their right to inquire or complain about matters they believe may violate the law. Discrimination against persons who have cooperated in Commission investigations is also prohibited. The protections apply regardless of the Commission's determination on the merits of the charge.

On behalf of the Commission:

*Michael P. Whitlow*

JUL 25 1996

Date

Marsha J. Drane  
District Director

Enclosure:  
Information Sheet on Filing Suit



Exhibit U

NORTH CAROLINA CENTRAL UNIVERSITY  
OFFICE OF THE VICE CHANCELLOR FOR FINANCIAL AFFAIRS

September 3, 1998

VCFA MEMORANDUM NO. 99-050

TO: Mrs. Sharon Oliver

SUBJECT: Student Complaints of Staff Rudeness

I have received several complaints this registration period from students about the rudeness, curtness, and insensitive behavior of staff in the Scholarship and Student Aid Office. I deal with many of our students and I know that, quite often, the staff are subjected to the same behavior from the students. Nonetheless, being the employees in the situations and required to deliver quality customer service, such behavior is totally unacceptable.

I have attached a copy of a letter sent generally to administrators at NCCU. This is one of many that are frequently received. This student admits to being unknowledgeable and probably had not done all that was required. In this situation, I would like to know who this student's counselor is and the status of her student aid.

Immediately, I am requesting that all staff wear name badges everyday. We had this requirement some years ago. Please order permanent badges with names and titles as soon as possible, but in the meantime, please use stick-ons each day. We must begin to get the names of the staff who are exhibiting unprofessional behavior.

It is my expectation, that complaints of unprofessional behavior will result in disciplinary action. I would like to have a customer satisfaction card developed with a drop box for students. Each counselor or staff who works with a student should have the customer satisfaction cards visible and remind the student to please complete one. I would like to see the data compiled on a monthly basis. Institutional Research can assist you with developing the instrument if assistance is needed.

The very nature of the work with student aid is difficult because people, in general, tend to get emotional about their financial difficulties. I believe our staff must understand the necessity for empathy, not curtness, in dealing with people with financial needs. If the University imposed a sanction of having staff to forfeit a paycheck each time a customer was poorly served, then I believe staff would expect empathy from someone at the University regarding their own financial needs.

We are absolutely at a no tolerance level. We can arrange and provide whatever additional customer service training is needed for the staff. Please report back to me as soon as possible on my request for name badges, the customer satisfaction card, and training requirements. I am always interested to know staff reaction and viewpoints so feel free to inform me of their feedback.



Ruby Pittman  
Vice Chancellor for Financial Affairs

Attachment



# Withdrawal Marker

## The George W. Bush Library

| FORM | SUBJECT/TITLE                            | PAGES | DATE       | RESTRICTION(S) |
|------|------------------------------------------|-------|------------|----------------|
| Form | Free Application for Federal Student Aid | 5     | 01/28/1999 | P6/b6;         |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

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Counsel's Office, White House

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### **FOLDER TITLE:**

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### **OA Num.:**

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2017-0345-F

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- B. Closed by statute or by the agency which originated the document.
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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

#### **Records Not Subject to FOIA**

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.



# Renewal Free Application for Federal Student Aid

July 1, 1999 – June 30, 2000 School Year (1999-2000)



OMB No. 1840-0110 Send in this application only between January 1, 1999 and June 30, 2000

You can use this **Renewal FAFSA** to apply for federal grants, work-study money, and loans. Because the Renewal FAFSA contains preprinted information that you reported to us for the 1998-99 school year, it is faster and easier for you to use than the Free Application for Federal Student Aid (FAFSA).

Enter new or updated information in the 1999-2000 column if your previous answer has changed or was incorrect. For questions with an arrow pointing to the 1999-2000 column, you must give us new information.

Your answers will be read by a machine:

- use black ink or #2 pencil and fill in ovals completely, like this:
- print clearly in CAPITAL letters and skip a box between words:
- round all figures to the nearest dollar, and report amounts (such as \$12,356.00) like this:
- write numbers less than 10 with a zero (0) first:
- to delete a 1998-99 answer, draw a line through the preprinted 1998-99 answer and the corresponding 1999-2000 boxes or ovals:

|               |                                  |                       |    |                       |     |
|---------------|----------------------------------|-----------------------|----|-----------------------|-----|
| Yes           | <input checked="" type="radio"/> | 1                     | No | <input type="radio"/> | 2   |
| 5             |                                  | E                     | L  | M                     | S T |
|               |                                  | 1                     | 2  | 3                     | 5 6 |
|               |                                  | 0                     | 7  |                       |     |
| 100. Question |                                  |                       |    |                       |     |
| ANSWER        |                                  |                       |    |                       |     |
| 101. Question |                                  |                       |    |                       |     |
| ANSWER        | Yes                              | <input type="radio"/> | No | <input type="radio"/> |     |

If you are filing a **1998 income tax return**, we recommend that you fill it out before completing the application. However, you do not need to send your income tax return to the IRS before you fill out this form.

After you complete this application, make a copy of it. Mail the original form and return postcard in the enclosed envelope or to the address printed on the application. You should receive a Student Aid Report (SAR) in the mail within four weeks. If you do not, please call 1-319-337-5665.

If you or your family has **unusual circumstances** (such as loss of employment or major medical expenses) that might affect your need for financial aid, check with the financial aid office at the college you plan to attend.

With this form you may also be able to apply for student aid from other sources, such as your state or college. The deadlines for states (see page 2) or colleges may be as early as January 1999, and may require additional forms.

**File your Renewal FAFSA on the Web: See page 3**

## 1999-2000 Renewal FAFSA

If you want to be notified when we receive your Renewal FAFSA, use the attached postcard:

1. Print your name and address on the card.
2. Put a first-class postcard stamp on the card. **DO NOT** send cash, coins, or postal vouchers.
3. Detach the card and include it with your completed Renewal FAFSA in the attached return envelope. The postcard must be mailed in with the Renewal FAFSA, not separately.
4. When you get back the date-stamped postcard, keep it until you receive your 1999-2000 Student Aid Report.

Detach Here and Mail Card With Renewal FAFSA

Place  
Stamp  
Here

Exhibit V-B

Student's Name:

Permanent Address:

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

ZIP Code



## **1999-2000 Renewal FAFSA**

**Dear Student:**

We received your 1999-2000 Renewal Free Application for Federal Student Aid (Renewal FAFSA) on the date stamped on this card. If you do not receive your Student Aid Report within four weeks at the address you listed on the Renewal FAFSA, you may call the Federal Student Aid Information Center at (319) 337-5665 to find out your application processing status.



In addition to federal student aid, you may also be eligible for a **Hope** or a **Lifetime Learning** income tax credit, both of which you claim when you file your taxes. For more information on these tax credits, this application, and the U.S. Department of Education's student aid programs, call 1-800-4FED-AID (1-800-433-3243) Monday through Friday between 8:00am and 8:00pm eastern time. If you are hearing impaired, call TDD 1-800-730-8913. You can also look on the internet at <http://www.ed.gov/offices/OPE>

You should submit this application as early as possible, but not before January 1, 1999. Any 1999-2000 Renewal FAFSA dated or received before January 1, 1999 will be returned unprocessed.

This application cannot be processed after June 30, 2000.

### Deadline Dates for State Student Aid.

Generally, state aid comes from your state of legal residence. Check with your financial aid administrator at your college about state and college sources of student financial aid. State deadlines are below.

|                                                 |                                                 |
|-------------------------------------------------|-------------------------------------------------|
| AZ June 30, 2000 (date received)                | NH May 1, 1999 (date received)                  |
| *^CA March 2, 1999 (date postmarked)            | NJ 1998-99 Tuition Aid Grant Recipients         |
| DE April 15, 1999 (date received)               | - June 1, 1999                                  |
| * DC June 24, 1999 (date received by state)     | All other applicants                            |
| FL May 15, 1999 (date processed)                | - October 1, 1999, for fall and spring terms    |
| HI March 1, 1999                                | - March 1, 2000, for spring term only           |
| IL First-time applicants - September 30, 1999   | (date received)                                 |
| Continuing applicants - May 31, 1999            | *^NY May 1, 2000 (date postmarked)              |
| (date received)                                 | NC March 15, 1999 (date received)               |
| ^ IN For priority consideration - March 1, 1999 | ND April 15, 1999 (date processed)              |
| (date postmarked)                               | OH October 1, 1999 (date received)              |
| ^ IA June 1, 1999 (date received)               | OK April 30, 1999 (date received)               |
| * KS For priority consideration - April 1, 1999 | OR May 1, 2000 (date received)                  |
| (date processed)                                | * PA All 1998-99 State grant recipients         |
| KY For priority consideration                   | - May 1, 1999                                   |
| - March 15, 1999 (date received)                | Non-1998-99 State grant recipients in           |
| ^ LA For priority consideration                 | degree programs - May 1, 1999                   |
| - April 15, 1999 (date postmarked)              | All other applicants - August 1, 1999           |
| ME May 1, 1999 (date received)                  | (date received)                                 |
| MD March 1, 1999 (date postmarked)              | PR May 2, 2000 (date application signed)        |
| ^ MA For priority consideration - May 1, 1999   | RI March 1, 1999 (date received)                |
| (date received)                                 | SC June 30, 1999 (date received)                |
| MI High school seniors - February 21, 1999      | TN May 1, 1999 (date processed)                 |
| College students - March 21, 1999               | *^WV March 1, 1999 (date received)              |
| (date received)                                 |                                                 |
| MN June 30, 2000 (date received)                | Check with your financial aid administrator for |
| MO April 1, 1999 (date received)                | these states: AL, AK, *AS, AR, CO, *CT, *FM,    |
| MT For large schools - March 1, 1999            | GA, *GU, ID, *MP, *MH, MS, *NE, *NV,            |
| For small schools - April 1, 1999               | *NM, *PW, *SD, *TX, UT, *VT, *VI, *VA, WA,      |
|                                                 | WI, and *WY.                                    |

\* Additional form may be required. ^ Applicants encouraged to obtain proof of mailing.

### Renewal FAFSA on the Web

You can submit your 1999-2000 Renewal FAFSA over the internet. Here's how to get started:

#### 1. Get an EAC

To use Renewal FAFSA on the Web, you will need an EAC (Electronic Access Code). Visit our website at <http://www.fafsa.ed.gov> and follow the link to "Request an EAC." Read the instructions and submit the required identifying information. You will receive your EAC in the mail in a secure envelope in 7-10 days. Request your EAC as soon as possible, but **not before November 23, 1998.**

#### 2. Access Your Information

Once you obtain an EAC, you can electronically access your information and update the information that has changed since last year. Processing is free and secure, and generally is completed 7-14 days faster than if you filled out and mailed a paper application. You should file as soon as possible, but **not before January 4, 1999.**

### Step One

### You (the Student)

#### 14-15. Are you a U.S. citizen?/Alien Registration Number

If you are an eligible noncitizen, review or correct your eight or nine digit Alien Registration Number. Generally, you are an eligible noncitizen if you are: (1) a U.S. permanent resident and you have an Alien Registration Receipt Card (I-151 or I-551); (2) a conditional permanent resident (I-151C); or (3) an other eligible noncitizen with an Arrival-Departure Record (I-94) from the U.S. Immigration and Naturalization Service showing any one of the following designations: "Refugee," "Asylum Granted," "Indefinite Parole," "Humanitarian Parole," or "Cuban-Haitian Entrant."

#### 16. What is your marital status as of today?

#### 17. Enter the month and year you were married, separated, divorced, or widowed.

#### 18-22. For each question, please mark whether you will be full time, 3/4 time, half time, less than half time, or not attending. Mark "full time" if you are not sure.

For undergraduates, full time generally means taking at least 12 credit hours in a term or 24 clock hours per week. 3/4 time generally means taking at least 9 credit hours in a term or 18 clock hours per week. Half time generally means taking at least 6 credit hours in a term or 12 clock hours per week. Provide this information about the college you plan to attend.

#### 23. What is the highest school your father completed?

#### 24. What is the highest school your mother completed?



### Step One, continued...

- 30.** What degree or certificate will you be working towards during 1999-2000? Write in the one-digit code for the type of degree or certificate you expect to receive.

Enter 1 for 1<sup>st</sup> bachelor's degree  
Enter 2 for 2<sup>nd</sup> bachelor's degree  
Enter 3 for associate degree  
(occupational or technical program)

Enter 4 for associate degree (general  
education or transfer program)

Enter 5 for certificate or diploma for  
completing an occupational, technical, or  
educational program of less than two years

Enter 6 for certificate or diploma for  
completing an occupational, technical, or  
educational program of at least two years

Enter 7 for teaching credential program  
(nondegree program)

Enter 8 for graduate or professional degree

Enter 9 for other/undecided

- 31.** What will be your grade level when you begin the 1999-2000 school year?
- 32.** Will you have a high school diploma or GED before you enroll?
- 33.** Will you have your first bachelor's degree before July 1, 1999?
- 34.** In addition to grants, are you interested in student loans (which you must pay back)?
- 35.** In addition to grants, are you interested in "work-study" (which you earn through work)?
- 36.** If you receive veterans' education benefits, for how many months from July 1, 1999, through June 30, 2000, will you receive these benefits?
- 37.** What is the amount of your veterans' education benefits per month?
- 38.** For 1998, have you filed your IRS income tax return, your tax return for Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau, or your foreign tax return?
- 39.** What income tax return did you file or will you file for 1998?

If you filed or will file a foreign tax return, use the information from your foreign tax return to fill out this form. Convert all figures to U.S. dollars, using the exchange rate that is in effect today.

If you filed or will file a tax return with Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau, use the information from these tax returns to fill out this form.

- 40.** If you have filed or will file a 1040, were you eligible to file a 1040A or 1040EZ?

In general, you are eligible to file a 1040A or 1040EZ if you make less than \$50,000, do not itemize deductions, do not receive income from your own business or farm, and do not receive alimony or capital gains. You are not eligible if you receive self-employment income, alimony, capital gains, or itemize deductions.

### Step One, continued...

- 41.** What was your (and your spouse's) adjusted gross income for 1998? Adjusted gross income is on IRS Form 1040—line 33; 1040A—line 18; or 1040EZ—line 4.

- 42.** Enter the total amount of your (and your spouse's) income tax for 1998.

Income tax amount is on IRS Form 1040—line 49; 1040A—line 32; or 1040EZ—line 10.

- 43.** Enter your (and your spouse's) exemptions.

Exemptions are on IRS Form 1040—line 6d or on 1040A—line 6d. For Form 1040EZ, if you answered "Yes" on line 5, use worksheet line F to determine the number of exemptions (\$2700 equals one exemption). If you answered "No" on line 5, enter 01 if you are single, or 02 if you are married.

- 44.** Enter your Earned Income Credit from IRS Form 1040—line 59a; 1040A—line 37a; or 1040EZ—line 8a.

- 45-46.** How much did you (and your spouse) earn from working in 1998? Answer this question whether or not you filed a tax return.

This information may be on your W-2 forms, or on IRS Form 1040—lines 7, 12, and 18; on 1040A—line 7; or on 1040EZ—line 1.

- 47-48.** Go to pages 6 and 7 of this booklet. Turn the booklet sideways, and enter all of the items that apply to you (and your spouse) in the column **on the left**. Enter the student total for Worksheet A in question 47. Enter the student total for Worksheet B in question 48.

- 49.** What is the total current balance of your (and your spouse's) cash, savings, and checking accounts?

- 50-52.** What is the current net worth of your (and your spouse's) investments (50), business (51), and investment farm (52)?

Net worth means current value minus debt. If net worth is one million or more, enter 999999. If net worth is negative, enter 0

Investments include real estate (other than your home), trust funds, money market funds, mutual funds, certificates of deposit, stocks, bonds, other securities, installment and land sale contracts (including mortgages held), commodities, etc. Investment value includes the market value of these investments. Do not include the value of life insurance and retirement plans (pension funds, annuities, IRAs, Keogh plans, etc.) or the value of prepaid tuition plans. Investment debt means only those debts that are related to the investments.

