

# THE

# KEEP THE KIDS BUSY FOUNDATION INC.

# 15 STEP PROCESS



15th step, and final step. Advance into the real world, you are ready, "Be a leader"

14th step, is graduation. Congratulations, you did it!

13th step, is a commitment to sign up to vote and make your vote count.

12th step, is seminars. Learn about what is going on in the world.

11th step, you've earned a piece of this step. Do you want a job?

10th step, is your vocation step. Learn about other places.

9th step, is your scholarship step. This step is for your future education.

8th step, is the advanced step. Go get paid! Remember your commitment to the guidelines.

7th step, advance to step 8-12 to get paid.

6th step, you must show your talent and skill.

5th step, you must continue to climb to success. Remember your commitment to the guidelines.

4th step, you must wake up to the real world and tell people you are alive.

3rd step, we are putting the right people in place to work for you.

2nd step, at this step you must get ready to grow.

1st step, look around and see the great people and businesses who support you, "Remember those who help you make it to the top".

## 15 OUT PROCESSING

## 14 GRADUATION

## 13 VOTER REGISTRATION

## 12 EDUCATIONAL SEMINARS

## 11 WORK STUDY JOBS CREATION

## 10 ROAD TRIPS

## 9 SCHOLARSHIPS FUND ACCOUNT

## 8 ALLOWANCES BANK ACCOUNT

## 7 PROCEEDS FROM THE EVENTS GO TO STEP 8-12

## 6 GAME TIME - SHOW TIME

## 5 AUDITIONS - TRYOUTS

## 4 ADVERTISEMENT - MARKETING CAMPAIGNS

## 3 STAFFING - WORK STUDY JOBS DEVELOPMENT

## 2 YOUTH REGISTRATION

## 1 VOLUNTEERS - SPONSOR REGISTRATION





*Freedom of Information  
and  
Privacy Acts*



*Federal Bureau of Investigation*

**FOR PUBLIC RELEASE**

**-CONGRESSIONAL REVIEW -  
"SEE SUPPORT DOCUMENTS"**



**-FOR EDUCATIONAL PURPOSES ONLY-**





*This certifies that*

**Keep The Kids Busy Fnd. Inc.**

*is a member of the  
Educational Dealers & Suppliers Association  
International*

Date October 9, 1996  
*Costa Mesa, California*

Samuel L. Goff  
*Director*

Allen E. W.  
*Director*

*EDSA International is dedicated to 1) the establishment of good communication among dealers, suppliers and independent representatives 2) providing member services in a cost-effective manner to all sectors of the educational market.*



# LEGAL NOTICE CERTIFICATE

PRESENTED TO

**kidsfunds.org**

KEEP THE KIDS BUSY FOUNDATIONS, INC.

**For being an Outstanding Administrative Professional Service Organization**

**We couldn't do it without you!**

**Awarded this 21 day of June, 1996**





## LEGAL NOTICE CERTIFICATE

Dear Shoppers:

This notice is to inform you and to advise you that we stand 100 % behind any items that you purchase from this site. As our motto say..."100 % money back guarantee.

If for any reason you are displeased or not satisfied with the quality of your purchase, you have 30 days window from the date of receipt to return the item for a full refund. This does not include any negligence on your part but does cover the protection from the time of purchase and the delivery to your door.

During the shipment of your purchase it is fully covered and protected with our merchant's insurance agency that will be available to assist with any claims or issues.

So please feel free to shop, browse and purchase with ease in know that everything you see or wish to purchase is fully protected and is 100 % money back guarantee with proof of a valid purchase receipt that will be generated by the payment



system.

\*\*\* Please note that this policy does not apply to subscription payment into the program or programs of the Keep The Kids Busy Foundation, Inc. It is only suitable for merchandise purchases only. Even though, all funds generated will be used for fundraising purposes and tax deductible expenses. Please consult with your tax adviser and your local, state or country the internal revenue service or unit for more information on how to make your purchase a tax deductible expense.

Continue to enjoy the site and happy shopping.

Chief Executive Officer (CEO)

# LEGAL NOTICE CERTIFICATE

Dear Subscriber or Participate:

The transaction in the amount you are agreeing to purchase is for the subscription into the Keep The Kids Busy Foundation's program it is not a merchandise purchase therefore the 30 day window or policy does not apply to it. This is a tax expense that you can keep and present for tax filing purposes.

Upon your acceptance and processing your level of payments into the program these funds will be immediately reported to the financial institution and properly prepared and reported to your local, state and internal revenue service or agency.

This is no purchase for material goods but a purchase for participation into the program.

Upon successful transaction of your payment and processing you or your family member into the program, you will have open access to all the online events, activities and announcement performed by the program. (i.e., chat rooms and more will be available as well as other activities inside of Phase III of the program.)



Chief Executive Officer (CEO)

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**EDSA**  
INTERNATIONAL

*This certifies that*

**Keep The Kids Busy Fnd. Inc.**

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International*

Date

**October 9, 1996**

*Costa Mesa, California*

*Samuel L. Goff*

*Allen E. Warr*

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Search Criteria: Keep The Kids Busy  
Foundation of Mississippi

Search Date: 9/26/2013

Search Time: 11:32

Click on the Business Entity Name or Charter Number to view more information.

Business Entity Name	Business ID	Type	Status	Entity Creation Date
<a href="#">KEEP THE KIDS BUSY FOUNDATION OF MISSISSIPPI</a>	<a href="#">670109</a>	Non-Profit Corporation	Good Standing	4/28/1999

Records Returned 1 to 1

Business

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Keep The Kids Busy Foundations, Inc. Universal for Universal Trade Business, etc. For Professional Fundraising Purposes Only

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# State of Mississippi

Secretary of State's Office

Eric Clark

Secretary of State  
Jackson, Mississippi

## MISSISSIPPI CORPORATION INFORMATION SYSTEM

Corporation Name:

KEEP THE KIDS BUSY FOUNDATION OF MISSISSIPPI

Corp ID: 0670109

Filed: 04/28/1999 AT 8:00 A. M.