Business value includes the market value of land, buildings, machinery, equipment, and inventory. Business debt means only those debts for which the business was used as collateral.

Do not include a farm that you live on and operate in your investment farm net worth.



- Even though you may have few of these items, review each line carefully.
- Keep these worksheets with a copy of your application. Your school may ask to see them.

## Worksheet A

**Question 47**  
**Student/Spouse**

**Calendar Year 1998**

**Question 70**  
**Parent(s)**

|          |                                                                                                                                                                                                                                                                                                        |            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| \$ _____ | Payments to tax-deferred pension and savings plans (paid directly or withheld from earnings) as reported on the W-2 Form. Include untaxed portions of 401(k) and 403(b) plans.                                                                                                                         | \$ _____   |
| \$ _____ | Deductible IRA and/or Keogh payments: IRS Form 1040—total of lines 23 and 29; or 1040A—line X                                                                                                                                                                                                          | \$ _____   |
| \$ _____ | Child support received for all children. Don't include foster care or adoption payments.                                                                                                                                                                                                               | \$ _____   |
| \$ _____ | Welfare benefits, including Temporary Assistance for Needy Families (TANF). Don't include food stamps.                                                                                                                                                                                                 | \$ _____   |
| \$ _____ | Tax exempt interest income from IRS Form 1040—line 8b; or 1040A—line 8b                                                                                                                                                                                                                                | \$ _____   |
| \$ _____ | Foreign income exclusion from IRS Form 2555—line 43; or 2555EZ—line 18                                                                                                                                                                                                                                 | \$ _____   |
| \$ _____ | Untaxed portions of pensions from IRS Form 1040—(line 15a minus 15b) plus (16a minus 16b); or 1040A—(line 10a minus 10b) plus (11a minus 11b) excluding rollovers                                                                                                                                      | \$ _____   |
| \$ _____ | Credit for Federal tax on special fuels from IRS Form 4136—Part III – nonfarmers only                                                                                                                                                                                                                  | \$ _____   |
| \$ _____ | Social Security payments that were not taxed                                                                                                                                                                                                                                                           | \$ _____   |
| \$ _____ | Housing, food, and other living allowances paid to members of the military, clergy, and others (including cash payments and cash value of benefits)                                                                                                                                                    | \$ _____   |
| \$ _____ | Workers' Compensation                                                                                                                                                                                                                                                                                  | \$ _____   |
| \$ _____ | Veterans noneducation benefits, such as Death Pension or Dependency & Indemnity Compensation (DIC)                                                                                                                                                                                                     | \$ _____   |
|          |                                                                                                                                                                                                                                                                                                        |            |
| \$ _____ | Any other untaxed income and benefits, such as VA Educational Work-Study allowances, untaxed portions of Railroad Retirement Benefits, Black Lung Benefits, Refugee Assistance, etc. Don't include student aid, JTPA benefits, or benefits from flexible spending arrangements, e.g., cafeteria plans. | \$ _____   |
| \$ _____ | Cash or any money paid on your behalf, not reported elsewhere on this form                                                                                                                                                                                                                             | XXXXXXXXXX |

|          |                                                                          |  |                                                               |          |
|----------|--------------------------------------------------------------------------|--|---------------------------------------------------------------|----------|
| \$ _____ | <b>Student (and spouse) Total</b><br>(Enter this amount in question 47.) |  | <b>Parent(s) Total</b><br>(Enter this amount in question 70.) | \$ _____ |
|----------|--------------------------------------------------------------------------|--|---------------------------------------------------------------|----------|

## Worksheet B

**Question 48**  
**Student/Spouse**

**Calendar Year 1998**

**Question 71**  
**Parent(s)**

|          |                                                                                                                                                                                                                                   |          |                                                               |          |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------|----------|
| \$ _____ | Education credits (Hope and Lifetime Learning Tax Credits) from IRS Form 1040—line 44; or 1040A—line 29.                                                                                                                          | \$ _____ |                                                               |          |
| \$ _____ | Child support you or your spouse (or your parents) paid because of divorce or separation. Do not include support for children in your (or your parents') household, as reported in question 59 (or question 77 for your parents). | \$ _____ |                                                               |          |
| \$ _____ | Taxable earnings from Federal Work-Study or other need-based work programs                                                                                                                                                        | \$ _____ |                                                               |          |
| \$ _____ | AmeriCorps awards — allowances and benefits                                                                                                                                                                                       | \$ _____ |                                                               |          |
| \$ _____ | Student grant and scholarship aid in excess of the tuition, fees, books, and supplies that was reported in question 41 for students and 64 for parents                                                                            | \$ _____ |                                                               |          |
|          |                                                                                                                                                                                                                                   |          |                                                               |          |
| \$ _____ | <b>Student (and spouse) Total</b><br>(Enter this amount in question 48.)                                                                                                                                                          |          | <b>Parent(s) Total</b><br>(Enter this amount in question 71.) | \$ _____ |



## Step Two

## Student Status

55. As of today, are you married?

Answer yes if you are separated, but not divorced.

56. Are you an orphan or ward of the court or were you a ward of the court until age 18?

57. Are you a veteran of the U.S. Armed Forces?

Answer "Yes" (you are a veteran) if (1) you have engaged in active service in the U.S. Armed Forces (Army, Navy, Air Force, Marines, and Coast Guard), or were a cadet or midshipman at one of the service academies, and (2) you were released under a condition other than dishonorable. You should also answer "Yes" if you are not a veteran now but will be one by June 30, 2000.

Answer "No" (you are not a veteran) if (1) you have never served in the U.S. Armed Forces, or (2) you are an ROTC student, a cadet or midshipman at a service academy, or a National Guard or Reserves enlistee (and were not activated for duty). You should also answer "No" if you are currently serving in the U.S. Armed Forces and will continue to serve through June 30, 2000.

58. Do you have dependents other than a spouse? Answer "Yes" to this question only if:

- (1) You have children who receive more than half of their support from you, or
- (2) You have dependents (other than your children or spouse) who live with you and receive more than half of their support from you, now and through June 30, 2000.

## Step Three

## Household Information

Complete this step only if you answered "Yes" to any question in Step Two.

59. How many people are in your (and your spouse's) household? Include only:

- yourself (and your spouse, if you have one), and
- your children, if you provide more than half of their support, and
- other people if they now live with you, and you provide more than half of their support and will continue to provide more than half of their support from July 1, 1999 through June 30, 2000.

60. How many in question 59 will be college students between July 1, 1999, and June 30, 2000?

Count yourself as a college student even if you will attend college less than half time in 1999-2000. Include others only if they will attend at least half time in 1999-2000 in a program that leads to a college degree or certificate.

## Step Four

## Parental Information

Complete this step if you answered "No" to all questions in Step Two. You may also be required to complete Step Four if you are a graduate health profession student.

Who is considered a parent in Step Four?

If your parents are both living and married to each other, answer the questions about them. (You will be providing information about two people.)

If your parent is widowed or single, answer the questions about that parent. (You will be providing information about one person.) If your widowed parent has remarried as of today, answer the questions about that parent and the person whom your parent married. (You will be providing information about two people.)

If your parents have divorced or separated, answer the questions about the parent you lived with most during the past 12 months. If you did not live with one parent more than with the other, answer in terms of the parent who provided the most financial support during the last 12 months, or during the most recent year that you actually were supported by a parent. (You will be providing information about one person.) If this parent has remarried as of today, answer the questions on the rest of this form about that parent and the person whom your parent married. (You will be providing information about two people.)

61. For 1998, have your parents filed their IRS income tax return, their tax return for Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau, or their foreign tax return?

62. What income tax return did your parents file or will they file for 1998?

If they filed or will file a foreign tax return, use the information from their foreign tax return to fill out this form. Convert all figures to U.S. dollars, using the exchange rate that is in effect today.

If they filed or will file a tax return with Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau, use the information from these tax returns to fill out this form.

63. If your parents have filed or will file a 1040, were they eligible to file a 1040A or 1040EZ?

In general, your parents are eligible to file a 1040A or 1040EZ if they make less than \$50,000, do not itemize deductions, do not receive income from their own business or farm, and do not receive alimony or capital gains. Your parents are not eligible if they receive self-employment income, alimony, capital gains, or itemize deductions.

64. What was your parents' adjusted gross income for 1998?

Adjusted gross income is on IRS Form 1040—line 33; 1040A—line 18; or 1040EZ—line 4.



### Step Four, continued...

- 65.** Enter the total amount of your parents' income tax for 1998.

Income tax amount is on IRS Form 1040—line 49; 1040A—line 32; or 1040EZ—line 10.

- 66.** Enter your parents' exemptions.

Exemptions are on Form 1040—line 6d or on Form 1040A—line 6d. For Form 1040EZ, if your parent(s) answered "Yes" on line 5, use line F to determine the number of exemptions (\$2700 equals one exemption). If your parent(s) answered "No" on line 5, enter 01 if single, or 02 if married.

- 67.** Enter your parents' Earned Income Credit from IRS Form 1040—line 59a; 1040A—line 37a; or 1040EZ—line 8a.

- 68-69.** How much did your parents earn from working in 1998? Answer this question whether or not your parents filed a tax return.

This information may be on their W-2 forms, or on IRS Form 1040—lines 7, 12, and 18; on 1040A—line 7; or on 1040EZ—line 1.

- 70-71.** Go to pages 6 and 7 of this booklet. Turn the booklet sideways, and enter all of the items that apply to your parents in the column on the right. Enter the parent total for Worksheet A in question 70. Enter the parent total for Worksheet B in question 71.

- 72.** What is the total current balance of your parents' cash, savings, and checking accounts?

- 73-75.** What is the current net worth of your parents' investments (73), business (74), and investment farm (75)?

Net Worth means current value minus debt. If net worth is one million or more, enter 999999. If net worth is negative, enter 0

Investments include real estate (other than your parents' home), trust funds, money market funds, mutual funds, certificates of deposit, stocks, bonds, other securities, installment and land sale contracts (including mortgages held), commodities, etc. Investment value includes the market value of these investments. Do not include the value of life insurance and retirement plans (pension funds, annuities, IRAs, Keogh plans, etc.) or the value of prepaid tuition plans. Investment debt means only those debts that are related to the investments.

Business value includes the market value of land, buildings, machinery, equipment, and inventory. Business debt means only those debts for which the business was used as collateral.

Do not include a farm that your parents live on and operate in your parents' investment farm net worth.

- 76.** What is your parents' marital status as of today?

### Step Four, continued...

- 77.** How many people are in your parents' household? Include only:

- yourself and your parents, and
- your parents' other children, if (a) your parents provide more than half of their support or (b) the children could answer "No" to every question in Step Two, and
- other people if they now live with your parents, and your parents provide more than half of their support and will continue to provide more than half of their support from July 1, 1999 through June 30, 2000.

- 78.** How many in question 77 will be college students between July 1, 1999, and June 30, 2000?

Count yourself (the student) as a college student even if you will attend college less than half time in 1999-2000. Include others only if they will attend at least half time in 1999-2000 in a program that leads to a college degree or certificate.

### Step Five

### School Information

Review any college names and addresses preprinted on this form. If you want information to be sent to that same college in 1999-2000, fill in the oval marked "Yes" next to the college name. Also fill in the oval that corresponds to your housing plans.

If you do not want information to be sent to a college that is preprinted on this form, fill in the oval marked "No." When you fill in "No," you may write in a new college's federal school code. Look for federal school codes at your college financial aid office, at your public library, or on the internet at <http://www.ed.gov/offices/OPE>. If you cannot get the federal school code, write in the new college's complete name, address, city, and state. Also fill in the oval that corresponds to your housing plans.

### Step Six

### Signature and Date

- 95-96.** Date and Signature:

You (the student) and one parent whose information is provided in Step Four must sign and date this form or the form will be returned unprocessed. Everyone signing this form is certifying that all information on the form is correct and that they are willing to provide documents to verify the accuracy of the information. **Do not sign, date, or mail this form before January 1, 1999.** Any 1999-2000 Renewal FAFSA dated or received before January 1, 1999 will be returned unprocessed.

- 97-99.** Preparer's information:

If this form was filled out by someone other than you, your spouse, or your parent(s), that person must complete this part. The preparer must sign and date the form, certifying that the information is correct and complete. An original signature is required, although the preparer may use a preprinted address label or a rubber stamp to fill in address information.



### **Information on the Privacy Act and use of your Social Security Number.**

We use the information that you provide on this form to determine if you are eligible to receive federal student financial aid and the amount that you are eligible to receive. Section 483 of the Higher Education Act of 1965, as amended, gives us the authority to ask you these questions and to collect your social security number.

State and institutional student financial aid programs may also use the information that you provide on this form to determine if you are eligible to receive state and institutional aid and the need that you have for such aid. Therefore, we will disclose the information that you provide on this form to each institution you list in questions 83-93, state agencies in your state of legal residence, and the state agencies of the states in which the colleges that you list in questions 83-93 are located.

If you are applying solely for federal aid, you must answer all of the following questions that apply to you: 1-9, 14-16, 25, 28-29, 32-33, 38-42, 44-65, 67-79, 82, and 95-96. If you do not answer these questions, you will not receive federal aid.

Without your consent, we may disclose information that you provide to entities under a published "routine use." Under such a routine use, we may disclose information to third parties that we have authorized to assist us in administering the above programs; to other federal agencies under computer matching programs, such as those with the Social Security Administration, Selective Service System, Immigration and Naturalization Service, and Veterans Administration; to your parents or spouse; and to members of Congress if you ask them to help you with student aid questions.

If the federal government, the U.S. Department of Education, or an employee of the U.S. Department of Education is involved in litigation, we may send information to the Department of Justice, or a court or adjudicative body, if the disclosure is related to financial aid and certain conditions are met. In addition, we may send your information to a foreign, federal, state, or local enforcement agency if the information that you submitted indicates a violation or potential violation of law, for which that agency has jurisdiction for investigation or prosecution. Finally, we may send information regarding a claim that is determined to be valid and overdue to a consumer reporting agency. This information includes identifiers from the record; the amount, status, and history of the claim; and the program under which the claim arose.

### **State Certification.**

By submitting this application, you are giving your state financial aid agency permission to verify any statement on this form and to obtain income tax information for all persons required to report income on this form.

### **The Paperwork Reduction Act of 1995**

The Paperwork Reduction Act of 1995 says that no one is required to respond to a collection of information unless it displays a valid OMB control number, which for this form is 1840-0110. The time required to complete this form is estimated to be from 20 to 30 minutes, including time to review instructions, search data resources, gather the data needed, and complete and review the information collection. If you have comments about this estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington DC 20202-4651.



# Withdrawal Marker

## The George W. Bush Library

| FORM | SUBJECT/TITLE                                    | PAGES | DATE | RESTRICTION(S) |
|------|--------------------------------------------------|-------|------|----------------|
| Form | Renewal Free Application for Federal Student Aid | 4     | N.D. | P6/b6;         |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
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**COLLECTION:**

Counsel's Office, White House

**SERIES:**

Kavanaugh, Brett - Subject Files

**FOLDER TITLE:**

Kavanaugh, Brett Correspondence [Folder 2] [1]

**FRC ID:**

9630

**OA Num.:**

1822

**NARA Num.:**

1740

**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]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

**Deed of Gift Restrictions**

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

**Records Not Subject to FOIA**

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.



# Free Application for Federal Student Aid

OMB 1840-0110

July 1, 1999 — June 30, 2000 school year



## Use this form to apply for federal student grants, work-study money, and loans.

You can also apply over the **internet** at: <http://www.fafsa.ed.gov> instead of using this paper form. In addition to federal student aid, you may also be eligible for a **Hope** or a **Lifetime Learning** income tax credit, both of which you claim when you file your taxes. For more information on these tax credits, this application, and the U.S. Department of Education's student aid programs, call 1-800-4FED-AID (1-800-433-3243) Monday through Friday between 8:00am and 8:00pm eastern time or look on the internet at <http://www.ed.gov/offices/OPE>. If you are hearing impaired, call TDD 1-800-730-8913.