Filing Fee Receipt: \$50.00



SECRETARY OF STATE  
P.O. Box 136  
Jackson, MS 39205  
(601) 359-1333

*Eric Clark*

ERIC CLARK  
Secretary of State



## Articles of Incorporation



The undersigned, pursuant to Section 79-4-2.02 (if a profit corporation) or Section 79-11-137 (if a nonprofit corporation) of the Mississippi Code of 1972, hereby executes the following document and sets forth:

## 1. Type of Corporation

⇒ ☐ Profit ☒ Nonprofit

## 2. Name of the Corporation

⇒ Keep The Kids Busy Foundation of Mississippi

3. The future effective date is  
(Complete if applicable)

⇒ 4. FOR NONPROFITS ONLY: The period of duration is ☐ years or ☒ perpetual

## 5. FOR PROFITS ONLY: The Number (and Classes) if any of shares the corporation is authorized to issue is (are) as follows

Classes

# of Shares Authorized

If more than one (1) class of shares is authorized, the preferences, limitations, and relative rights of each class are as follows:

(See Attached)

## 6. Name and Street Address of the Registered Agent and Registered Office is

⇒ Name Harvey C. Freelon

⇒ Physical Address 440 N. Mill Street

⇒ P.O. Box P.O. Box 31762

⇒ City, State, ZIP5, ZIP4 Jackson MS 39286 -

## 7. The name and complete address of each incorporator are as follows

⇒ Name Samuel L. Clemmons

⇒ Street 438 N. Mill Street

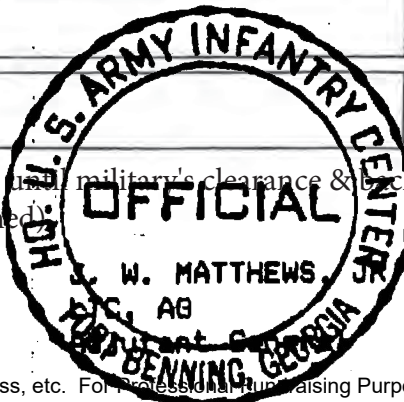
Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)

Rev. 01/96



This page conforms with the duplicate original filed with the Secretary of State.

*Eric Clark*  
Secretary of State



Articles of Incorporation



⇒ City, State, ZIP5, ZIP4

Jackson

MS

39202 -

⇒ Name

⇒ Street

⇒ City, State, ZIP5, ZIP4

⇒ Name

⇒ Street

⇒ City, State, ZIP5, ZIP4

⇒ Name

⇒ Street

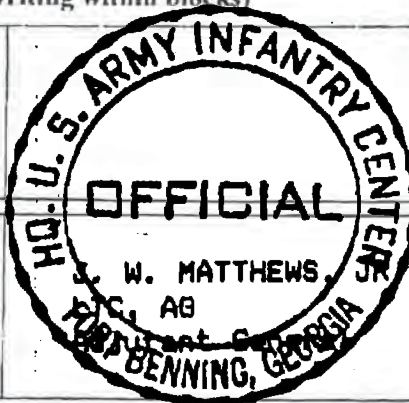
⇒ City, State, ZIP5, ZIP4

⇒ 8. Other Provisions

See Attached

9. Incorporators' Signatures (please keep writing within blocks)

*Samuel L. Clemmons*  
Samuel L. Clemmons



This page conforms with the duplicate original filed with the Secretary of State.

*Eric Clark*  
Secretary of State

Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)

Rev. 01/96



*The Kids You Save May Be Your Own*

SM



**KTKB**

**KEEP THE KIDS BUSY FOUNDATION, INC.**

**CODE OF ETHIC & BY LAWS**

**"LET THE LAWS STAND**

**ON**

**THEIR OWN"...**

**&**

**THE FRUIT WILL BEAR**

**FOUNDED & DIRECTED BY:**

**PROGRAM DIRECTOR**

**COMPLETED: May 27, 1999**

**Appication # 0011064183**

Internal Revenue Service  
District Director

Department of the Treasury

P. O. Box 2508  
Cincinnati, OH 45201

Date: August 26, 1999

Person to Contact:

Kathy Masters #31-04015  
Customer Service Representative

Telephone Number:

877-829-5500

Fax Number:

513-684-5936

Federal Identification Number:

58-2177597

Keep the Kids Busy Foundation  
% Samuel L. Clemmons  
1533 Raymond Road,  
Jackson, MS 39204

Dear Sir or Madam:

This letter is in response to your letter dated August 20, 1999.

Our records indicate that a determination letter issued in June 1996 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(2).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay. Form 990 should be filed at the below address. A new Federal Identification number is not required to file your Form 990.

Internal Revenue Service  
Ogden, UT 84201-0027

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.



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Keep the Kids Busy Foundation  
58-2177597

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your organization's exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,

*C. Ashley Bullard*  
C. Ashley Bullard  
District Director



Note: Organization is on hold or in suspense status until military's clearance & background is completed.  
(See speical military's regulations attached)



**CODE OF ETHICS FOR DIRECTORS, OFFICERS, AND EMPLOYEES  
OF THE  
KTKB COMMITTEE FOR THE ORGANIZATION'S EVENTS AND FUNCTION**

**SECTION 1. DECLARATION OF POLICY**

The Keep the Kids Busy Foundation, INC. have undertaken to grant the county of Gwinnett and the city of Atlanta, Georgia to work in connection with Hinds county and other surrounding counties of Mississippi to initial start up the organization with other cities, counties, and countries pattern themselves off it. The organization is to become organized in the best possible manner and take place under the best possible conditions for the benefits of students around in these communities. Bring the organization here is intended to contribute to the further development and growth of our students and people throughout counties that are concern about their children's social, and future skills.

In this light, the organization shall promote the development of the spiritual values as well as the sporting merits of the great competition of our students across the globe. The organization shall not serve any purpose other than the interests of the organization movement that is to produce productive citizens.

The Code of Ethics is intended to uphold and protect the high standards of the organization movement that is "first class or no class". We are demanding to give our students the BEST! KTKB shall take the measures provided in this Code to ensure that its Board members, Officers, and Employees be, and give the appearance of being, independent and impartial, that serving on the Board of Directors. The Officers or Employee not be used for private gain, and that there be public confidence in the integrity of KTKB.

**SECTION 2. DEFINITIONS**

As Used in this Code:

- 1) "KTKB" means the Keep the Kids Busy Foundation, Inc. including its Ambassadors Board members, Officers and Employees.
- 2) "Advisory Board Member" means any Advisory Directors of KTKB appointed from a certain period of time by the Board of Directors of KTKB.
- 3) "Ambassadors" means any elected student official from an educational unit who serve adjacent to the lower level Board of Directors and reports and advises the student body of the all future activities of the organization.
- 4) "Board Member" means any member of the Board of Director of KTKB, or any Advisory Board Member.



Form **872-C**

(Rev. July 1993)

Department of the Treasury  
Internal Revenue Service**Consent Fixing Period of Limitation Upon  
Assessment of Tax Under Section 4940 of the  
Internal Revenue Code**

(See instructions on reverse side.)

OMB No. 1545-0056

To be used with  
Form 1023. Submit  
in duplicate.

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(vi) or section 509(a)(2) during an advance ruling period,

KEEP THE KIDS BUSY FOUNDATION, INC.  
(Exact legal name of organization as shown in organizing document)  
40 SAMUEL L. CLEMMONS  
501 PRESTON LAKE DR. TUCKER, GA. 30084  
(Number, street/city or town, state, and ZIP code)

and the  
District Director of  
Internal Revenue, or  
Assistant  
Commissioner  
(Employee Plans and  
Exempt Organizations)

Consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year JUNE 30, 1996  
(Month, day, and year)



Note: Organization is on hold or in suspense status until military's clearance is completed. (See special military's regulations attached)

Name of organization (as shown in organizing document)

KEEP THE KIDS BUSY FOUNDATION, INC.