Your answers on this form will be read by a machine. Therefore,

- use black ink or #2 pencil and fill in ovals completely, like this: 
- print clearly in CAPITAL letters and skip a box between words: 

|   |   |  |   |   |   |  |   |   |
|---|---|--|---|---|---|--|---|---|
| I | S |  | E | L | M |  | S | T |
|---|---|--|---|---|---|--|---|---|
- report dollar amounts (such as \$12,356.00) like this: 

|    |  |   |   |   |  |   |   |   |            |
|----|--|---|---|---|--|---|---|---|------------|
| \$ |  | 1 | 2 | , |  | 3 | 5 | 6 | (no cents) |
|----|--|---|---|---|--|---|---|---|------------|
- write numbers less than 10 with a zero (0) first: 

|   |   |
|---|---|
| 0 | 7 |
|---|---|

### Yellow is for students and purple is for parents.

- If you are filing a **1998 income tax return**, we recommend that you fill it out before completing this form. However, you do not need to send your income tax return to the IRS before you fill out this form.
- After you complete this application, make a copy of it. Then **send the original of pages 3 through 6** in the attached envelope or send it to Federal Student Aid Programs, P.O. Box 4008, Mt. Vernon, IL 62864-8608.
- Send in this application—pages 3 through 6—only between **January 1, 1999, and June 30, 2000**.
- You should hear from us within four weeks. If you do not, please call 1-319-337-5665.
- If you or your family has **unusual circumstances** (such as loss of employment or major medical expenses) that might affect your need for student financial aid, check with the financial aid office at the college you plan to attend.
- With this form you may also be able to apply for student aid from other sources, such as your state or college. The deadlines for states (see below) or colleges may be as early as January 1999, and you may be required to complete additional forms.

## Now go to page 3 and begin filling out this form. Refer to the notes as needed.

**Deadline dates for state aid.** Generally, state aid comes from your state of legal residence. **Check with your high school guidance counselor** or the financial aid administrator at your college about state and college sources of student financial aid. State deadlines are below.

|                                                                    |                                                                    |                                                                                                                                                                                           |
|--------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AZ June 30, 2000 (date received)                                   | MD March 1, 1999 (date postmarked)                                 | ND April 15, 1999 (date processed)                                                                                                                                                        |
| *^ CA March 2, 1999 (date postmarked)                              | ^ MA For priority consideration – May 1, 1999 (date received)      | OH October 1, 1999 (date received)                                                                                                                                                        |
| DE April 15, 1999 (date received)                                  | MI High school seniors – February 21, 1999                         | OK April 30, 1999 (date received)                                                                                                                                                         |
| * DC June 24, 1999 (date received by state)                        | College students – March 21, 1999 (date received)                  | OR May 1, 2000 (date received)                                                                                                                                                            |
| FL May 15, 1999 (date processed)                                   | MN June 30, 2000 (date received)                                   | * PA All 1998-99 State grant recipients – May 1, 1999                                                                                                                                     |
| HI March 1, 1999                                                   | MO April 1, 1999 (date received)                                   | Non-1998-99 State grant recipients in degree programs – May 1, 1999                                                                                                                       |
| IL First-time applicants – September 30, 1999                      | MT For large schools – March 1, 1999.                              | All other applicants – August 1, 1999 (date received)                                                                                                                                     |
| Continuing applicants – May 31, 1999 (date received)               | For small schools – April 1, 1999                                  | PR May 2, 2000 (date application signed)                                                                                                                                                  |
| ^ IN For priority consideration – March 1, 1999 (date postmarked)  | NH May 1, 1999 (date received)                                     | RI March 1, 1999 (date received)                                                                                                                                                          |
| ^ IA June 1, 1999 (date received)                                  | NJ 1998-99 Tuition Aid Grant Recipients – June 1, 1999             | SC June 30, 1999 (date received)                                                                                                                                                          |
| * KS For priority consideration – April 1, 1999 (date processed)   | All other applicants – October 1, 1999, for fall and spring terms. | TN May 1, 1999 (date processed)                                                                                                                                                           |
| KY For priority consideration – March 15, 1999 (date received)     | – March 1, 2000, for spring term only (date received)              | *^ WV March 1, 1999 (date received)                                                                                                                                                       |
| ^ LA For priority consideration – April 15, 1999 (date postmarked) | *^ NY May 1, 2000 (date postmarked)                                | Check with your financial aid administrator for these states: AL, AK, *AS, AR, CO, *CT, *FM, GA, *GU, ID, *MP, *MH, MS, *NE, *NV, *NM, *PW, *SD, *TX, UT, *VT, *VI, *VA, WA, WI, and *WY. |
| ME May 1, 1999 (date received)                                     | NC March 15, 1999 (date received)                                  |                                                                                                                                                                                           |

\* Additional form may be required

^ Applicants encouraged to obtain proof of mailing.



## Notes for questions 14–15 (page 3)

If you are an eligible noncitizen, write in your eight or nine digit Alien Registration Number. Generally, you are an eligible noncitizen if you are: (1) a U.S. permanent resident and you have an Alien Registration Receipt Card (I-151 or I-551); (2) a conditional permanent resident (I-151C); or (3) an other eligible noncitizen with an Arrival-Departure Record (I-94) from the U.S. Immigration and Naturalization Service showing any one of the following designations: "Refugee," "Asylum Granted," "Indefinite Parole," "Humanitarian Parole," or "Cuban-Haitian Entrant." If you are in the U.S. on only an F1 or F2 student visa, or only a J1 or J2 exchange visitor visa, or a G series visa (pertaining to international organizations), you must fill in oval c. If you are neither a citizen nor eligible noncitizen, you are not eligible for federal student aid. However, you may be eligible for state or college aid, and, thus, you should still consider filling out this form.

## Notes for questions 18–22 (page 3)

For undergraduates, full time generally means taking at least 12 credit hours in a term or 24 clock hours per week. 3/4 time generally means taking at least 9 credit hours in a term or 18 clock hours per week. Half time generally means taking at least 6 credit hours in a term or 12 clock hours per week. Provide this information about the college you plan to attend.

## Notes for question 30 (page 3) — Enter the correct number in the box in question 30.

Enter 1 for 1<sup>st</sup> bachelor's degree

Enter 2 for 2<sup>nd</sup> bachelor's degree

Enter 3 for associate degree (occupational or technical program)

Enter 4 for associate degree (general education or transfer program)

Enter 5 for certificate or diploma for completing an occupational, technical, or educational program of less than two years

Enter 6 for certificate or diploma for completing an occupational, technical, or educational program of at least two years

Enter 7 for teaching credential program (nondegree program)

Enter 8 for graduate or professional degree

Enter 9 for other/undecided

## Notes for question 31 (page 3) — Enter the correct number in the box in question 31.

Enter 1 for 1st year/never attended college

Enter 2 for 1st year/attended college before

Enter 3 for 2nd year/sophomore

Enter 4 for 3rd year/junior

Enter 5 for 4th year/senior

Enter 6 for 5th year/other undergraduate

Enter 7 for graduate/professional or beyond

## Notes for questions 39 c. and d. (page 4) and 62 c. and d. (page 5)

If you filed or will file a foreign tax return, use the information from your foreign tax return to fill out this form. Convert all figures to U.S. dollars, using the exchange rate that is in effect today.

If you filed or will file a tax return with Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau, use the information from these tax returns to fill out this form.

## Notes for questions 40 (page 4) and 63 (page 5)

In general, a person is eligible to file a 1040A or 1040EZ if the person makes less than \$50,000, does not itemize deductions, does not receive income from his or her own business or farm, and does not receive alimony or capital gains. The person is not eligible if the person receives self-employment income, alimony, capital gains, or itemizes deductions.

## Notes for questions 43 (page 4) and 66 (page 5) — only for people who filed a 1040EZ

On the 1040EZ, if a person answered "Yes" on line 5, use worksheet line F to determine the number of exemptions (\$2700 equals one exemption). If a person answered "No" on line 5, enter 01 if the person is single, or 02 if the person is married.

## Notes for questions 50–52 (page 4) and 73–75 (page 5)

Net worth means current value minus debt.

Investments include real estate (other than your home), trust funds, money market funds, mutual funds, certificates of deposit, stocks, bonds, other securities, installment and land sale contracts (including mortgages held), commodities, etc. Investment value includes the market value of these investments. Do not include the value of life insurance and retirement plans (pension funds, annuities, IRAs, Keogh plans, etc.) or the value of prepaid tuition plans. Investment debt means only those debts that are related to the investments.

Business value includes the market value of land, buildings, machinery, equipment, and inventory. Business debt means only those debts for which the business was used as collateral.

## Notes for question 57 (page 4)

Answer "Yes" (you are a veteran) if (1) you have engaged in active service in the U.S. Armed Forces (Army, Navy, Air Force, Marines, and Coast Guard), or were a cadet or midshipman at one of the service academies, and (2) you were released under a condition other than dishonorable. You should also answer "Yes" if you are not a veteran now but will be one by June 30, 2000.

Answer "No" (you are not a veteran) if (1) you have never served in the U.S. Armed Forces, or (2) you are an ROTC student, a cadet or midshipman at a service academy, or a National Guard or Reserves enlistee (and were not activated for duty). You should also answer "No" if you are currently serving in the U.S. Armed Forces and will continue to serve through June 30, 2000.



*July 1, 1999 — June 30, 2000 school year*

|                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1-3. Your name</b><br><br><b>4-7. Your permanent mailing address</b><br><br><b>8. Your Social Security Number</b><br><br><b>10. Your permanent telephone number</b><br><br><b>12-13. Driver's license number and state</b><br><br><b>14. Are you a U.S. citizen?</b><br>Pick one. See Page 2.<br><br><b>16. Marital status as of today</b> | <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"> <b>1. LAST NAME</b><br/> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> </td> <td style="width: 50%;"> <b>2. FIRST NAME</b><br/> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> </td> </tr> <tr> <td colspan="2"> <b>4. NUMBER AND STREET (INCLUDE APARTMENT NUMBER)</b><br/> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> </td> </tr> <tr> <td> <b>5. CITY (AND COUNTRY, IF NOT U.S.)</b><br/> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> </td> <td> <b>6. STATE</b><br/> <div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;"> <div style="width: 10px; height: 10px;"></div> <div style="width: 10px; height: 10px;"></div> </div> </td> </tr> <tr> <td colspan="2"> <b>7. ZIP CODE</b><br/> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> </td> </tr> <tr> <td> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> </td> <td> <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> </td> </tr> </table> | <b>1. LAST NAME</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <b>2. FIRST NAME</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <b>4. NUMBER AND STREET (INCLUDE APARTMENT NUMBER)</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div> |  | <b>5. CITY (AND COUNTRY, IF NOT U.S.)</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <b>6. STATE</b><br><div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;"> <div style="width: 10px; height: 10px;"></div> <div style="width: 10px; height: 10px;"></div> </div> | <b>7. ZIP CODE</b><br><div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> |  | <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> | <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div> |
| <b>1. LAST NAME</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div>                                                                                                                                                                                                                                                | <b>2. FIRST NAME</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
| <b>4. NUMBER AND STREET (INCLUDE APARTMENT NUMBER)</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div>                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
| <b>5. CITY (AND COUNTRY, IF NOT U.S.)</b><br><div style="border: 1px solid black; height: 20px; width: 100%;"></div>                                                                                                                                                                                                                          | <b>6. STATE</b><br><div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;"> <div style="width: 10px; height: 10px;"></div> <div style="width: 10px; height: 10px;"></div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
| <b>7. ZIP CODE</b><br><div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div>                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
| <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div>                                                                                    | <div style="border: 1px solid black; width: 100px; height: 20px; display: flex; align-items: center;"> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> <div style="width: 30px; height: 15px;"></div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                |                                                                                                 |                                                                                                                                   |  |                                                                                                                      |                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                  |  |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |

18. Summer 1999 Full time ☐ 1 3/4 time ☐ 2 Half time ☐ 3 Less than half time ☐ 4 Not attending ☐ 5

19. Fall semester or quarter 1999 Full time ☐ 1 3/4 time ☐ 2 Half time ☐ 3 Less than half time ☐ 4 Not attending ☐ 5

20. Winter quarter 1999-2000 Full time ☐ 1 3/4 time ☐ 2 Half time ☐ 3 Less than half time ☐ 4 Not attending ☐ 5

21. Spring semester or quarter 2000 Full time ☐ 1 3/4 time ☐ 2 Half time ☐ 3 Less than half time ☐ 4 Not attending ☐ 5

22. Summer 2000 Full time ☐ 1 3/4 time ☐ 2 Half time ☐ 3 Less than half time ☐ 4 Not attending ☐ 5

23. Highest school your father completed Middle school/Jr. High ☐ 1 High school ☐ 2 College or beyond ☐ 3 Other/unknown ☐ 4

24. Highest school your mother completed Middle school/Jr. High ☐ 1 High school ☐ 2 College or beyond ☐ 3 Other/unknown ☐ 4

25. What is your state of legal residence? 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| STATE                                                                                   |
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |

 26. Did you become a legal resident of this state before January 1, 1994? Yes ☐ 1 No ☐ 2

27. If the answer to question 26 is "No," give month and year you became a legal resident. 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| MONTH                                                                                   |
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |

 / 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| YEAR                                                                                    |
| <div style="border: 1px solid black; width: 60px; height: 30px; margin: 0 auto;"></div> |

28. Most male students must register with Selective Service to get federal aid. Are you male? Yes ☐ 1 No ☐ 2

29. If you are male (age 18-25) and not registered, do you want Selective Service to register you? Yes ☐ 1 No ☐ 2

30. What degree or certificate will you be working towards during 1999-2000? See page 2 and enter the correct number in the box. 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |
|-----------------------------------------------------------------------------------------|

31. What will be your grade level when you begin the 1999-2000 school year? See page 2 and enter the correct number in the box. 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |
|-----------------------------------------------------------------------------------------|

32. Will you have a high school diploma or GED before you enroll? Yes ☐ 1 No ☐ 2

33. Will you have your first bachelor's degree before July 1, 1999? Yes ☐ 1 No ☐ 2

34. In addition to grants, are you interested in student loans (which you must pay back)? Yes ☐ 1 No ☐ 2

35. In addition to grants, are you interested in "work-study" (which you earn through work)? Yes ☐ 1 No ☐ 2

36. If you receive veterans' education benefits, for how many months from July 1, 1999 through June 30, 2000 will you receive these benefits? 

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |
|-----------------------------------------------------------------------------------------|

 37. Amount per month? \$ 

|                                                                                         |                                                                                         |                                                                                         |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> | <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> | <div style="border: 1px solid black; width: 30px; height: 30px; margin: 0 auto;"></div> |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|



For 38-52, if you are now married (even if you were not married in 1998), report both your and your spouse's income and assets. If you are not married, answer these questions about you and ignore the references to "spouse." If the answer is zero or the question does not apply to you, enter 0.