Officer or trustee having authority to sign

Signature

For IRS use only

District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)

Paul M. Harrington

Date

**OFFICIAL**W. MATTHEWSA.C. ABBENNING, GEORGIA

Date

JUN 21 1996

By

Keep The Kids Busy Foundations, Inc. Universal for Universal Trade Business, etc. For Professional Fundraising Purposes Only

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**STATE OF MISSISSIPPI  
SECRETARY OF STATE**



POST OFFICE BOX 136  
JACKSON, MISSISSIPPI 39205-1036  
TELEPHONE (601) 359-1333

**DUTIES AND RESPONSIBILITIES  
FOLLOWING THE INCORPORATION OF A  
MISSISSIPPI NON-PROFIT CORPORATION**

1. After incorporation, if initial directors are named in the Articles of Incorporation, the initial directors must hold an organizational meeting, at a call of a majority of the directors, to complete organization of the corporation by appointing officers and carrying on other business brought before the meeting.
2. If initial directors were not named in the Articles, the incorporator (s) must hold an organizational meeting at a call of a majority of the incorporators:
  - a. to elect directors and complete the organization of the corporation;
  - OR
  - b. to elect a board of directors who must complete the organization of the corporation.

**IT IS IMPERATIVE THAT THE ORGANIZATIONAL MEETING TAKE PLACE WITHIN TWO YEARS OF THE DATE OF INCORPORATION AS REQUIRED BY SECTION 180 OF THE MISSISSIPPI CONSTITUTION. IF THIS REQUIREMENT IS NOT MET, THE CORPORATION'S CHARTER IS VOID.**

3. Organizing the corporation includes the following:
  - a. electing or appointing officers of the corporation, whichever is applicable. see 1 and 2 above;
  - b. adopting bylaws for the operation of the corporation;
  - c. opening bank account in corporate name;
  - d. completing any pre-incorporation agreements.



**PATRISE PERKINS-HOOKER & ASSOCIATES, P.C.**

*999 Peachtree Street, N.E., Suite 2850*

*Atlanta, GA 30309*

*(404) 249-8477 telephone*

*(404) 249-7927 facsimile*

July 2, 1996

Samuel L. Clemmons  
Keep The Kids Busy Foundation  
501 Preston Lake Drive  
Tucker, Georgia 30084

**RE: Transmittal of Exempt Status Approval Letter**

Dear Lennious:

Enclosed herein, please find the above-described approval letter wherein which Keep the Kids Busy Foundation, Inc. has been determined by the IRS to be exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization classified as a 501(c)(3). Due to the fact that your foundation is being considered a publicly supported organization, you will need to supply the IRS additional information if you change the purpose of your organization or its operating procedures. The IRS reviews the status of all organizations every five years to determine their exemption eligibility. Your renewal date is June 30, 2000. At this time you will be responsible for demonstrating that you are still a publicly supported charity.

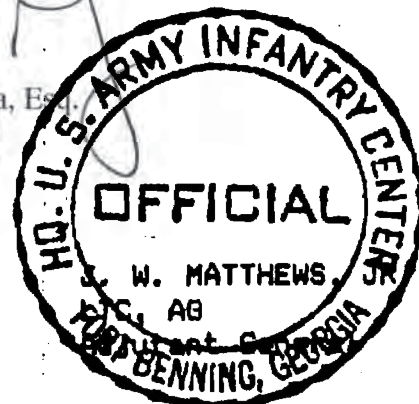
If you have any questions regarding the foregoing or need for us to do anything else, please do not hesitate to contact Patrise or myself.

Sincerely,

**PATRISE PERKINS-HOOKER &  
ASSOCIATES, P.C.**

  
Jeffrey M. Gaba, Esq.

cc: Patrise M. Perkins-Hooker, Esq.



W\LENNIOUS\9LENNIQU.LTR



INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
401 W. PEACHTREE ST, NW  
ATLANTA, GA 30365-0000

DEPARTMENT OF THE TREASURY

Date: JUN 21 1996

KEEP THE KIDS BUSY FOUNDATION INC  
501 PRESTON LAKE DR  
TUCKER, GA 30084

Employer Identification Numbers:  
58-2177597  
Case Numbers:  
586143021  
Contact Person:  
EP/EO CUSTOMER SERVICE UNIT  
Contact Telephone Number:  
(410) 962-6058  
Accounting Period Endings:  
June 30  
Foundation Status Classifications:  
509(a)(2)  
Advance Ruling Period Begins:  
July 19, 1995  
Advance Ruling Period Ends:  
June 30, 2000  
Addendum Applies:  
Yes

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we



KEEP THE KIDS BUSY FOUNDATION INC

will no longer treat you as a publicly supported organization; grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning July 19, 1995.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of



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KEEP THE KIDS BUSY FOUNDATION INC

the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

You indicate that you will not finance your activities with tax-exempt bonds or certificates of participation. Therefore, this determination letter is based on the understanding that you will not raise funds through such financing. If in the future you wish to raise funds by either of these methods, you should request a ruling from the Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attn: CP:E:EO:R, according to Revenue Procedure 90-4, 1990-2 I.R.B. 10.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.



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KEEP THE KIDS BUSY FOUNDATION INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

*Paul R. Hunsinger*

District Director

Enclosure(s):  
Addendum  
Form 872-C



Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)



KEEP THE KIDS BUSY FOUNDATION INC

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, and supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$10 per day for each day there is failure to comply (up to a maximum of \$5,000 in the case of an annual return). See Internal Revenue Service Notice 88-120, 1988-2 C.B. 454, for additional information.

If your organization conducts fund-raising events such as benefit dinners, auctions, membership drives, etc., where something of value is received in return for contributions, you can help your donors avoid difficulties with their income tax returns by assisting them in determining the proper tax treatment of their contributions. To do this you should, in advance of the event, determine the fair market value of the benefit received and state it in your fund-raising materials such as solicitations, tickets, and receipts in such a way that your donors can determine how much is deductible and how much is not. To assist you in this, the Service has issued Publication 1391, Deductibility of Payments Made to Charities Conducting Fund-Raising Events. You may obtain copies of Publication 1391 from your local IRS Office. Guidelines for deductible amounts are also set forth in Revenue Ruling 67-246, 1967-2 C.B. 104 and Revenue Procedure 90-12, 1990-1 C.B. 471 and Revenue Procedure 92-49, 1992-26 I.R.B. 18.



**Secretary of State**  
**Business Information and Services**  
**Suite 315, West Tower**  
**2 Martin Luther King Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

CONTROL NUMBER: 9526298  
EFFECTIVE DATE: 07/19/1995  
COUNTY : DEKALB  
REFERENCE : 0072  
PRINT DATE : 09/06/1995  
FORM NUMBER : 311

PATRISE M. PERKINS-HOOKER, ESQ.  
999 PEACHTREE ST, N.E.  
SUITE 2850  
ATLANTA GA 30309

**CERTIFICATE OF INCORPORATION**

I, **MAX CLELAND**, Secretary of State and the Corporation Commissioner of the State of Georgia, do hereby certify under the seal of my office that

**KEEP THE KIDS BUSY FOUNDATION, INC.**

has been duly incorporated under the laws of the State of Georgia on the effective date stated above by the filing of articles of incorporation in the office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

**WITNESS** my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.



*Max Cleland*  
MAX CLELAND  
SECRETARY OF STATE

ARTICLES OF INCORPORATION  
OF  
KEEP THE KIDS BUSY FOUNDATION, INC.

1.

The name of the non-profit Corporation is "KEEP THE KIDS BUSY FOUNDATION, INC."

2.

The Corporation is organized pursuant to the provisions of the corporate statutes of the Georgia Non-Profit Corporation Code.

3.

The Corporation shall have perpetual duration.

4.

The Corporation is a non-profit Corporation and is organized to train inner city youth to develop creative talents in conjunction with other non-profit agencies, and to perform any and all other purposes as provided for under the Georgia Non-Profit Corporation Code.

5.

Said Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

6.

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in Article 4 hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or



otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a Corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

7.

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

8.

The address of the initial principal office of the Corporation is located at 501 Preston Lake Drive, Tucker, Georgia 30084, and the initial registered agent of the Corporation is Patrise M. Perkins-Hooker whose mailing address is 999 Peachtree Street, N.E., Suite 2850, Atlanta, Georgia 30309.

9.

The initial board of directors shall consist of seven(7) to ten(10) members.

10.

The liability of a director of the Corporation to the Corporation or its shareholders, for monetary damages for breach of a duty of care or other duty as a director, shall be limited to the fullest extent permitted under the Georgia Non-Profit Corporation Code, as amended, including but not limited to, the provisions of Section 14-2-202(b)(4) of the Code.



11.

The Corporation shall have no members.

12.

The Corporation shall indemnify a director made a party to a proceeding, and shall advance or reimburse expenses incurred in a proceeding, including a proceeding brought by or in the right of the corporation, to the fullest extent permitted under the code; including, but not limited to, the provisions of Section 14-2-856 of the Code.

13.

The name and address of the incorporator is:

Patrise M. Perkins-Hooker, Esq., 999 Peachtree Street, N.E., Suite 2850, Atlanta, Georgia 30309.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation.

This 14 day of July, 1995.

INCORPORATOR:

*Patrise M. Perkins-Hooker*  
PATRISE M. PERKINS-HOOKER



Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)



56: 11 13 8 504

W:\NONPROF.INC



# LEGAL NOTICE CERTIFICATE

Dear Subscriber or Participate:

The transaction in the amount you are agreeing to purchase is for the subscription into the Keep The Kids Busy Foundation's program it is not a merchandise purchase therefore the 30 day window or policy does not apply to it. This is a tax expense that you can keep and present for tax filing purposes.

Upon your acceptance and processing your level of payments into the program these funds will be immediately reported to the financial institution and properly prepared and reported to your local, state and internal revenue service or agency.

This is no purchase for material goods but a purchase for participation into the program.

Upon successful transaction of your payment and processing you or your family member into the program, you will have open access to all the online events, activities and announcement performed by the program. (i.e., chat rooms and more will be available as well as other activities inside of **Phase III** of the program.)



Chief Executive Officer (CEO)

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Form **872-C**

(Rev. July 1993)

Department of the Treasury  
Internal Revenue Service**Consent Fixing Period of Limitation Upon  
Assessment of Tax Under Section 4940 of the  
Internal Revenue Code**

(See instructions on reverse side.)

OMB No. 1545-0056

To be used with  
Form 1023. Submit  
in duplicate.

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(vi) or section 509(a)(2) during an advance ruling period,

KEEP THE KIDS BUSY FOUNDATION, INC.

(Exact legal name of organization as shown in organizing document)

PO SAMUEL L. CLEMMONS501 PRESTON LAKE DR. TUCKER, GA 30084

(Number, street/city or town, state, and ZIP code)

and the  
District Director of  
Internal Revenue, or  
Assistant  
Commissioner  
(Employee Plans and  
Exempt Organizations)

Consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year JUNE 30, 1996  
(Month, day, and year)



Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See special military's regulations attached)

Name of organization (as shown in organizing document)

KEEP THE KIDS BUSY FOUNDATION, INC.

Officer or trustee having authority to sign

Signature

For IRS use only

District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)

Paul M. Harrington

Date

MARCH 20, 1996

Title

PRESIDENT

Date

JUN 21 1996

By

For Paperwork Reduction Act Notice, see page 1 of the Form 1023 Instructions.

Cat. No. 169050



**PATRIS PERKINS-HOOKER & ASSOCIATES, P.C.**

**999 Peachtree Street, N.E., Suite 2850**

**Atlanta, GA 30309**

**(404) 249-8477 telephone**

**(404) 249-7927 facsimile**

July 2, 1996

Samuel L. Clemmons  
Keep The Kids Busy Foundation  
501 Preston Lake Drive  
Tucker, Georgia 30084  
Web: [kidsfunds.org](http://kidsfunds.org)

**RE: Transmittal of Exempt Status Approval Letter**

Dear Officer Clemmons:

Enclosed herein, please find the above-described approval letter wherein which Keep the Kids Busy Foundation, Inc. has been determined by the IRS to be exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization classified as a 501(c)(3). Due to the fact that your foundation is being considered a publicly supported organization, you will need to supply the IRS additional information if you change the purpose of your organization or its operating procedures. The IRS reviews the status of all organizations every five years to determine their exemption eligibility. Your renewal date is June 30, 2000. At this time you will be responsible for demonstrating that you are still a publicly supported charity.

If you have any questions regarding the foregoing or need for us to do anything else, please do not hesitate to contact Patrise or myself.



Sincerely,

**PATRIS PERKINS-HOOKER &  
ASSOCIATES, P.C.**

  
Jeffrey M. Gaba, Esq.

cc: Patrise M. Perkins-Hooker, Esq.