38. For 1998, have you filed your IRS income tax return or a tax return listed in question 39?  
a. I have already filed. ☐ 1      b. I will file, but I have not yet filed. ☐ 2      c. I'm not going to file. (Skip to question 45.) ☐ 3
39. What income tax return did you file or will you file for 1998?  
a. IRS 1040 ..... ☐ 1      c. A foreign tax return. See Page 2. .... ☐ 3  
b. IRS 1040A, 1040EZ, 1040Telefile ..... ☐ 2      d. A tax return for Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau. See Page 2. .... ☐ 4
40. If you have filed or will file a 1040, were you eligible to file a 1040A or 1040EZ? See page 2.      Yes ☐ 1 No/don't know ☐ 2
41. What was your (and spouse's) adjusted gross income for 1998?  
Adjusted gross income is on IRS Form 1040-line 33; 1040A-line 18; or 1040EZ-line 4.      \$    ,
42. Enter the total amount of your (and spouse's) income tax for 1998. Income tax amount is on IRS Form 1040-line 49; 1040A-line 32; or 1040EZ-line 10.      \$    ,
43. Enter your (and spouse's) exemptions. Exemptions are on IRS Form 1040-line 6d, and on Form 1040A-line 6d. For Form 1040EZ, see page 2.
44. Enter your Earned Income Credit from IRS Form 1040-line 59a; 1040A-line 37a; or 1040EZ-line 8a.      \$    ,
- 45-46. How much did you (and spouse) earn from working in 1998? Answer this question whether or not you filed a tax return. This information may be on your W-2 forms, or on IRS Form 1040-lines 7, 12, and 18; or on 1040A-line 7; or on 1040EZ-line 1.  
You (45) \$    ,     
Your Spouse (46) \$    ,
47. Go to page 8 of this form; complete the column on the left of **Worksheet A**; enter student total here.      \$    ,
48. Go to page 8 of this form; complete the column on the left of **Worksheet B**; enter student total here.      \$    ,
49. Total current balance of cash, savings, and checking accounts      \$    ,
- For 50-52, if net worth is one million or more, enter \$999,999. If net worth is negative, enter 0.
50. Current net worth of investments (investment value minus investment debt) See page 2.      \$    ,
51. Current net worth of business (business value minus business debt) See page 2.      \$    ,
52. Current net worth of investment farm (Don't include a farm that you live on and operate.)      \$    ,

**Step Two: If you (the student) answer "Yes" to any question in Step Two, go to Step Three.**  
**If you answer "No" to every question, skip Step Three and go to Step Four.**

53. Were you born before January 1, 1976? ..... Yes ☐ 1 No ☐ 2
54. Will you be working on a degree beyond a bachelor's degree in school year 1999-2000? ..... Yes ☐ 1 No ☐ 2
55. As of today, are you married? (Answer yes if you are separated, but not divorced.) ..... Yes ☐ 1 No ☐ 2
56. Are you an orphan or ward of the court or were you a ward of the court until age 18? ..... Yes ☐ 1 No ☐ 2
57. Are you a veteran of the U.S. Armed Forces? See page 2. .... Yes ☐ 1 No ☐ 2
58. Answer "Yes" if: (1) You have children who receive more than half of their support from you; or  
(2) You have dependents (other than your children or spouse) who live with you and receive more than half of their support from you, now and through June 30, 2000. .... Yes ☐ 1 No ☐ 2

**Step Three: Complete this step only if you answered "Yes" to any question in Step Two.**

59. How many people are in your (and your spouse's) household? See page 7.
60. How many in question 59 will be college students between July 1, 1999, and June 30, 2000? See page 7.

**Now go to Step Five.** (If you are a graduate health profession student, you may be required to complete Step Four even if you answered "Yes" to any questions in Step Two.)



**Step Four: Please tell us about your parents. See page 7 for who is considered a parent.**  
**Complete this step if you (the student) answered "No" to all questions in Step Two.**

**For 61 - 75, if the answer is zero or the question does not apply, enter 0.**

61. For 1998, have your parents filed their IRS income tax return or a tax return listed in question 62?

- a. My parents have already filed. ☐ 1      b. My parents will file, but they have not yet filed. ☐ 2      c. My parents are not going to file. (Skip to question 68.) ☐ 3

62. What income tax return did your parents file or will they file for 1998?

- a. IRS 1040..... ☐ 1      c. A foreign tax return. See Page 2. .... ☐ 3  
 b. IRS 1040A, 1040EZ, 1040Telefile ..... ☐ 2      d. A tax return for Puerto Rico, Guam, American Samoa, the Virgin Islands, Marshall Islands, the Federated States of Micronesia, or Palau. See Page 2. .... ☐ 4

63. If your parents have filed or will file a 1040, were they eligible to file a 1040A or 1040EZ? See page 2. Yes ☐ 1 No/don't know ☐ 2

64. What was your parents' adjusted gross income for 1998?

Adjusted gross income is on IRS Form 1040—line 33; 1040A—line 18; or 1040EZ—line 4.

\$    ,

65. Enter the total amount of your parents' income tax for 1998. Income tax amount is on IRS Form 1040—line 49; 1040A—line 32; or 1040EZ—line 10.

\$    ,

66. Enter your parents' exemptions. Exemptions are on IRS Form 1040—line 6d and on Form 1040A—line 6d. For Form 1040EZ, see page 2.

67. Enter your parents' Earned Income Credit from IRS Form 1040—line 59a; 1040A—line 37a; or 1040EZ—line 8a.

\$   ,

68-69. How much did your parents earn from working in 1998? Answer this question whether or not your parents filed a tax return. This information may be on their W-2 forms, or on IRS Form 1040—lines 7, 12, and 18; or on 1040A—line 7; or on 1040EZ—line 1.

Father/  
Stepfather (68)

\$    ,

Mother/  
Stepmother (69)

\$    ,

70. Go to page 8 of this form; complete the column on the right of **Worksheet A**; enter parent total here.

\$   ,

71. Go to page 8 of this form; complete the column on the right of **Worksheet B**; enter parent total here.

\$   ,

72. Total current balance of cash, savings, and checking accounts

\$    ,

**For 73-75, if net worth is one million or more, enter \$999,999. If net worth is negative, enter 0.**

73. Current net worth of investments (investment value minus investment debt) See page 2.

\$    ,

74. Current net worth of business (business value minus business debt) See page 2.

\$    ,

75. Current net worth of investment farm (Don't include a farm that your parents live on and operate.)

\$    ,

76. Parents' marital status as of today? (Pick one.) Married ☐ 1 Single ☐ 2 Divorced/Separated ☐ 3 Widowed ☐ 4

77. How many people are in your parents' household? See page 7.

78. How many in question 77 will be college students between July 1, 1999, and June 30, 2000? See page 7.

STATE

79. What is your parents' state of legal residence?

80. Did your parents become legal residents of the state in question 79 before January 1, 1994?

Yes ☐ 1 No ☐ 2

81. If the answer to question 80 is "No," enter month/year for the parent who has been a legal resident the longest.

MONTH   / YEAR

82. What is the age of your older parent?



## Step Five: Please tell us which schools should receive your information.

For each school (up to six), please provide the federal school code and indicate your housing plans. Look for the federal school codes at your college financial aid office, at your public library, on the internet at <http://www.ed.gov/offices/OPE>, or by asking your high school guidance counselor. If you cannot get the federal school code, write in the complete name, address, city, and state of the college.

| Federal school code OR   | Name of college | College street address and city | State                | Housing Plans                                                                                                      |
|--------------------------|-----------------|---------------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------|
| 83. <input type="text"/> |                 |                                 | <input type="text"/> | 84. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |
| 85. <input type="text"/> |                 |                                 | <input type="text"/> | 86. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |
| 87. <input type="text"/> |                 |                                 | <input type="text"/> | 88. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |
| 89. <input type="text"/> |                 |                                 | <input type="text"/> | 90. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |
| 91. <input type="text"/> |                 |                                 | <input type="text"/> | 92. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |
| 93. <input type="text"/> |                 |                                 | <input type="text"/> | 94. on campus <input type="radio"/> 1<br>off campus <input type="radio"/> 2<br>with parent <input type="radio"/> 3 |

## Step Six: Please read, sign, and date.

By signing this application, you agree, if asked, to provide information that will verify the accuracy of your completed form. This information may include a copy of your U.S. or state income tax form. Also, you certify that you (1) will use federal student financial aid only to pay the cost of attending an institution of higher education, (2) are not in default on a federal student loan or have made satisfactory arrangements to repay it, (3) do not owe money back on a federal student grant or have made satisfactory arrangements to repay it, and (4) will notify your school if you default on a federal student loan. If you purposely give false or misleading information, you may be fined \$10,000, sent to prison, or both.

95. Date this form was completed.

MONTH  / DAY  / 1999 ☐ or 2000 ☐

96. Student signature

Parent signature (one parent whose information is provided in Step Four.)

If this form was filled out by someone other than you, your spouse, or your parent(s), that person must complete this part.

Preparer's

Name and Firm

Address

97. Social Security #

-  -

OR

98. Employer ID #

-

99. Signature and Date

### SCHOOL USE ONLY

D/O ☐

Federal School Code

FAA Signature

### MDE USE ONLY

Special Handle

-



## Notes for question 59 (page 4)

Include in your household:

- yourself (and your spouse, if you have one), and
- your children, if you provide more than half of their support, and
- other people if they now live with you, and you provide more than half of their support and will continue to provide more than half of their support from July 1, 1999 through June 30, 2000.

## Notes for questions 60 (page 4) and 78 (page 5)

Count yourself as a college student even if you will attend college less than half time in 1999-2000. Include others only if they will attend at least half time in 1999-2000 in a program that leads to a college degree or certificate.

## Notes for questions 61-82 (page 5) Step Four: Who is considered a parent in this Step?

If your parents are both living and married to each other, answer the questions about them. (You will be providing information about two people.)

If your parent is widowed or single, answer the questions about that parent. (You will be providing information about one person.) If your widowed parent has remarried as of today, answer the questions about that parent and the person whom your parent married. (You will be providing information about two people.)

If your parents have divorced or separated, answer the questions about the parent you lived with most during the past 12 months. If you did not live with one parent more than with the other, answer in terms of the parent who provided the most financial support during the last 12 months, or during the most recent year that you actually were supported by a parent. (You will be providing information about one person.) If this parent has remarried as of today, answer the questions on the rest of this form about that parent and the person whom your parent married. (You will be providing information about two people.)

## Notes for question 77 (page 5)

Include in your parents' household:

- yourself and your parents, and
- your parents' other children if (a) your parents provide more than half of their support or (b) the children could answer "No" to every question in Step Two, and
- other people if they now live with your parents, your parents provide more than half of their support and will continue to provide more than half of their support from July 1, 1999 through June 30, 2000.

---

## Information on the Privacy Act and use of your Social Security Number.

We use the information that you provide on this form to determine if you are eligible to receive federal student financial aid and the amount that you are eligible to receive. Section 483 of the Higher Education Act of 1965, as amended, gives us the authority to ask you these questions and to collect your social security number.

State and institutional student financial aid programs may also use the information that you provide on this form to determine if you are eligible to receive state and institutional aid and the need that you have for such aid. Therefore, we will disclose the information that you provide on this form to each institution you list in questions 83-93, state agencies in your state of legal residence, and the state agencies of the states in which the colleges that you list in questions 83-93 are located.

If you are applying solely for federal aid, you must answer all of the following questions that apply to you: 1-9, 14-16, 25, 28-29, 32-33, 38-42, 44-65, 67-79, 82, and 95-96. If you do not answer these questions, you will not receive federal aid.

Without your consent, we may disclose information that you provide to entities under a published "routine use." Under such a routine use, we may disclose information to third parties that we have authorized to assist us in administering the above programs; to other federal agencies under computer matching programs, such as those with the Social Security Administration, Selective Service System, Immigration and Naturalization Service, and Veterans Administration; to your parents or spouse; and to members of Congress if you ask them to help you with student aid questions.

If the federal government, the U.S. Department of Education, or an employee of the U.S. Department of Education is involved in litigation, we may send information to the Department of Justice, or a court or adjudicative body, if the disclosure is related to financial aid and certain conditions are met. In addition, we may send your information to a foreign, federal, state, or local enforcement agency if the information that you submitted indicates a violation or potential violation of law, for which that agency has jurisdiction for investigation or prosecution. Finally, we may send information regarding a claim that is determined to be valid and overdue to a consumer reporting agency. This information includes identifiers from the record; the amount, status, and history of the claim; and the program under which the claim arose.

## State Certification.

By submitting this application, you are giving your state financial aid agency permission to verify any statement on this form and to obtain income tax information for all persons required to report income on this form.

## The Paperwork Reduction Act of 1995

The Paperwork Reduction Act of 1995 says that no one is required to respond to a collection of information unless it displays a valid OMB control number, which for this form is 1840-0110. The time required to complete this form is estimated to be one hour per response, including time to review instructions, search data resources, gather the data needed, and complete and review the information collection. If you have comments about this estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington DC 20202-4651.



## Worksheets – Even though you may have few of these items, check carefully.

Keep these worksheets with a copy of your application. Do **not** mail these worksheets in with your application.

### Worksheet A

For question 47: Enter and add together all of the following that apply to you (and your spouse) in the column on the left. Enter the total amount in question 47 on page 4 of this form.

For question 70: Enter and add together all of the following that apply to your parents in the column on the right (if you are required to complete Step 4 of the application). Enter the total amount in question 70 on page 5 of this form.

#### For question 47

##### Student (and spouse)

Calendar Year 1998

|    |                                                                                                                                                                                                                                                                                                        |                                        |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| \$ | Payments to tax-deferred pension and savings plans (paid directly or withheld from earnings) as reported on the W-2 Form. Include untaxed portions of 401(k) and 403(b) plans.                                                                                                                         | \$                                     |
| \$ | Deductible IRA and/or Keogh payments: IRS Form 1040—total of lines 23 and 29; or 1040A—line 15                                                                                                                                                                                                         | \$                                     |
| \$ | Child support received for all children. Don't include foster care or adoption payments.                                                                                                                                                                                                               | \$                                     |
| \$ | Welfare benefits, including Temporary Assistance for Needy Families (TANF). Don't include food stamps.                                                                                                                                                                                                 | \$                                     |
| \$ | Tax exempt interest income from IRS Form 1040—line 8b; or 1040A—line 8b                                                                                                                                                                                                                                | \$                                     |
| \$ | Foreign income exclusion from IRS Form 2555—line 43; or 2555EZ—line 18                                                                                                                                                                                                                                 | \$                                     |
| \$ | Untaxed portions of pensions from IRS Form 1040—(line 15a minus 15b) plus (16a minus 16b); or 1040A—(line 10a minus 10b) plus (11a minus 11b) excluding rollovers                                                                                                                                      | \$                                     |
| \$ | Credit for Federal tax on special fuels from IRS Form 4136—Part III – nonfarmers only                                                                                                                                                                                                                  | \$                                     |
| \$ | Social Security payments that were not taxed                                                                                                                                                                                                                                                           | \$                                     |
| \$ | Housing, food, and other living allowances paid to members of the military, clergy, and others (including cash payments and cash value of benefits)                                                                                                                                                    | \$                                     |
| \$ | Workers' Compensation                                                                                                                                                                                                                                                                                  | \$                                     |
| \$ | Veterans' noneducation benefits, such as Death Pension or Dependency & Indemnity Compensation (DIC)                                                                                                                                                                                                    | \$                                     |
| \$ | Any other untaxed income and benefits, such as VA Educational Work-Study allowances, untaxed portions of Railroad Retirement Benefits, Black Lung Benefits, Refugee Assistance, etc. Don't include student aid, JTPA benefits, or benefits from flexible spending arrangements, e.g., cafeteria plans. | \$                                     |
| \$ | Cash or any money paid on your behalf, not reported elsewhere on this form                                                                                                                                                                                                                             | XXXXXXXXXX                             |
| \$ | (Enter this amount in question 47.)                                                                                                                                                                                                                                                                    | (Enter this amount in question 70.) \$ |

Student (and spouse) total

Parent(s) total

### Worksheet B

For question 48: Enter and add together all of the following that apply to you (and your spouse) in the column on the left. Enter the total amount in question 48 on page 4 of this form.

For question 71: Enter and add together all of the following that apply to your parents in the column on the right (if you are required to complete Step 4 of the application). Enter the total amount in question 71 on page 5 of this form.