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Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
401 W. PEACHTREE ST, NW  
ATLANTA, GA 30365-0000

DEPARTMENT OF THE TREASURY

Date: JUN 21 1996

KEEP THE KIDS BUSY FOUNDATION INC  
501 PRESTON LAKE DR  
TUCKER, GA 30084

Employer Identification Number:  
58-2177597  
Case Number:  
586143021  
Contact Person:  
EP/EO CUSTOMER SERVICE UNIT  
Contact Telephone Number:  
(410) 962-6058  
Accounting Period Endings:  
June 30  
Foundation Status Classification:  
509(a)(2)  
Advance Ruling Period Begins:  
July 19, 1995  
Advance Ruling Period Ends:  
June 30, 2000  
Addendum Applies:  
Yes

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

Letter 1045 (00/CG)



KEEP THE KIDS BUSY FOUNDATION INC

will no longer treat you as a publicly supported organization; grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning July 19, 1995.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of



KEEP THE KIDS BUSY FOUNDATION INC

the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

You indicate that you will not finance your activities with tax-exempt bonds or certificates of participation. Therefore, this determination letter is based on the understanding that you will not raise funds through such financing. If in the future you wish to raise funds by either of these methods, you should request a ruling from the Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attn: CP:E:EO:R, according to Revenue Procedure 90-4, 1990-2 I.R.B. 10.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.



KEEP THE KIDS BUSY FOUNDATION INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



*Paul R. Huntington*

District Director

Enclosure(s)  
Addendum  
Form 872-C

Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)

KEEP THE KIDS BUSY FOUNDATION INC

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, and supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$10 per day for each day there is failure to comply (up to a maximum of \$5,000 in the case of an annual return). See Internal Revenue Service Notice 88-120, 1988-2 C.B. 454, for additional information.

If your organization conducts fund-raising events such as benefit dinners, auctions, membership drives, etc., where something of value is received in return for contributions, you can help your donors avoid difficulties with their income tax returns by assisting them in determining the proper tax treatment of their contributions. To do this you should, in advance of the event, determine the fair market value of the benefit received and state it in your fund-raising materials such as solicitations, tickets, and receipts in such a way that your donors can determine how much is deductible and how much is not. To assist you in this, the Service has issued Publication 1391, Deductibility of Payments Made to Charities Conducting Fund-Raising Events. You may obtain copies of Publication 1391 from your local IRS Office. Guidelines for deductible amounts are also set forth in Revenue Ruling 67-246, 1967-2 C.B. 104 and Revenue Procedure 90-12, 1990-1 C.B. 471 and Revenue Procedure 92-49, 1992-26 I.R.B. 18.



**Secretary of State**  
**Business Information and Services**  
**Suite 315, West Tower**  
**2 Martin Luther King Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

CONTROL NUMBER: 9526298  
EFFECTIVE DATE: 07/19/1995  
COUNTY : DEKALB  
REFERENCE : 0072  
PRINT DATE : 09/06/1995  
FORM NUMBER : 311

PATRISE M. PERKINS-HOOKER, ESQ.  
999 PEACHTREE ST, N.E.  
SUITE 2850  
ATLANTA GA 30309

**CERTIFICATE OF INCORPORATION**

I, **MAX CLELAND**, Secretary of State and the Corporation Commissioner of the State of Georgia, do hereby certify under the seal of my office that

**KEEP THE KIDS BUSY FOUNDATION, INC.**

has been duly incorporated under the laws of the State of Georgia on the effective date stated above by the filing of articles of incorporation in the office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

**WITNESS** my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.



*Max Cleland*  
**MAX CLELAND**  
**SECRETARY OF STATE**

CORPORATIONS  
656-2817

CORPORATIONS HOT LINE  
404-656-2222  
Outside Metro-Atlanta

ARTICLES OF INCORPORATION  
OF  
KEEP THE KIDS BUSY FOUNDATION, INC.

1.

The name of the non-profit Corporation is "KEEP THE KIDS BUSY FOUNDATION, INC."

2.

The Corporation is organized pursuant to the provisions of the corporate statutes of the Georgia Non-Profit Corporation Code.

3.

The Corporation shall have perpetual duration.

4.

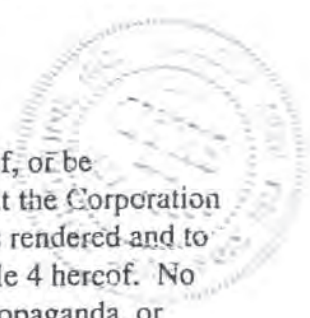
The Corporation is a non-profit Corporation and is organized to train inner city youth to develop creative talents in conjunction with other non-profit agencies, and to perform any and all other purposes as provided for under the Georgia Non-Profit Corporation Code.

5.

Said Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

6.

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in Article 4 hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or





otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a Corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a Corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

7.

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

8.


The address of the initial principal office of the Corporation is located at 501 Preston Lake Drive, Tucker, Georgia 30084, and the initial registered agent of the Corporation is Patrise M. Perkins-Hooker whose mailing address is 999 Peachtree Street, N.E., Suite 2850, Atlanta, Georgia 30309.

9.

The initial board of directors shall consist of seven(7) to ten(10) members.

10.

The liability of a director of the Corporation to the Corporation or its shareholders, for monetary damages for breach of a duty of care or other duty as a director, shall be limited to the fullest extent permitted under the Georgia Non-Profit Corporation Code, as amended, including but not limited to, the provisions of Section 14-2-202(b)(4) of the Code.



11.

The Corporation shall have no members.

12.

The Corporation shall indemnify a director made a party to a proceeding, and shall advance or reimburse expenses incurred in a proceeding, including a proceeding brought by or in the right of the corporation, to the fullest extent permitted under the code; including, but not limited to, the provisions of Section 14-2-856 of the Code.

13.

The name and address of the incorporator is:

Patrise M. Perkins-Hooker, Esq., 999 Peachtree Street, N.E., Suite 2850, Atlanta, Georgia 30309.

IN WITNESS WHEREOF, the undersigned incorporator has executed these Articles of Incorporation.

This 14 day of July, 1995.



INCORPORATOR:

*Patrise M. Perkins-Hooker*  
PATRISE M. PERKINS-HOOKER, Esq.

Note: Organization is on hold or in suspense status until military's clearance & background is completed. (See speical military's regulations attached)



56: 11 12 8 6 504



**Internal Revenue Service  
District Director**

**Department of the Treasury**

**P. O. Box 2508  
Cincinnati, OH 45201**

**Date:** August 26, 1999

**Person to Contact:**  
Kathy Masters #31-04015  
Customer Service Representative  
**Telephone Number:**  
877-829-5500  
**Fax Number:**  
513-684-5936  
**Federal Identification Number:**  
58-2177597

**Keep the Kids Busy Foundation**  
**% Samuel L. Clemmons**  
**For Public Posting at:**  
<http://www.kidsfunds.org>

**Dear Sir or Madam:**

This letter is in response to your letter dated August 20, 1999.

Our records indicate that a determination letter issued in June 1996 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in section 509(a)(2).

- This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay. Form 990 should be filed at the below address. A new Federal Identification number is not required to file your Form 990.

**Internal Revenue Service  
Ogden, UT 84201-0027**

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Keep the Kids Busy Foundation  
58-2177597

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. You are also required to make available for public inspection a copy of your organization's exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.



Sincerely,

C. Ashley Bullard  
District Director



## ***Charitable Contributions - Substantiation and Disclosure Requirements***

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**UNDER THE NEW LAW, CHARITIES WILL NEED TO PROVIDE NEW KINDS OF INFORMATION TO DONORS.** Failure to do so may result in denial of deductions to donors and the imposition of penalties on charities.

Legislation signed into law by the President on August 10, 1993, contains a number of significant provisions affecting tax-exempt charitable organizations described in section 501(c)(3) of the Internal Revenue Code. These provisions include: (1) new substantiation requirements for donors, and (2) new public disclosure requirements for charities (with potential penalties for failing to comply). Additionally, charities should note that donors could be penalized by loss of the deduction if they fail to substantiate. **THE SUBSTANTIATION AND DISCLOSURE PROVISIONS APPLY TO CONTRIBUTIONS MADE AFTER DECEMBER 31, 1993.**

Charities need to familiarize themselves with these tax law changes in order to bring themselves into compliance. This Publication alerts you to the new provisions affecting tax-exempt charitable organizations. Set forth below are brief descriptions of the new law's key provisions. The Internal Revenue Service plans to provide further guidance in the near future.

### ***Donor's Substantiation Requirements***

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**Documenting Certain Charitable Contributions.** — Beginning January 1, 1994, no deduction will be allowed under section 170 of the Internal Revenue Code for any charitable contribution of \$250 or more unless the donor has contemporaneous written substantiation from the charity. In cases where the charity has provided goods or services to the donor in exchange for making the contribution, this contemporaneous written acknowledgement must include a good faith estimate of the value of such goods or services. Thus, taxpayers may no longer rely solely on a cancelled check to substantiate a cash contribution of \$250 or more.

The substantiation must be "contemporaneous." That is, it must be obtained by the donor no later than the date the donor actually files a return for the tax year in which the contribution was made. If the return is filed after the due date or extended due date, then the substantiation must have been obtained by the due date or extended due date.

**The responsibility for obtaining this substantiation lies with the donor, who must request it from the charity.** The charity is not required to record or report this information to the IRS on behalf of donors.

The legislation provides that substantiation will not be required if, in accordance with regulations prescribed by the Secretary, the charity reports directly to the IRS the information required to be provided in the written substantiation. At present, there are no regulations establishing procedures for direct reporting by charities to the IRS of charitable contributions made in 1994. Consequently, charities and donors should be prepared to provide/obtain the described substantiation for 1994 contributions of \$250 or more.

There is no prescribed format for the written acknowledgement. For example, letters, postcards or computer-generated forms may be acceptable. The acknowledgement does not have to include the donor's social security or tax identification number. It must, however, provide sufficient information to substantiate the amount of the deductible contribution. The acknowledgement should note the amount of any cash contribution. However, if the donation is in the form of property, then the acknowledgement must describe, but need not value, such property. Valuation of the donated property is the responsibility of the donor.

The written substantiation should also note whether the donee organization provided any goods or services in consideration, in whole or in part, for the contribution and, if so, must provide a description and good-faith estimate of the value of the goods or services. In the new law these are referred to as "quid pro quo contributions."

**Please note that there is a new law requiring charities to furnish disclosure statements to donors for such quid pro quo donations in excess of \$75. This is addressed in the next section regarding Disclosure By Charity.**

If the goods or services consist entirely of intangible religious benefits, the statement should indicate this, but the statement need not describe or provide an estimate of the value of these benefits. "Intangible religious benefits" are also discussed in the following section on Disclosure By Charity. If, on the other hand, the donor received nothing in return for the contribution, the written substantiation must so state.

The present law remains in effect that, generally, if the value of an item or group of like items exceeds \$5,000, the donor must obtain a qualified appraisal and submit an appraisal summary with the return claiming the deduction.

The organization may either provide separate statements for each contribution of \$250 or more from a taxpayer, or furnish periodic statements substantiating contributions of \$250 or more.

Separate payments are regarded as independent contributions and are not aggregated for purposes of measuring the \$250 threshold. However, the Service is authorized to establish anti-abuse rules to prevent avoidance of the substantiation requirement by taxpayers writing separate smaller checks on the same date.

If donations are made through payroll deductions, the deduction from each paycheck is regarded as a separate payment.

A charity that knowingly provides false written substantiation to a donor may be subject to the penalties for aiding and abetting an understatement of tax liability under section 6701 of the Code.

### ***Disclosure by Charity of Receipt of Quid Pro Quo Contribution***

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Beginning January 1, 1994, under new section 6115 of the Internal Revenue Code, a charitable organization must provide a written disclosure statement to donors who make a payment, described as a "quid pro quo contribution," in excess of \$75. This requirement is separate from the written substantiation required for deductibility purposes as discussed above. While, in certain circumstances, an organization may be able to meet both requirements with the same written document, an organization must be careful to satisfy the section 6115 written disclosure statement requirement in a timely manner because of the penalties involved.

A quid pro quo contribution is a payment made partly as a contribution and partly for goods or services provided to the donor by the charity. An example of a quid pro quo contribution is where the donor gives a charity \$100 in consideration for a concert ticket valued at \$40. In this example, \$60 would be deductible. Because the donor's payment (quid pro quo contribution) exceeds \$75, the disclosure statement must be furnished, even though the deductible amount does not exceed \$75.

Separate payments of \$75 or less made at different times of the year for separate fundraising events will not be aggregated for purposes of the \$75 threshold. However, the Service is authorized to develop anti-abuse rules to prevent avoidance of this disclosure requirement in situations such as the writing of multiple checks for the same transaction.

The required written disclosure statement must:

- (1) inform the donor that the amount of the contribution that is de-

ductible for federal income tax purposes is limited to the excess of any money (and the value of any property other than money) contributed by the donor over the value of goods or services provided by the charity, and

- (2) provide the donor with a good-faith estimate of the value of the goods or services that the donor received.

The charity must furnish the statement in connection with either the solicitation or the receipt of the quid pro quo contribution. If the disclosure statement is furnished in connection with a particular solicitation, it is not necessary for the organization to provide another statement when the associated contribution is actually received.

The disclosure must be in writing and must be made in a manner that is reasonably likely to come to the attention of the donor. For example, a disclosure in small print within a larger document might not meet this requirement.

In the following three circumstances, the disclosure statement is not required.