#### For question 48

##### Student (and spouse)

Calendar Year 1998

|    |                                                                                                                                                                                                                                   |                                        |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| \$ | Education credits (Hope and Lifetime Learning Tax Credits) from IRS Form 1040—line 44; or 1040A—line 29.                                                                                                                          | \$                                     |
| \$ | Child support you or your spouse (or your parents) paid because of divorce or separation. Do not include support for children in your (or your parents') household, as reported in question 59 (or question 77 for your parents). | \$                                     |
| \$ | Taxable earnings from Federal Work-Study or other need-based work programs                                                                                                                                                        | \$                                     |
| \$ | AmeriCorps awards — allowances and benefits                                                                                                                                                                                       | \$                                     |
| \$ | Student grant and scholarship aid in excess of the tuition, fees, books, and supplies that was reported in question 41 for students and 64 for parents                                                                            | \$                                     |
| \$ | (Enter this amount in question 48.)                                                                                                                                                                                               | (Enter this amount in question 71.) \$ |

Student (and spouse) total

Parent(s) total



## **MORE ABOUT STUDENT FINANCIAL AID...**

Congratulations! You're taking the first step in the financial aid process, completing the Free Application for Federal Student Aid (FAFSA). It will take us 3-4 weeks to process your form and send you a Student Aid Report by mail. Your Student Aid Report will summarize the data that you reported on your application. Please check the information carefully to make sure that it is accurate. Make sure that you keep a copy of the Student Aid Report and note the **DRN** (Data Release Number) in the upper right hand corner of the first page—you will need the **DRN** if you decide to apply to additional schools. If the information is complete, an **Expected Family Contribution (EFC)** will be printed next to the DRN. The EFC is based on the income and expense information that you provide on the FAFSA, and your school will use it to award your financial aid.

If you believe that you have special circumstances that should be taken into account, such as a significant change in income from one year to the next, you should contact the financial aid administrator at the school(s) to which you are applying. If the circumstances warrant it, the aid administrator has the authority to change your dependency status or to adjust the data used to calculate your EFC. But please remember that the aid administrator can't do this automatically—there have to be very good reasons to make an adjustment. The aid administrator's decision is final and cannot be appealed to the U.S. Department of Education.

## **YOUR FINANCIAL AID PACKAGE...**

The school to which you are applying will prepare a financial aid package to help meet your financial need. **Financial need** is the difference between your **cost of attendance** at the school (including living expenses) and your EFC. Your aid package cannot exceed your financial need, but some forms of self-help assistance may be used to meet your EFC. The school will notify you of your aid package.

You must maintain eligibility for the aid programs to receive the awards. If you are selected for the verification process, you may be required to submit certain documentation, such as a copy of your family's IRS tax forms, prior to receiving any aid.

## **AID FROM THE STUDENT FINANCIAL ASSISTANCE PROGRAMS...**

Your financial aid package is likely to include funds from the Student Financial Assistance Programs. These programs, administered by the U.S. Department of Education, provide 70% of all student financial assistance (over \$40 billion a year):

### **FEDERAL PELL GRANTS**

Available to undergraduate students only. For the 1998-99 school year, awards ranged from \$400 to \$3,000—these are grants, which do not have to be repaid.

### **FEDERAL STAFFORD LOANS**

#### **▲ SUBSIDIZED ▲ UNSUBSIDIZED**

These are student loans which must be repaid. If your school participates in the Federal Direct Loan Program, your Stafford Loan will be made through the school. (For other schools, the Stafford Loan will be made through a private lender.) Stafford loans are available to graduate and undergraduate students. First-year undergraduates are eligible for loans up to \$2,625. Amounts for undergraduate students increase to as much as \$5,500 annually after two years of study. Interest rate: variable, but never exceeds 8.25%

If you qualify (based on need) for a subsidized Stafford loan, the government will pay the interest on your loan in school, during the 6-month "grace period," and during any deferment periods. You are responsible for paying all of the interest that accrues on an unsubsidized Stafford Loan.

### **FEDERAL PLUS LOANS**

These are unsubsidized loans made to parents that must be repaid. PLUS Loans are made either through the school (Direct Loans) or through a private lender. (If you are independent or your parents cannot get a PLUS loan, you are eligible to borrow additional Stafford funds.) Interest rate: variable, but never exceeds 9%

## **CAMPUS-BASED PROGRAMS**

### **▲ SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS ▲ WORK-STUDY ▲ PERKINS LOANS**

Campus-based funds are awarded by the school. SEOG is a grant available for undergraduates only; awards range from \$100-\$4,000. Federal Work-Study provides jobs to undergraduate and graduate students who are then paid an hourly rate at minimum wage or above. Perkins Loans are low-interest (5%) loans that must be repaid; the maximum annual loan amount is \$3,000 for undergraduate students and \$5,000 for graduate students.



## **TAX CREDITS**

### **▲ HOPE TAX CREDIT ▲ LIFETIME LEARNING TAX CREDIT**

These income tax credits reduce your or your family's federal taxes. They are based on your college tuition and fee charges, minus grants, scholarships, and other tax-free educational assistance. The Hope Tax Credit can be claimed during the first two years of college, up to a maximum of \$1,500. The Lifetime Learning Tax Credit is available for any level of postsecondary study up to a current maximum of \$1,000. If your parents or anyone else claims you on their income tax return, they would be eligible to take the credit on their taxes. If you are not claimed as a dependent on anyone else's tax return, you would be eligible to claim the credit. The credits are not available to single filers with adjusted gross incomes greater than \$50,000 or joint filers with adjusted gross incomes greater than \$100,000. Also note that only one type of credit (Hope or Lifetime Learning) may be claimed for the student in any given year.

The actual amount of your financial aid award will depend not only on your financial need, but on your cost of attending school, enrollment status (full-time or part-time), and whether you attend school for a full academic year or less. To receive aid from these programs, you ① must be an eligible citizen or permanent resident of the United States with a valid Social Security Number ② must have a high school diploma or a General Education Development certificate (or pass an approved "ability to benefit" test) ③ must enroll in an eligible program as a regular student seeking a degree or certificate. (If you are a male, you must also have registered for Selective Service, if you are in the applicable age range for registration.)

### **TO APPLY ELECTRONICALLY OR TO FIND OUT MORE ABOUT FEDERAL STUDENT AID, VISIT THE U.S. DEPARTMENT OF EDUCATION'S WEB SITE AT:**

[www.ed.gov/studentaid](http://www.ed.gov/studentaid)

This site has a searchable list of Federal School Codes, which you will need to complete Step Five of the Free Application for Federal Student Aid.

### **HOW YOU WILL RECEIVE YOUR FINANCIAL AID...**

Aid from the Student Financial Assistance Programs will be paid to you through the school. Your aid awards will almost always be paid to you by the semester, quarter, or other payment period. Typically, the school will first use the aid to pay any tuition and fee charges (and room and board, if provided by the school). The remainder will be paid to you for your other living expenses. Aid funds may not be credited for books and supplies and other school charges unless you have authorized this in writing.

### **HOW TO BE A WISE CONSUMER...**

Getting a postsecondary education is a major investment of time and money—make sure that the school you attend is right for you. When choosing a school, you'll want to consider things like the quality of instructors and school facilities, as well as information about students at the school, such as the percentage of students who complete the program, the percentage of students who find jobs, and the percentage of students who default on their student loans. The school is required to inform you of its aid procedures and deadlines, and how and when you'll receive your aid award. Be sure that you've read and understood the school's refund policy and satisfactory progress policy. Keep copies of your enrollment agreement, the school's catalog, and all loan documents that you have received.

### **WHERE CAN I GET MORE INFORMATION ABOUT OTHER SOURCES OF STUDENT AID?**

The financial aid office at the school you plan to attend is the best place to begin your search for free information. The financial aid administrator can tell you about student aid available from your state, from the school itself, and from other sources. You can also find free information about student aid in the reference section of your local library (usually listed under "student aid" or "financial aid"). These materials usually include information about federal, state, institutional, and private aid.

Information about student aid may also be available from foundations, religious organizations, community organizations, and civic groups, as well as organizations related to your field of interest, such as the American Medical Association or American Bar Association. Check with your parents' employers to see if they award scholarships or have a tuition payment plan.

**Please remember: Applying for federal student aid is free!**



# Withdrawal Marker

## The George W. Bush Library

| FORM | SUBJECT/TITLE             | PAGES | DATE       | RESTRICTION(S) |
|------|---------------------------|-------|------------|----------------|
| Form | Certificate of Live Birth | 1     | 09/16/1994 | P6/b6;         |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

**COLLECTION:**

Counsel's Office, White House

**SERIES:**

Kavanaugh, Brett - Subject Files

**FOLDER TITLE:**

Kavanaugh, Brett Correspondence [Folder 2] [1]

**FRC ID:**

9630

**OA Num.:**

1822

**NARA Num.:**

1740

**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]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

**Deed of Gift Restrictions**

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

**Records Not Subject to FOIA**

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.



CERTIFICATE OF SERVICE BY MAIL

|                                             |   |            |
|---------------------------------------------|---|------------|
| Sylvia C. James                             | ) | 1: 01CV487 |
| Plaintiff                                   | ) |            |
| V.                                          | ) |            |
| United States Government                    | ) |            |
| President George Bush                       | ) |            |
| Attorney General John Ashcroft              | ) |            |
| Superior Court Judge F. Gordon Battle       | ) |            |
| Governor Michael Easley                     | ) |            |
| Brent D. Kiziah, Assistant Attorney General | ) |            |
| of North Carolina                           | ) |            |
| UNIVERSITY OF NORTH CAROLINA                | ) |            |
| HOSPITALS AT CHAPEL HILL                    | ) |            |
| Defendants                                  | ) |            |

The undersigned hereby certifies that on August 22, 2001 she served a copy of the attached Affidavit, Exhibit S-Also Reply to Second Motion to Dismiss with exhibits by placing said copy in a postpaid envelope addressed to the persons hereinafter named at the addresses stated below and by depositing said envelopes and contents in the United States Mail at Chapel Hill, North Carolina. I mailed two copies to Brent D. Kiziah in two separate envelopes because he is the attorney for UNC Hospitals.

Addressees:

President George Bush  
1600 Pennsylvania Ave NW  
Washington DC 20500

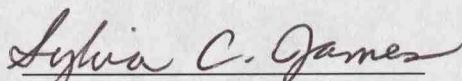
John W. Stone, Jr  
Assistant U. S. Attorney  
NCSB #8046  
P. O. Box 1858  
Greensboro, NC 27402

John Ashcroft  
Attorney General of the United States  
U.S. Department of Justice, Room 5111  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Brent D. Kiziah  
Assistant Attorney General  
c/o Patient Account Services  
University of North Carolina Hospitals  
211 Friday Center Drive, Suite G21  
Chapel Hill, NC 27514

Governor Michael Easley  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Superior Court Judge F. Gordon Battle  
Superior Court District 158  
104 East King Street  
Hillsborough, N.C. 27278

  
Sylvia C. James, Plaintiff



# Withdrawal Marker

## The George W. Bush Library

| FORM         | SUBJECT/TITLE                                                    | PAGES | DATE       | RESTRICTION(S) |
|--------------|------------------------------------------------------------------|-------|------------|----------------|
| Court Filing | Summons in a Civil Case [with attachments] - From: Dennis Bearce | 16    | 08/15/2001 | P6/b6;         |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

### COLLECTION:

Counsel's Office, White House

### SERIES:

Kavanaugh, Brett - Subject Files

### FOLDER TITLE:

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



**THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

DATE RECEIVED: 8/24/01

NAME OF CORRESPONDENT: Laura Nachowitz

SUBJECT: Curtis Lockett v. George Bush

| ROUTE TO:     |              | ACTION         |                | DISPOSITION  |        |                     |
|---------------|--------------|----------------|----------------|--------------|--------|---------------------|
| OFFICE/AGENCY | (STAFF NAME) | ACTION<br>CODE | DATE<br>M/D/YR | TYPE<br>RESP | C<br>D | COMPLETED<br>M/D/YR |

|        |  |   |         |  |   |  |
|--------|--|---|---------|--|---|--|
| CUGONZ |  | A | 8/24/01 |  | C |  |
|--------|--|---|---------|--|---|--|

ACTION COMMENTS: \_\_\_\_\_

|       |   |  |  |  |     |  |
|-------|---|--|--|--|-----|--|
| Brett | A |  |  |  | / / |  |
|-------|---|--|--|--|-----|--|

ACTION COMMENTS: \_\_\_\_\_

|  |  |  |     |  |  |     |
|--|--|--|-----|--|--|-----|
|  |  |  | / / |  |  | / / |
|--|--|--|-----|--|--|-----|

ACTION COMMENTS: \_\_\_\_\_

|  |  |  |     |  |  |     |
|--|--|--|-----|--|--|-----|
|  |  |  | / / |  |  | / / |
|--|--|--|-----|--|--|-----|

ACTION COMMENTS: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ADDITIONAL CORRESPONDENTS:

MEDIA:

*Litigation files. No action.  
BK*



IN THE  
COURT

CASE NUMBER: 1:01CV00960(RCL)

## 109221.1



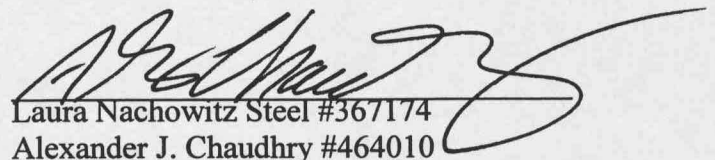
Moreover, although leave to amend "shall be freely given," a district court may exercise its discretion and deny leave to amend if the proposed amended complaint could not withstand a Rule 12 motion to dismiss for failure to state a claim. *See generally* Moore's 3<sup>rd</sup> Ed. at §15.15. In this case, for the reasons previously set forth in Justice Johnstone's Motion to Dismiss, Plaintiffs can state no set of facts supporting a cause of action against Justice Johnstone. Therefore, Plaintiff's Motion to Amend should be denied.

For the reasons set forth herein, together with those contained in Justice Johnstone's Motion to Dismiss and Memorandum of Points and Authorities in support thereof, Justice Johnstone respectfully requests that Plaintiff's Motion to Amend be denied.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER, LLP

By:



Laura Nachowitz Steel #367174

Alexander J. Chaudhry #464010

1341 G Street, N.W.

Suite 500

Washington, D.C. 20005-3105

(202) 626-7660

(202) 628-3606 (fax)

Counsel for Douglas I. Johnstone,  
Justice of the Alabama Supreme Court



### CERTIFICATE OF SERVICE

I hereby certify that on August 16<sup>th</sup>, 2001 I have served a copy of the foregoing

Opposition on the following:

Mr. Curtis G. Lockett  
325 Pennsylvania Avenue, S.E.  
Washington, DC 20003

and

8073 Hilltop Street  
Mobile, AL 36619

Mr. Andrew Pompey  
13828-051  
U. S. Penitentiary  
P.M.B. Box  
601 McDonough Boulevard, S.E.  
Atlanta, Georgia 30315

Hon. John Ashcroft  
United States Attorney General  
United States Department of Justice  
Washington, D.C. 20530

Richard W. Moore, Esq.  
United States Attorney's Office  
63 South Royal Street, Suite 600  
Mobile, Alabama 36602

Hon. Emmett R. Cox  
United States Court of Appeals  
John Archibald Campbell United  
States Courthouse  
113 St. Joseph Street  
Mobile, Alabama 36602

Mr. Alfred J. Davis  
21940-001  
Federal Correctional Institution  
P.M.B. Box 1000  
Talladega, Alabama 35160

Hon. George W. Bush, Jr.  
President of the United States  
The White House  
Washington, D.C. 20530

J. Don Foster, Esq.  
Post Office Box 2225  
Mobile, Alabama 36652

Hon. R. Lanier Anderson, III  
Chief Judge  
Eleventh Circuit Court of Appeals  
Post Office Box 977  
Macon, Georgia 31202-0977

Hon. Charles O. Rossotti  
Commissioner of the Internal Revenue  
Service  
United States Department of Finance  
Washington, D.C. 20530



Hon. Louis J. Freeh  
Director of the Federal Bureau of  
Investigations  
United States Department of Justice  
Washington, D.C. 20530

Hon. Jeff B. Sessions, III  
United States Senator  
493 Russell Senate Office Building  
Washington, D.C. 20510

State Farm Fire and Casualty, Inc.  
One State Farm Plaza  
Bloomington, Illinois 61710

Hon. John Tyson  
District Attorney  
State of Alabama  
205 Government Street, Suite C-501  
Mobile, Alabama 36644-2501

Hon. Richard W. Vollmer  
United States District Court for the  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, Alabama 36602

Hon. Ferrill D. McRae  
Circuit Judge  
6100 Mobile Government Plaza  
205 Government Street  
Mobile, Alabama 36644

Tori L. Adams-Burks, Esq.  
Attorney General's Office  
11 S. Union Street  
Montgomery, Alabama 36130

Hon. P.G. Payne  
Deputy U.S. Marshal  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, Alabama 36602

Hon. Don Siegelman  
Governor of Alabama  
State Capitol  
Montgomery, Alabama 36101

Hon. William H. Pryor, Jr.  
Attorney General  
State of Alabama  
11 South Union Street  
Montgomery, Alabama 36104

Hon. Charles R. Butler, Jr.  
Chief District Judge  
United States District Court for the  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, Alabama 36602

Hon. Douglas Inge Johnstone  
Supreme Court of Alabama  
300 Dexter Avenue  
Montgomery, Alabama 36104-3741

Hon. Chris N. Galanos  
Post Office Box 96  
Mobile, Alabama 36601

Hon. Edward B. McDermott  
Post Office Box 290  
Mobile, Alabama 36601



Hon. William H. Steele  
United States Magistrate Judge  
United States District Court  
Southern District of Alabama  
61 St. Joseph Street  
Mobile, Alabama 36602

Hon. Bert W. Milling, Jr.  
United States Magistrate Judge  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, Alabama 36602

Mr. Jack Tillman  
Sheriff of Mobile County, Alabama  
Post Office Box 113  
Mobile, Alabama 36601

Mr. Willie Scott  
Warden  
United States Penitentiary  
Atlanta, Georgia 30301

Hon. Frank M. Castiglia  
Deputy U.S. Marshal  
U. S. Marshal's Office  
New Orleans, Louisiana 70130

Whitney Bank  
228 St. Charles Avenue  
New Orleans, Louisiana 70130

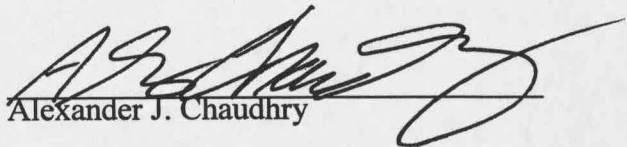
Hon. William E. Cassady  
United States Magistrate Judge  
United State District Court  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, Alabama 36602

AmSouth Bank  
c/o Stephen B. Yoder  
Executive Vice President and  
General Counsel  
Post Office Box 11007  
Birmingham, Alabama 35288

Mr. William Bass  
Director  
Alabama Department of Revenue  
474 S. Court Street  
Montgomery, Alabama 36104

Special Agent Volney Hayes  
Federal Bureau of Investigations  
Southern District of Alabama  
1 St. Louis Street  
Mobile, Alabama 36602

David A. Boyett, Esq.  
One Maison Bldg., Suite 203  
3800 Airport Boulevard  
Mobile, Alabama 36608

  
Alexander J. Chaudhry



The following defendants were also listed in the Complaint, but this defendant has no way of knowing how to serve them:

Hon. Louie McKinney  
U.S. Marshal Services

Associate Texas Financial Services  
Texas

Daniel H. Wannamaker, Esq.  
Federal Public Defenders

Dr. Emily Fallis  
Government Psychologist

Dr. Richard L. Demier  
Government Psychologist

Mr. Carlos Espinosa  
Bank Foreclosures

Jason D. Smith, Esq.

Scott J. Humphreys, Esq.

Ms. Sharon Lo  
State Farm Insurance Company

Hon. Clark M. Denney  
Assistant U. S. Attorney

Mr. Robert M. Bellance  
DEA

Ms. Navarra Green  
"Snitch"

Hon. John E. Conway  
Chief Judge

Hon. Peter Ossorio  
Assistant U.S. Attorney

James E. Harris, Esquire

Hon. Sarah Vogel  
Assistant U.S. Attorney

Lisa Gardner, Esquire  
Federal Public Defender

Dr. Robert Denney  
Government Psychologist



CURTIS G. LOCKETT, *et al.*

Plaintiffs,

Vs.

GEORGE BUSH, JR., President of the United States of America, *et al.*,

Defendants.

CASE NUMBER: 1:01CV00960(RCL)

---

**ORDERED**, that Plaintiff's Motion to Amend the Complaint and Reserve be, and hereby is, **DENIED**.

109221.1



Copies to:

Mr. Curtis G. Lockett  
325 Pennsylvania Avenue, S.E.  
Washington, DC 20003

Mr. Andrew Pompey  
13828-051  
U. S. Penitentiary  
P.M.B. Box  
601 McDonough Boulevard, S.E.  
Atlanta, Georgia 30315

Hon. John Ashcroft  
United States Attorney General  
United States Department of Justice  
Washington, D.C. 20530

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63 South Royal Street, Suite 600  
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Director of the Federal Bureau of  
Investigations  
United States Department of Justice  
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President of the United States  
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United States District Court  
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United States Magistrate Judge  
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113 St. Joseph Street

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Attorney General  
State of Alabama  
11 South Union Street  
Montgomery, Alabama 36104

Hon. Charles R. Butler, Jr.  
Chief District Judge  
United States District Court for the  
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Hon. Douglas Inge Johnstone  
Supreme Court of Alabama  
300 Dexter Avenue  
Montgomery, Alabama 36104-3741

Hon. Chris N. Galanos  
Post Office Box 96  
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Hon. Edward B. McDermott  
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Hon. William E. Cassady  
United States Magistrate Judge  
United State District Court  
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AmSouth Bank  
c/o Stephen B. Yoder  
Executive Vice President and  
General Counsel



Mobile, Alabama 36602

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Mr. Willie Scott  
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Federal Bureau of Investigations  
Southern District of Alabama  
1 St. Louis Street  
Mobile, Alabama 36602

David A. Boyett, Esq.  
One Maison Bldg., Suite 203  
3800 Airport Boulevard  
Mobile, Alabama 36608



# THE WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

DATE RECEIVED: 8/24/01

NAME OF CORRESPONDENT: Dennis Bearco

SUBJECT: Dennis Bearco v. George Bush

| ROUTE TO:<br>OFFICE/AGENCY | (STAFF NAME) | ACTION<br>CODE | DATE<br>M/D/YR | TYPE<br>RESP | DISPOSITION<br>C<br>D | COMPLETED<br>M/D/YR |
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| CUGONZ | A | 8/24/01 | — | C | — |
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COMMENTS: \_\_\_\_\_

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ADDITIONAL CORRESPONDENTS:

MEDIA:

litigation files . No action.  
BK

**THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

DATE RECEIVED: 8/31/2001

NAME OF CORRESPONDENT: John F. Harrah

SUBJECT: John F. Harrah v. USA

| ROUTE TO:     |              | ACTION      |             | DISPOSITION |     |                  |
|---------------|--------------|-------------|-------------|-------------|-----|------------------|
| OFFICE/AGENCY | (STAFF NAME) | ACTION CODE | DATE M/D/YR | TYPE RESP   | C D | COMPLETED M/D/YR |

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ACTION COMMENTS: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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ADDITIONAL CORRESPONDENTS:

MEDIA:

*Litigation files. No action.  
BK*



25-R  
Counsel's office  
(FBI)

UNITED STATES COURT OF APPEALS FOR  
THE DISTRICT OF COLUMBIA CIRCUIT

01-5099

John F. Harrah

Appellant

V.

UNITED STATES OF AMERICA

Executive Office of Presidency, et al.

George W. Bush, Incumbent

Appellee

COPY

Memorandum

1. Correction of Mistaken usage : It has come to my attention that there has been an incorrect usage of the terms "CR" court and "CV" in my filings in another case. This was indicated in a letter from Chief Judge Douglas Ginsburg, received August 2, 2001, in which the correct usage of these terms was explained.

As a pro se litigant, upon filing, we were not aware of the differences in the designations of the court system. We filed a complaint, and took home the sheets with what ever designations and judicial assignments the deck or clerk assigned without worrying too much about their exact meaning.

We earlier thought that the terms "CR" court refereed to a "Senior" court, reflecting the schedule of judges;



"Senior", Chief, magistrate, bankruptcy and clerk of court. The "CV" terminology seemed to refer to a junior court, with all judges able to take either criminal or civil cases. There was always some confusion in our minds about this, and a trip to the library of congress, with an inquiry to the librarian was also not productive.

A Civil Action, Grossman and Vaughn, a leading "case studies" instructional manual, nor the Student's Guide to the Federal Rules of Civil Procedure nor the Federal Rules of Civil Procedure itself also do not make reference to this exact case labeling procedure. Also the Federal Rules of Appellate Procedure and the Local rules of the District Court and the U.S. Court of Appeals also do not define this court structure or specific designations.

On reflecting about this incident, however, it appears that we were always distracted in our consideration of this distinction, with a very real possibility of an undue influence, such as we have alleged in other aspects of both cases before the US Court of Appeals.

It is also true that this case, has intense criminal overtones, with the crime of Conspiracy and murder standard fare.

It turns out that there is no mistake in the filings as easily interpreted. CR and senior are easily substituted. So in all cases in pleading prior to this, the term "CR" in any documents submitted prior to this time, meant that a senior judge



or someone who was designated to be able to handle constitutional violations, but not necessarily a criminal court at this as we are informed that this case will certainly lead to in the future.

So that we are still requesting a Senior court, with perhaps a criminal investigation, or Special prosecutor with DOD adjunct, rather than a lesser designation, but still a "CV" case, according to the chief judge's letter in the sense that it is a civil action we are pursuing.

We regret this misunderstanding (between CV and CR) and reassure all courts, of any kind, that we go forth as good citizens and that the case involves a threat to the First Amendment of the United States of America and that there is not other explanation for this phenomenon.

As to the usage of the word "antecedent" with the meaning of a "conspirator" or "participant", the question arises that since the US government is the defendant, aka the Pentagon Papers Precedent, would the term "antecedent", as we use it in our case, necessarily refer to a government employee or could an outside helper or conspirator also be a "antecedent" or participant.

The answer is yes, all participants are not defendants therefore the additional terminology and is the reason that a synonym is substituted for the word defendant, many cooperated and were not without guilt both within and without the government. It was said that the amount of participation and work that was required to block the Face of God and "The Reduction of



Santa Barbara" was staggering, and subsequently substitute antecedent for defendant or conspirator.

2. Scheduling Notes for Clerk's Office: It seems to us that the pleadings are complete at this time in this case, and that it is apparent that there is at this time, no disagreement for purposes of this summary judgment.

As far as future scheduling of this case, it is imperative, that my 5/29/01 motion of arguing en banc, be adopted if there is any question of the motion for summary judgment being disapproved.

In case of a remand of any kind, it must be understood that this case simply can't be allowed, life or death to this case and this country, to continue in the hands of "Judge Hogan" because he isn't qualified for a constitutional question and didn't let us see himself. In fact we don't think he is somehow qualified to handle this or would have done so. He will not accept a standard recusal, (statement of prejudice) though, so it is the circumstances of the matter that have dictated this course of action rather than any particular desire on my own or other's parts. He must be replaced.

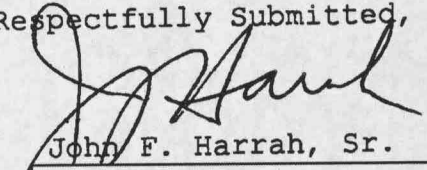
following the US Attorney's proposed two months delay, through the month of September, we would like to also take October off, since we have important family and business matters that need to be dealt with at that time.



The court could deliberate through this time, and we would be available through September and then immediately after October. Briefing could be scheduled in early or mid December with the case to be further argued en banc after the first of the year.

If these ideas don't work or are somehow inappropriate, we will change our plans to suit the courts, of course.

Respectfully Submitted,

  
John F. Harrah, Sr.

(b)(6)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Memorandum were mailed, postage prepaid, to Appellee and assigns, and other Interested parties on August 6, 2001 at the following addresses:

Respectfully Submitted,

  
John F. Harrah Sr.

(b)(6)

Attn.: Andy Auerbach  
US Attorney  
555 Fourth St. NW  
Washington DC 20001

US Attorney General  
950 Pennsylvania Av NW  
Washington DC 20530

Executive Office of the Presidency, et al  
White House  
1700 Pennsylvania Av  
Washington DC 20036



**THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

DATE RECEIVED: 8/13/01

NAME OF CORRESPONDENT: Landmark Legal Foundation

SUBJECT: Teacher's Union

| ROUTE TO:     |              | ACTION         |                | DISPOSITION  |        |                     |
|---------------|--------------|----------------|----------------|--------------|--------|---------------------|
| OFFICE/AGENCY | (STAFF NAME) | ACTION<br>CODE | DATE<br>M/D/YR | TYPE<br>RESP | C<br>D | COMPLETED<br>M/D/YR |

|        |   |         |  |   |  |
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| CUGONZ | A | 8/13/01 |  | C |  |
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ACTION COMMENTS: \_\_\_\_\_

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| Noel | A |  |  | 8/14/01 |  |
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ACTION COMMENTS: *No action necessary*

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ACTION COMMENTS: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADDITIONAL CORRESPONDENTS:

MEDIA:

Legal Counsel



**LANDMARK**  
Legal Foundation

25<sup>TH</sup> ANNIVERSARY



1976-2001

**FOR IMMEDIATE RELEASE**

July 27, 2001

**CONTACT:** Eric Christensen  
(703) 689-2370  
(703) 689-2373 (fax)  
[info@landmarklegal.org](mailto:info@landmarklegal.org)

## **LANDMARK FILES EXPLOSIVE NEW COMPLAINT AGAINST THE NEA!**

*Teachers' Union May Have Violated Federal Tax Law  
By Coordinating Campaign Activities With Democrats*

(Herndon, VA)...Landmark Legal Foundation made public today the most explosive tax complaint ever filed against the National Education Association (NEA). Landmark's complaint, which was filed with the Internal Revenue Service on July 20, 2001, provides new evidence not only of the NEA's use of millions of dollars of tax-exempt funds for political purposes, but its extensive campaign coordination activities with the Democratic National Committee (DNC).

Landmark's complaint includes evidence provided to the Federal Election Commission (FEC), including responses by the DNC and Clinton-Gore '96, to FEC subpoenas. The FEC released this information to the public on May 2, 2001, but four days later placed the evidence under seal. Landmark secured copies of this evidence during the first 48-hours of its public release.

Landmark's complaint provides overwhelming evidence of the NEA's political activities, including its key role as a member of the so-called "Coordinated Campaign Steering Committee," which set national and statewide campaign strategy for the election of Democratic candidates. In addition to the NEA and the DNC, other members of the Steering Committee were the 1996 Clinton-Gore Campaign, the Democratic Senatorial Campaign Committee, the Democratic Congressional Campaign Committee, the Democratic Governors' Association, the Democratic Leadership Campaign Committee, the AFL-CIO, and Emily's List. Landmark's complaint also reveals the involvement of the NEA's state affiliates in coordinating campaign activity with Democratic congressional candidates.

(more)



"The extent to which the NEA and its state affiliates have coordinated their political activities with the Democratic Party, and have used millions of dollars in tax-exempt general revenues to support these activities, is truly breathtaking. The evidence Landmark is making public today demonstrates that the NEA has become an appendage of the Democratic Party, complete with an ATM machine that dispenses tax-exempt membership dues to underwrite that party's political activities. The NEA has concealed these activities from America's teachers, the public and the IRS. But the information is concealed no longer."

Landmark's complaint is the latest phase of the Foundation's 5-year investigation and legal research into potential violations of federal tax and election laws by the NEA and its state affiliates. Landmark also filed complaints with the IRS last year about the union's political activities and expenditures in earlier election cycles.

Founded in 1976, Landmark Legal Foundation has among its top missions the promotion of education reform. Landmark has defended school choice in Wisconsin and Pennsylvania. Landmark has offices in Kansas City, MO and Herndon, VA.