- (1) Where the only goods or services given to a donor meet the standards for "insubstantial value" set out in section 3.01, paragraph 2 of Rev. Proc. 90-12, 1990-1 C.B. 471, as amplified by section 2.01 of Rev. Proc. 92-49, 1992-1 C.B. 987 (or any updates or revisions thereof);
- (2) Where there is no donative element involved in a particular transaction with a charity, such as in a typical museum gift shop sale.
- (3) Where there is only an intangible religious benefit provided to the donor. The intangible religious benefit must be provided to

the donor by an organization organized exclusively for religious purposes, and must be of a type that generally is not sold in a commercial transaction outside the donative context. An example of an intangible religious benefit would be admission to a religious ceremony. The exception also generally applies to de minimis tangible benefits, such as wine, provided in connection with a religious ceremony. The intangible religious benefit exception, however, does not apply to such items as payments for tuition for education leading to a recognized degree, or for travel services, or consumer goods.

A penalty is imposed on charities that do not meet the disclosure requirements. For failure to make the required disclosure in connection with a quid pro quo contribution of more than \$75, there is a penalty of \$10 per contribution, not to exceed \$5,000 per fundraising event or mailing. The charity may avoid the penalty if it can show that the failure was due to reasonable cause.

**Please note that the prevailing basic rule allowing donor deductions only to the extent that the payment exceeds the fair market value of the goods or services received in return still applies generally to all quid pro quo contributions. The \$75 threshold pertains only to the obligation to disclose and the imposition of the \$10 per contribution penalty, not the rule on deductibility of the payment.**



Department of the Treasury  
Internal Revenue Service  
Publication 1771 (11-93)  
Catalog Number 20054Q

**Internal Revenue Service**  
1111 Constitution Avenue, NW  
Washington, D.C. 20224

Bulk Rate  
Postage and Fees Paid  
IRS  
Permit No. G-48

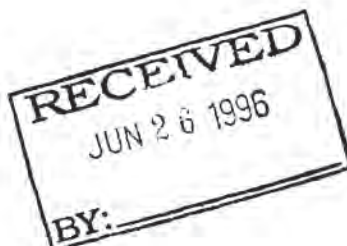


INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
401 N. PEACHTREE ST, NW  
ATLANTA, GA 30345-0000

DEPARTMENT OF THE TREASURY

Date: JUN 21 1996

KEEP THE KIDS BUSY FOUNDATION INC  
C/O PATRISE M PERKINS-HOOKER ESQ  
PATRISE PERKINS-HOOKER & ASSOC  
999 PEACHTREE STREET SUITE 2850  
ATLANTA, GA 30309



Employer Identification Number:  
58-2177597  
Case Number:  
586143021  
Contact Person:  
EP/EO CUSTOMER SERVICE UNIT  
Contact Telephone Number:  
(410) 962-6058  
Accounting Period Endings:  
June 30  
Foundation Status Classification:  
509(a)(2)  
Advance Ruling Period Begins:  
July 19, 1995  
Advance Ruling Period Ends:  
June 30, 2000  
Addendum Applies:  
Yes

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

Letter 1045 (DO/CG)



**KEEP THE KIDS BUSY FOUNDATION INC**

will no longer treat you as a publicly supported organization; grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that he had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning July 19, 1996.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of

Letter 1045 (DO/CG)



KEEP THE KIDS BUSY FOUNDATION INC

the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are spent only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence that the funds will remain dedicated to the required purposes and that the recipient will use the funds for those purposes.

If you distribute funds to individuals, you should keep case histories showing the recipients' names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.B. 1956-2, page 306.)

You indicate that you will not finance your activities with tax-exempt bonds or certificates of participation. Therefore, this determination letter is based on the understanding that you will not raise funds through such financing. If in the future you wish to raise funds by either of these methods, you should request a ruling from the Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attn: CP:EO:R, according to Revenue Procedure 90-4, 1990-2 I.R.B. 10.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

Letter 1045 (DO/CG)

KEEP THE KIDS BUSY FOUNDATION INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



*Paul R. Huntington*  
District Director

Enclosure(s):  
Addendum  
Form 872-C

Letter 1045 (00/CB)



KEEP THE KIDS BUSY FOUNDATION INC

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, and supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$10 per day for each day there is failure to comply (up to a maximum of \$5,000 in the case of an annual return). See Internal Revenue Service Notice 88-120, 1988-2 C.B. 454, for additional information.

If your organization conducts fund-raising events such as benefit dinners, auctions, membership drives, etc., where something of value is received in return for contributions, you can help your donors avoid difficulties with their income tax returns by assisting them in determining the proper tax treatment of their contributions. To do this you should, in advance of the event, determine the fair market value of the benefit received and state it in your fund-raising materials such as solicitations, tickets, and receipts in such a way that your donors can determine how much is deductible and how much is not. To assist you in this, the Service has issued Publication 1391, Deductibility of Payments Made to Charities Conducting Fund-Raising Events. You may obtain copies of Publication 1391 from your local IRS Office. Guidelines for deductible amounts are also set forth in Revenue Ruling 67-246, 1967-2 C.B. 104 and Revenue Procedure 90-12, 1990-1 C.B. 471 and Revenue Procedure 92-49, 1992-26 I.R.B. 18.

THIS CERTIFICATE MUST BE PUBLICLY DISPLAYED AS PROVIDED BY LAW



STATE OF GEORGIA  
DEPARTMENT OF REVENUE  
Sales and Use Tax Division

**CERTIFICATE OF REGISTRATION**

Issued pursuant to the Retailers' and Consumers' Sales and Use Tax Act of 1951, as amended

SAID PERSON NAMED HEREON IS AUTHORIZED AND EMPOWERED TO COLLECT GEORGIA SALES AND USE TAX, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, LOCAL OPTION, SPECIAL COUNTY AND MOTOR FUEL.

STATE TAXPAYER IDENTIFIER <b>20010918978</b>	EFFECTIVE DATE <b>02-14-97</b>	CERTIFICATE NUMBER <b>067-29-41848-9</b>
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KEEP THE KIDS BUSY FOUNDATION  
KEEP THE KIDS BUSY FOUNDATION INC  
501 PRESTON LAKE DR

TUCKER GA 30084

501 PRESTON LAKE DR  
TUCKER



IMPORTANT  
This Certificate is  
NON TRANSFERABLE  
See back of this Certificate for  
further information  
and instructions

EACH PLACE OF BUSINESS MUST BE RECORDED SEPARATELY.