(END)



BEFORE THE INTERNAL REVENUE SERVICE

## COMPLAINT

FOR UNDISCLOSED POLITICAL ACTIVITIES AND EXPENDITURES

RE: NATIONAL EDUCATION ASSOCIATION (NEA)  
PENNSYLVANIA STATE EDUCATION ASSOCIATION (PSEA)  
NORTH CAROLINA ASSOCIATION OF EDUCATORS (NCAE)  
NEBRASKA STATE EDUCATION ASSOCIATION (NSEA)  
KANSAS NATIONAL EDUCATION ASSOCIATION  
EDUCATION MINNESOTA

RESPECTFULLY SUBMITTED BY:

**Landmark Legal Foundation**

445-B Carlisle Drive

Herndon, VA 20170

(703)689-2370

(703)689-2373 fax

<http://www.landmarklegal.org>



## **BEFORE THE INTERNAL REVENUE SERVICE**

Re: National Education Association, FEIN 53-0115260

### **COMPLAINT (AMENDED)**

#### **I. BACKGROUND**

Landmark Legal Foundation ("Landmark") requests that the Internal Revenue Service ("IRS" or "the Service") investigate the conduct and tax filings of the National Education Association ("NEA") and certain of its state affiliates, including the Pennsylvania State Education Association ("PSEA"), the North Carolina Association of Educators ("NCAE"), the Nebraska State Education Association ("NSEA"), the Kansas NEA, and Education Minnesota.

Internal Revenue Code ("IRC") 501(c)(5) tax exempt labor organizations, including the NEA and its state affiliates, are required to disclose fully to the public, union members, non-union fee payers and the IRS the extent of the organization's political activities and expenditures. Moreover, political activities and expenditures are taxable to these organizations unless they are segregated from general operations revenue and conducted through a political action committee. IRC 527(f). The evidence set forth in this complaint indicates that the NEA and certain of its state affiliates are spending substantial general operating funds on taxable political activities, which they have not fully reported to the IRS.

## II. RELEVANT LAW

### A. The NEA And Its State Affiliates Are Required By Law To Report Fully Their Political Expenditures.

The NEA and its state affiliates, as tax-exempt organizations, are required to file a Form 990 information tax return. See IRC 6033. The instructions accompanying the Form 990 explicitly require that certain political expenditures must be reported by exempt organizations. (Exhibit 1, Form 990 Instructions):

#### Line 81 Expenditures for political purposes-

A political expenditure is one intended to influence the selection, nomination, election, or appointment of anyone to a Federal, state, or local public office, or office in a political organization, or the election of Presidential or Vice Presidential electors. It does not matter whether the attempt succeeds.

An expenditure includes a payment, distribution, loan, advance, deposit, or gift of money, or anything of value. It also includes a contract, promise, or agreement to make an expenditure, whether or not legally enforceable.

All section 501(c) organizations. Section 501(c) organizations must file Form 1120-POL if their political expenditures and their net investment income both exceed \$100 for the year.

If a section 501(c) organization establishes and maintains a section 527(f)(3) separate segregated fund, it is the fund's responsibility to file its own Form 1120-POL if the fund meets the Form 1120-POL filing requirements. Do not include the segregated fund's receipts, expenditures, and balance sheet items on the Form 990 or Form 990-EZ, of the section 501(c) organization that establishes and maintains the fund.

**However, when a section 501(c) organization transfers its own funds, to a separate segregated section 527(f)(3) fund for use as a political expense, the 501(c) organization must report the transferred funds as its own political expense on its Form 990 or Form 990-EZ.**



Since at least its 1994 filing, the NEA has reported that it has made no such political expenditures on its Form 990 tax returns. (Exhibits 2,3,4,5,6, and 7 NEA 1994, 1995, 1996, 1997, 1998, 1999 Form 990s.)<sup>1</sup>

A labor organization, such as the NEA, is permitted to engage directly in political activity, as defined by IRC 527(f) (and set forth in the instructions to Line 81, above), if all such political expenditures and activities are fully accounted for and reported to the IRS as taxable income. See IRC 501(b).

Political expenditures as defined above may be engaged in without generating income tax liability if the NEA establishes a "separate segregated fund," (also known as a political action committee (PAC)), as provided in IRC 527(f)(3). PACs, however, are subject to strict income and expenditure reporting rules requiring full disclosure of their political activities.<sup>2</sup> While the NEA operates a PAC, the evidence presented in this complaint indicates that the NEA's political expenditures and activities extend beyond its reported PAC activities and, therefore, beyond the zero dollars it has reported on its last several federal tax returns.

**B. 501(c)(5) Organizations Are Permitted To Make Political Expenditures Provided Such Expenditures Conform With Statutory Criteria**

IRC 527(f) PACs serve three functions: 1) PACs provide full disclosure of the nature and extent of a labor organization's participation in the political process; 2) the segregation of funds permits the IRS to monitor whether political activity constitutes the labor organization's primary activity (which is prohibited under IRC 501(c)(5)); and 3) a separate and full accounting of resources dedicated to political activities allows the union's members, and non-members compelled to pay fees to the union, to understand fully how their dues and fees are used.

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<sup>1</sup> Landmark has requests outstanding to the NEA state affiliates in North Carolina, Nebraska, Kansas and Minnesota seeking copies of their Form 990 federal income tax returns for the relevant time period.

<sup>2</sup> The same requirements apply to NEA state affiliate PACs.



Permitted PAC activities include “all activities that are directly related to and support the process of influencing or attempting to influence the selection, nomination, election, or appointment of any individual to public office or office in a political organization.” 26 CFR Section 1.527-2(c)(1). Whether an expenditure is for political activity depends upon all the facts and circumstances. *Id.*

For example, if a section 527(f) political organization finances seminars or conferences that are intended to influence attendees to support individuals for public office and whose political affiliations or views are in harmony with the political philosophy of the organization, then the expenditures for such activities are considered to be political. See 26 CFR 1.527-2(c)(5)(viii).

While the NEA’s official political organization, NEA-PAC<sup>3</sup>, clearly meets applicable separate segregated fund standards, the evidence set forth in this complaint indicates that the NEA’s political activities include the expenditure of substantial general revenues that have not been reported as taxable income to the IRS.

### **III. THE NEA ROUTINELY ENGAGES IN EXTENSIVE POLITICAL ACTIVITY**

#### **A. The NEA Does Not Report Political Activity On IRS Forms 990 and 1120-POL.**

As stated previously, IRC 501(c)(5) organizations engaging in political activity are required to disclose fully and make public the organization’s non-PAC political expenditures and activities on IRS Form 990. See IRC 527(f). Detailed disclosures of these political expenditures must be filed with the IRS on a Form 1120-POL. (See Exhibit 1, Form 990 Reporting Instructions, at p. 26-27.) Such expenditures are taxable to the organization. IRC 527(f).

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<sup>3</sup> The NEA’s PAC appears in FEC filings under the names “National Education Association-Political Action Committee” and “NEA Committee for Children and Public Education.” The entities appear to be one in the same.



Moreover, political expenditures are not limited to money transactions. See 26 CFR 1.527-2(c). They include the cost of using, in part or whole, any facilities, personnel, equipment, supplies, automobiles, etc. *Id.* These expenses and in-kind activities must all be accounted for as political expenditures. The time spent by an organization's employees directing "volunteer" campaign efforts or appearing on behalf of candidates must be accounted for by the organization if these activities are being subsidized by general revenues. *Id.* See *Alaska Public Service Employees Local 71 v. Commissioner*, T.C.M 1991-650.

Since at least its 1994 filing, the NEA has reported that it has made no such political expenditures on its Form 990 tax returns. As set forth herein, however, the NEA has engaged in extensive political activity, including, participation in a coordinated political campaign.

**B. The NEA And NEA State Affiliates Participated In A Coordinated Campaign With The DNC And Other Political Groups In Order To Elect Targeted Candidates.**

During the 1996 election year, the NEA in coordination with other labor organizations such as the AFL-CIO, and political organizations such as the Democratic National Committee (DNC), engaged in an organized, systematic campaign to elect Democratic candidates.

In 1996, a group known as the "National Coordinated Campaign Steering Committee" ("Steering Committee")<sup>4</sup> met between six and eight times for the purpose of planning the coordinated campaign. (Exhibit 8 at 2.) The Coordinated Campaign is "the project of the state parties to register and turn out Democratic voters on behalf of the entire Democratic ticket in the general election." (Exhibit 9 at 2.) The Steering Committee met at DNC headquarters in Washington, DC, in New Orleans, LA, in August of 1995, and in Chicago, IL, during the time of

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<sup>4</sup> Documents reveal that this group was also known as the "National Table" and "Win In '96."



the Democratic National Convention (August 26-29, 1996). (Exhibit 8 at 2.) Attendees included representatives from the DNC, the Democratic Congressional Campaign Committee ("DCCC"), the Clinton/Gore '96 Primary Committee and the Clinton/Gore '96 General Committee, EMILY's List, and the NEA. (Exhibit 8 at 2.)

The extent to which the NEA coordinated activities and commingled expenditures is demonstrated by a statement from the Etheridge for Congress Committee which participated in the Coordinated Campaign:

*When the draft plan is initialized in the state, it is forwarded to the DNC for review. If the plan meets the DNC's specifications, it is shared with the National Coordinated Campaign funding partners at the AFL-CIO, NEA, Emily's List (in targeted states), and the other national campaign committees for review. When the DNC and it's national partners, including the DSCC/DCCC/DGA/LCC, the AFL-CIO and the NEA agree on the contents of a plan, each national partner will give their funding commitment to the state. (Emphasis added).*

(Exhibit 10 at 14)

In addition to the National Steering Committee, state steering committees were established. (Exhibit 10.)<sup>5</sup> NEA state affiliates, under the NEA's oversight, were active in the Coordinated Campaign at the state level. (Exhibit 10.) For example, documents reveal that members of NEA's political division attended national Steering Committee meetings.<sup>6</sup> (Exhibit 8 at 3,4.) An examination of the activities of participants in the Coordinated Campaign at the state level reveals the synergy between the national Steering Committee and the state Steering Committees and the pervasive political activities of each.

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<sup>5</sup> Exhibit 10 is a response from the Etheridge for Congress Committee to an FEC subpoena. This exhibit includes a cover letter, response, and partial exhibits. Its pagination is not uniform and, accordingly, Landmark has inserted page numbers for citation purposes.

<sup>6</sup> NEA officials who attended these meetings included Mary Elizabeth Teasley, then the Director of Government Relations and Mr. Jack Pacheco, who served in the political division.



## **1. North Carolina Coordinated Campaign**

During the 1996 election, an extensive, comprehensive Coordinated Campaign operated in the state of North Carolina with the goal of electing Democratic candidates. (Exhibit 10 at 8.) A detailed political guide for the state of North Carolina described the Coordinated Campaign's principles, plans for accomplishing its goals, its steering and management structure, its plan approval and the funding process. (Exhibit 10 at 11.)<sup>7</sup>

In 1996, the Coordinated Campaign provided services such as voter registration activities, early vote programs, staff training, and voter canvassing at the state and local levels. (Id. at 10.) Additional duties included developing and maintaining a "voterfile" where demographic information of targeted voters was retained, conducting public opinion research, and conducting opposition research. (Id. at 17.) North Carolina officials were required to publish a written "plan" outlining the strategy, tactics, budget and timeline relating to the election of Democratic candidates. Before implementation, this plan needed to be submitted in writing and approved by the State Steering Committee. (Id. at 12.)

The State Steering Committee was "the central governing body of the Coordinated Campaign." (Id. at 12.) Generally, the State Steering Committees were comprised of representatives from the following groups: Committee to Re-elect Clinton/Gore, the Democratic Governor/Gubernatorial Nominee, the Democratic U.S. Senate/Senate Nominee, Democratic Members of Congress/Nominee, Big City Mayors and County Executives, the AFL-CIO, the NEA, and "other actively participating labor members." (Id. at 12, 13.) The State Steering Committee was responsible for:

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<sup>7</sup> Apparently, the term "Coordinated Campaign" has several meanings. In one instance, this term refers to the "campaign" to mobilize and retain Democratic votes. In other instances, this term refers to a specific organization that coordinated extensive political activity.



- the overall policy and direction of the coordinated campaign, including assuring adherence to [the] plan

- locating the resources and funding necessary to execute [the] plan

- monitoring the activities and reviewing the decisions of the Management Committee

(Id. at 13.)

Members of North Carolina's Steering Committee included representatives from the Committee to Re-elect Clinton/Gore and the Jim Hunt Campaign. Additional members of the Steering Committee included Democratic Members of Congress such as Eva Clayton, Bill Hefner and Mel Watt, Democratic Nominees for Congress including Bobby Etheridge, George Parrott, David Price, Lieutenant Governor Bennis Wicker as well as the North Carolina Association of Educators/NEA President John Wilson and North Carolina AFL-CIO President Chris Scott. (Id. at 21.) Responsibilities of the Steering Committee included developing and directing the Coordinated Campaign's plan, making recommendations for the appointment of Coordinated Campaign staff and funding the plan. (Id. at 21.) Once the state plan was approved, each "national partner" (including the NEA) would "give their funding commitment to the state."

(Id. at 14.)

The members of the State Steering Committee would each "have a voice in coordinated campaign programs and line items based on their overall commitment to the funding and implementation of the plan." (Id. at 22.)

Day-to-day management of the Coordinated Campaign was the responsibility of the Management Committee. Again, "[m]embership and voice [were] determined in relation to the



participating candidate's or organization's level of commitment to the coordinated campaign."

North Carolina Association of Educators ("NCAE") officials were also members of this committee. (Id. at 22, 23.)

## **2. Nebraska Coordinated Campaign**

The Nebraska State Education Association ("NSEA") participated in the Coordinated Campaign for the state of Nebraska. (Exhibit 11 at 4.)<sup>8</sup> NSEA officials served on the Coordinated Campaign's Executive Committee, whose responsibilities included reviewing the day-to-day decisions of the campaign. (Exhibit 11 at 6.) Additional duties of NSEA officials included organizing parent teacher organizations as well as providing financial support for the Coordinated Campaign. (Exhibit 11 at 5.)

## **3. Pennsylvania, Kansas and Minnesota Activity**

There were also coordinated campaign activities in Pennsylvania, Kansas and Minnesota. (See Exhibits 12, 13, and 14.) Pennsylvania's Coordinated Campaign was defined as follows:

The 1996 "Coordinated Campaign" shall mean a separate statewide campaign structure within each State Democratic Party, created and financed in part by the Democratic nominees and allied organizations in each state, including Democratic officials not on the ballot, that was referred to by the name "Coordinated Campaign" and that engaged in activities that may have included, but not been limited to, centralization of Democratic voter identification and get out the vote efforts within the state or selected subdivisions thereof.

(Exhibit 12 at 3.)

Documents filed with the FEC indicate that Dave Katz and Anthony Podesta chaired the Pennsylvania Coordinated Campaign. (Id. at 12.) Moreover, the Pennsylvania Coordinated Campaign employed field workers in specific congressional districts. (Id. at 12.) The field

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<sup>8</sup> Exhibit 11 is a copy of the 1996 Nebraska Coordinated Campaign Overview. Its pagination is not uniform and, accordingly, Landmark has inserted page numbers for citation purposes.

workers coordinated literature drops on numerous occasions and worked with congressional campaign volunteers.<sup>9</sup> (Id. at 12.) The Form 990 federal tax returns for the years 1994, 1995 and 1996, the period of coordinated campaign activity, reveal that the Pennsylvania State Education Association ("PSEA") failed to report any of these expenditures to the IRS. (Exhibits 15, 16, and 17.) Moreover, it is believed that the kind of coordinated campaign activities described earlier in North Carolina and Nebraska occurred in Pennsylvania, Kansas and Minnesota.<sup>10</sup>

#### **4. 1996 Budget Priorities**

The NEA's 1996 Strategic Focus Plan included:

Strategic Objective 1 – Building Support in the External Environment, which included the following expenditures:

-- \$9.6 million to "[b]uild bipartisan constituencies among those running for and elected to public office to support public education." (Id. (emphasis added).) Activities designed to accomplish this objective included:

- Screening candidates for federal office;
- conducting political surveys for candidate evaluation;
- providing a "fair process to select recommended candidates for association support";
- enhancing connection between political action and education policy;
- mobilize members and other resources... to support the election of pro-education candidates and ballot measures;

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<sup>9</sup> The campaign of Joe Cullen, a congressional candidate in 1996 for the 10<sup>th</sup> District of Pennsylvania, worked with the Coordinated Campaign's volunteers in making literature drops.

<sup>10</sup> Every state had its own "Coordinated Campaign." (Exhibit 10 at 12.)



- provide technical assistance, surveys, and training in political campaign work to affiliates and members at all levels;
- increase efforts to mobilize key groups of NEA members... for legislative and campaign activity;
- increase the Association's capacity to provide assistance to recommended candidates;
- identify and evaluate new/innovative ways to effect election results, such as mail ballot, early voting, term limits on state elected officials, etc.;
- cultivate working relationships with Democratic and Republican parties;
- coalesce with other political organizations who share mutual goals;
- identify and expand relationships with groups who believe and support public education; and
- [c]omplete Phase III (Candidate Support) of the NEA Election '96 Campaign by carrying out unified campaigns and mobilizing members to assist in the election of candidates at all levels of government and to win ballot measures

(Exhibit 18 at 11-13.)

These are the kind of political activities that the NEA would have undertaken within the National and State Coordinated Campaign structures. The extent to which the NEA used any of the \$9.6 million in tax-exempt general revenue funds to support these purposes, it was required to report such expenditures to the IRS and pay taxes on them.<sup>11</sup>

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<sup>11</sup> See Landmark's complaint and exhibits concerning unreported political activities and expenditures by the NEA filed with the IRS on June 23, 2000.



**5. NEA Budgets Indicate Ongoing Contributions To A "Coordinated Campaign."**

The NEA's Strategic Plan and Budget for fiscal years 2000-2002 indicates an allotment of \$1,993,735 for "A coordinated state-specific campaign developed and implemented to elect bipartisan pro-public education candidates in the 2000 general election." (Exhibit 19 at 16.)

The NEA's Strategic Plan and Budget for fiscal years 1998-2000 indicates an allotment of \$872,535 for "Comprehensive coordinated state-specific campaign developed and implemented aimed at electing bipartisan pro-education candidates in the 1998 election cycle." (Exhibit 20 at 17.) These expenditures indicate that the coordinated activity was, and is, ongoing.

**C. The NEA Participated In The '95/'96 Project.**

The '95/'96 Project ("the Project") was "a coalition of labor unions, environmental, senior and public interest organizations, including the NEA, which was organized to influence the national debate over the 'Contract With America'." (Exhibit 21 at 2.) During the 1996 election, the Project provided voter education materials to the public and conducted get out the vote campaigns. Moreover, the Project "sought to accomplish its mission by recruiting and training field organizers in coalition building, message development, and message delivery..." (Exhibit 22 at 5.) These "field organizers" were dispatched to congressional districts that were "deemed vulnerable" to Democratic takeover in the 1996 election. (Exhibit 22 at 5.)

The Project dispatched workers to congressional districts whose Members "were actively supporting the conservative Republican legislative agenda but whose support of the Contract With America and other proposals was regarded as potentially 'soft' because of the demographic and political make-up of their districts." (Exhibit 22 at 5.) The Project, in distributing its resources, also considered whether the Member "represented constituencies, such as labor,



students and seniors, who would, in the Project's view, be harmed by the conservative Republican legislative agenda." (Exhibit 22 at 6.)

The Project's Advisory Committee was comprised of organizations that provided "cash or in-kind support." The NEA was a member of the Advisory Committee.<sup>12</sup> In 1995, the Project raised "at least \$1.6 million." (Exhibit 22 at 5.) These funds were further supplemented by in-kind contributions such as technical assistance, research and staff from the participating organizations. (Exhibit 21 at 3.) Again, the NEA does not report any of these expenditures on its relevant Form 990 income tax returns.

**D. The NEA's Strategic Priorities Include Additional Political Activities.**

**1. 2000-2002 Strategic Plan And Budget.**

In addition to participating in a Coordinated Campaign and the '95/'96 Project, evidence indicates that the NEA earmarks significant funds from its general treasury for other types of political activity. For example, in its 2000-2002 Strategic Plan and Budget, the NEA's strategic priorities are laced with politically oriented activity. The priorities are broken down into numerous categories including:

**Priority 3 – Public, Parental and Business Support**

**Goal 5. \$10.8 million for "[s]ignificantly increased and lasting bipartisan political advocacy and support for children and public education."**

--\$1,993,735 in 2000-2001 for "a coordinated state-specific campaign developed and implemented to elect bipartisan pro-public education candidates in the 2000 general election cycle."

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<sup>12</sup> Documents currently available do not reveal the exact dollar figure of the NEA's contribution to the '95/'96 Project. The AFL-CIO, another member of the Advisory Committee, contributed \$175,000 in 1995 and \$300,000 in 1996.

--\$1,658,690 in 2000-2001 and \$1,307,690 in 2001-2002 for "campaign activities to support state affiliates to elect bipartisan commitment to public education."

--\$645,000 over two years for development of a "national political strategy developed to address issues such as congressional and legislative reapportionment and redistricting, campaign finance, candidate recruitment, targeted races, and independent expenditures and maximize support for pro-public education candidates and ballot initiatives."

--\$50,000 in 2000 for "Recommendations from the NCSEA/NEA Election 2000 assessment Report implemented to enhance the Association's capacity to support pro-public education candidates."

(Exhibit 19 at 15, 16.)

These expenditures demonstrate that the NEA's use of tax-exempt resources to support political activities as defined by IRC 527(f) is ongoing and substantial. Moreover, it shows that the NEA funnels general revenues from its own treasury to state affiliates, which in turn use those funds in support of political activities.

**E. The 1999 And 2000 Financial Reports Reveal Extensive Political Expenditures**

The 1998-1999 NEA Interim Financial Statements, prepared by NEA auditors, report an actual expenditure of \$3,026,212 through April 30, 1999 for "Increased and lasting bipartisan political advocacy support." (Exhibit 23 at 32.) Moreover, the NEA budgeted an additional \$2,033,650 for the remaining four months of the fiscal year (ending on August 31, 1999). (Exhibit 23 at 32.) As reported above, the NEA's 990 tax return for the fiscal year beginning September 1, 1998 and ending August 31, 1999 reports no political expenditures to the IRS.

Another NEA auditor's report, entitled "National Education Association of the United States General Operating Fund – Supplemental Statement of Activity and Changes in Net Assets



Year Ended August 31, 1999,” indicates an actual expenditure of \$5,207,285 for “Increased and lasting bipartisan political advocacy and support for public education.” (Exhibit 24 at 25.)

The NEA expended \$2,796,935 through April 30, 2000 on “Increased and lasting bipartisan political advocacy and support” with an additional \$2,375,481 budgeted for the remaining four months of the fiscal year (ending August 31, 2000). (Exhibit 24 at 34.)

However, as reported above, the NEA’s Form 990 federal income tax return for the fiscal year beginning September 1, 1999 and ending August 31, 2000 reports no political expenditures to the IRS.

**F. The 1999-2000 Committee Reports to the 79<sup>th</sup> Representative Assembly Reveal Further Significant Political Activities.**

The “Reports of Committees” to the 1999-2000 Representative Assembly indicate that the NEA’s Standing Committee on Legislation:

...heard reports on the status of presidential and congressional races and NEA’s efforts to support pro-public education candidates on a bipartisan basis. In the presidential race, this includes working to nominate Vice President Gore as the Democratic candidate, electing NEA members as delegates to the Democratic and Republican conventions, and ensuring NEA’s visibility in the campaign.

(Exhibit 25 at 12.)

The report also describes the work that was performed during congressional races:

In the congressional arena, work includes focusing on 25 marginal races through staff deployment, member surveys, direct mail, phone operations, and a cyber-advocacy program. NEA’s bipartisan work has already included an independent expenditure on behalf of a Republican primary candidate in Illinois.

(Exhibit 25 at 12.)

Clearly, the NEA played an active role during the 2000 campaign cycle. At the national level, the NEA worked to nominate and elect Al Gore. At the congressional level, the NEA worked to elect candidates in races it had targeted as “marginal.”



#### **IV. IRS Jurisdiction And Enforcement Authority**

##### **A. The NEA And Its State Affiliates Must Comply Fully With IRS Reporting Requirements**

IRC 6001 requires every person liable for any tax imposed by the tax code, including exempt organizations such as the NEA and its state affiliates, to “keep such records, render such statements, make such returns, and comply with such rules and regulations as the Secretary [of the Treasury] may from time to time prescribe.” Exempt organizations are required to file an annual return,

stating specifically the items of gross income, receipts, and disbursements, and such other information for the purpose of carrying out the internal revenue laws as the Secretary may by forms or regulations prescribe, and shall keep such records, render under oath such statements, make such other returns, and comply with such rules and regulations as the Secretary may from time to time prescribe...

IRC 6033(a)(1).

Failure to comply with the IRC’s reporting and record-keeping requirements subject an exempt organization to civil and criminal penalties under the Internal Revenue Code. See IRC Sections 6652 (Failure to file certain information returns); 6662 (Imposition of accuracy-related penalty); 7201 (Attempt to evade or defeat tax); 7203 (Willful failure to file return, supply information, or pay tax); 7206 (Fraud and false statements); and 7207 (Fraudulent returns, statements or other documents). Moreover, any return, declaration, statement, or other document required to be made under any provision of the internal revenue laws or regulations shall contain or be verified by a written declaration that it is made under penalty of perjury. IRC 6065. While it is the taxpayer’s obligation to comply with the IRC, it is the IRS’s duty to enforce the tax code.



**B. The IRS Is Charged With Enforcing Compliance With The Internal Revenue Code.**

“The Secretary [of the Treasury] shall collect the taxes imposed by the internal revenue laws.” IRC 6301. In addition to the Secretary, the IRC provides for the appointment of a Commissioner of Internal Revenue whose duties and powers include “the power to administer, manage, conduct, direct, and supervise the executions and application of the internal revenue laws and related statutes.” IRC 7803(a)(2)(A). The IRS has the discretion to require any taxpayer to make its tax returns and its supporting statements and records available for examination to show whether or not such taxpayer is liable for tax under the IRC. IRC 6001.

For the purpose of ascertaining the correctness of any tax return, the IRS is authorized to:

(1) examine any books, papers, records, or other data which may be relevant or material to such inquiry; (2) summon the person liable for tax or required to perform the act, or any officer or employee of such person, or any person having possession, custody, or care of books of account containing entries relating to the business of the person liable for tax or required to perform the act, or any other person the Secretary may deem proper, to appear before the Secretary at a time and place named in the summons and to produce such books, papers, records, or other data, and to give such testimony, under oath, as may be relevant or material to such inquiry; and (3) to take such testimony of the person concerned, under oath, as may be relevant or material to such inquiry.

IRC 7602(a).

The evidence presented in this complaint indicates that the NEA has failed to comply with its duties under the IRC to report fully its political expenditures, and, hence, its taxable income. Since at least filing its 1994 Form 990, the NEA has failed to fully report its political expenditures, thereby using tax-exempt funds for taxable purposes. Moreover, the PSEA has failed to fully report its political expenditures in its 1994, 1995, and 1996 Form 990 tax returns. Landmark believes this same pattern of under-reporting exists throughout the NEA's state affiliate structure, including North Carolina, Nebraska, Kansas and Minnesota.



**C. The IRS Must Determine Whether The NEA Is Subject To Civil And Criminal Penalties.**

An exempt organization's failure to include any of the information required to be shown on a Form 990, or to provide correct information, exposes the organization to civil penalties pursuant to IRC 6652 and IRC 6662. IRC 6652 provides that an exempt organization the size of the NEA can be fined up to \$50,000 for each tax year for which the organization has failed to report the full extent of its political expenditures on its Form 990 tax returns for 1994, 1995, 1996, 1997, 1998 and 1999. Moreover, the NEA's failure to account fully for its political expenditures may be ongoing, implicating future tax return filings.

IRC 6662 imposes additional penalties for inaccurate reporting on an exempt organization's tax return. Where an underpayment of taxes results from an exempt organization's "negligence or disregard of rules or regulations," the organization is subject to a penalty in an amount equal to 20 percent of the portion of the underpayment. "Negligence" includes "any failure to make a reasonable attempt to comply with the provisions of [the IRC]" and the term "disregard" includes "any careless, reckless, or intentional disregard." IRC 6662(c).

IRC 6662(d) also provides additional penalties where income is substantially understated on a tax return. A "substantial understatement" of income tax occurs if the amount of the understatement for the taxable year exceeds the greater of 10 percent of the tax required to be shown on the return for the taxable year, or \$5,000.

Moreover, the IRS must determine whether the NEA and its state affiliates have engaged in a willful attempt in any manner to:

Evade or defeat any tax imposed by [the IRC] or the payment thereof... in addition to other penalties provided by law, [the NEA and certain of its state



affiliates may] be guilty of a felony and, upon conviction thereof, shall be fined not more than \$500,000...

IRC 7201. In addition, IRC 7203 provides that any person (or organization) required to pay any tax, or required to file a tax return and maintain records as required by law, shall be fined not more than \$100,000, or imprisoned not more than one year, or both, in the event those obligations are not fulfilled.

Finally, these tax returns are verified as to their truthfulness by the organization's designated officer or agent in accordance with IRC 6033(a)(1). Accordingly,

Any person who willfully delivers or discloses to the Secretary any list, return, account, statement, or other document, known by him to be fraudulent or to be false as to any material matter, shall be fined not more than... \$50,000 (in the case of a corporation such as the NEA), or imprisoned not more than 1 year, or both.

IRC 7206. See IRC 7206 (Fraud and false statements).

The IRS must consider whether these civil and criminal provisions have been violated and whether appropriate referrals should be made to law enforcement agencies.

## V. CONCLUSION

IRS enforcement of the IRC enables the public, NEA members and non-member fee payers to receive accurate and complete information about the NEA's political activities. The evidence presented in this complaint indicates that for several years the NEA and certain of its state affiliates have failed to disclose the full extent of their political activities and expenditures as required by the Internal Revenue Code. As a result, the NEA and these state affiliates appear to have submitted inaccurate tax returns that conceal their taxable income.

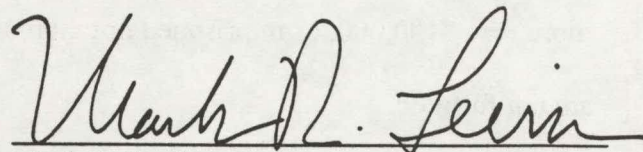
Accordingly, the IRS, pursuant to IRC Section 501(a), should conduct a comprehensive functional and financial investigation to determine the full extent of the political activities and expenditures of the NEA and its state affiliates. Where appropriate, the IRS should assess

income taxes on tax-exempt resources used for political purposes and impose fines and penalties, including possible revocation of the tax-exempt status of these organizations.

Respectfully submitted,

LANDMARK LEGAL FOUNDATION

By

A handwritten signature in dark ink, appearing to read "Mark R. Levin", written over a horizontal line.

Mark R. Levin  
Landmark Legal Foundation  
445-B Carlisle Drive  
Herndon, Virginia 20170  
(703) 689-2370

and

Richard P. Hutchison  
3100 Broadway, Suite 1110  
Kansas City, Missouri 64111  
(816) 931-5559

Original filed on July 20, 2001



**LANDMARK**



Legal Foundation  
445-B Carlisle Drive  
Herndon, VA 20170

(703) 689-2370

(703) 689-2373 (fax)

<http://www.landmarklegal.org>

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Email: \_\_\_\_\_





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Herndon, VA 20170