*The Kids You Save May Be Your Own*

SM



**KTKB**

**KEEP THE KIDS BUSY FOUNDATION, INC.**

**CODE OF ETHIC & BY LAWS**

**“LET THE LAWS STAND**

**ON**

**THEIR OWN”...**

**&**

**THE FRUIT WILL BEAR**

**FOUNDED & DIRECTED BY:**

**Military Officer Samuel L. Clemmons**

**PROGRAM DIRECTOR**

**COMPLETED: May 27, 1999**

**Keep The Kids Busy Foundation Inc.  
Processing Center**

**CODE OF ETHICS FOR DIRECTORS, OFFICERS, AND EMPLOYEES  
OF THE  
KTKB COMMITTEE FOR THE ORGANIZATION'S EVENTS AND FUNCTION**

**SECTION 1. DECLARATION OF POLICY**

The Keep the Kids Busy Foundation, INC. have undertaken to grant the county of Gwinnett and the city of Atlanta, Georgia to work in connection with Hinds county and other surrounding counties of Mississippi to initial start up the organization with other cities, counties, and countries pattern themselves off it. The organization is to become organized in the best possible manner and take place under the best possible conditions for the benefits of students around in these communities. Bring the organization here is intended to contribute to the further development and growth of our students and people throughout counties that are concern about their children's social, and future skills.

In this light, the organization shall promote the development of the spiritual values as well as the sporting merits of the great competition of our students across the globe. The organization shall not serve any purpose other than the interests of the organization movement that is to produce productive citizens.

The Code of Ethics is intended to uphold and protect the high standards of the organization movement that is "first class or no class". We are demanding to give our students the BEST! KTKB shall take the measures provided in this Code to ensure that its Board members, Officers, and Employees be, and give the appearance of being, independent and impartial, that serving on the Board of Directors. The Officers or Employee not be used for private gain, and that there be public confidence in the integrity of KTKB.

**SECTION 2. DEFINITIONS**

As Used in this Code:

- 1) "KTKB" means the Keep the Kids Busy Foundation, Inc. including its Ambassadors Board members, Officers and Employees.
  - 2) "Advisory Board Member" means any Advisory Directors of KTKB appointed from a certain period of time by the Board of Directors of KTKB.
  - 3) "Ambassadors" means any elected student official from an educational unit who serve adjacent to the lower level Board of Directors and reports and advises the student body of the all future activities of the organization.
  - 4) "Board Member" means any member of the Board of Director of KTKB, or any Advisory Board Member.
-



- 5) "Business" means a corporation, a partnership, proprietor, or any other person or organization carrying on an enterprise for profit and shall include a subcontractor or independent contractor of any such corporation, partnership, proprietor or other person.
- 6) "Confidential Information" means information regarding KTKB'S activities that is not available to the public and that, if disclosed to a person other than a Board member, Officer or Employee, would likely provide such person with an advantage over KTKB or others in any transaction with KTKB or could otherwise be used to the detriment of KTKB.
- 7) "Consultant" means any person not a Board member, Officer or Employee (a) who is retained, designated, or specifically-employed to render personal services of a technical, or professional nature for or on behalf of KTKB for pay and (c) who, by virtue of his or her relationship with KTKB, is in a position to influence the exercise of significant management discretion by KTKB or has access to confidential information. The term "Consultant" shall be deemed to include, but is not limited to, KTKB'S General Counsel it's Financial Advisor and its independent Certified Public Accountants.
- 8) "Contract" means any lease, claim, account, or demand against or agreement with any person, whether expressed or implied, executed or executory, oral or in writing.
- 9) "Emergency Situation" means any circumstance or condition giving rise to an immediate necessity for the execution of a contract by and between KTKB and a Board member, Officer or Employee or a business in which a Board member, Officer or Employee has an interest where, to the satisfaction of the President and the Board of Ethics it is shown that here is no one other than such person with whom the contract could have been made and that the necessity was not brought about by such person's own fault or neglect.
- 10) "Employee" means any person holding a position by appointment or employment in the service of KTKB for pay or without pay who fall in the following:
  - a) Exercises significant management discretion; or
  - b) Has access to confidential information; or
  - c) Is in a position to influence contracting decisions; or
  - d) Has supervisory control or an inspection or audit function with respect to contract performance or in relation to contract disputes.

Other than as set forth above, the term "Employee" does not include a volunteer.

- 11) "Employment" means any rendering of services on request for pay.
- 12) "Immediate family" means an individual and his or her spouse, and their parents, children, brothers and sisters.
- 13) "Interest" means any direct or indirect pecuniary benefit held by accruing to a Board member, Officer or Employee or an immediate family member of such person as a result

of a contract or transaction which is or may be subject of an official act or actions by or with KTKB. Unless otherwise provided, the term "interest" does not include any remote interest.

- 14) "Officer means any person selected by the members of the Board of Directors as an officer as authorized by the by-law's governing KTKB.
- 15) "Official act or action" means any administrative, appointive, or discretionary act of KTKB, its Board members, Officers or Employees.
- 16) "Participate" means to take part in official acts or action, or proceeding personally as a Board Member, Officer or Employee through approval, disapproval, decision, recommendation, investigation, the rendering of advise or the failure to act or perform a duty.
- 17) "Paid" means the receipt of, or right to receive, a fee, a salary or a commission, percentage, brokerage, or contingent fee or other remuneration.
- 18) "Person" means any individual, business, firm, labor organization, representative, fiduciary, trust, or association, and includes any Board member, Officer or Employee of KTKB.
- 19) "Property" means any property, whether real or personal, tangible or intangible and includes currency and commercial paper.
- 20) "Public Employee" means any person, officer or employee holding a position by election, appointment or employment in the service of the State in which the Foundation or organization is established according to the states laws of registering an organization or corporation. This also includes any city, or any county or other instrumentality to political subdivision of the State or the City, whether paid or unpaid, and includes any member of or delegate to the Congress of the United States or the State Legislature.
- 21) "Remote Interest" means the interest of:
  - a) a non-salaried director, non-salaried officer or non-salaried employee of a nonprofit corporation;
  - b) a holder of less than five percent of the legal or beneficial ownership of the total shares or other interest in a business;
  - c) any person in a representative capacity, such as a receiver, trustee, or administrator.
  - d) Any person who, by determination of the Board of Ethics, is deemed to have such an interest.
- 22) "Transaction" means the conduct of any activity that results in or may result in an official acts or action of KTKB.



### SECTION 3. IMPARTIALITY

No board member, Officer or Employee shall by his or her words or conduct give reasonable basis for the impression that any person improperly can influence such person or unduly enjoy his or her favor in the performance of the person's official acts or actions, or that her or she is affected unduly by the kinship, rank, position of or association with any person.

### SECTION 4. GIFTS AND FAVORS

No Board member, officer or employee shall directly or indirectly request exact, receive or agree to receive a gift, loan, favor, promise or thing of value if:

- 1) it tends to influence such person in the discharge of his or her official duties, or
- 2) such person recently has been, or is now, or in the near future may be involved in any official act or action directly affecting the donor or lender

The section shall not apply in case of:

- 1) an occasional non-pecuniary gift of insignificant value;
- 2) an award publicly presented in recognition of public service; or
- 3) a commercially reasonable loan approved by the Board of Ethics and made in the ordinary course of business by an institution-authorized by the laws in which the Foundation activities reside to engage in the making of such a loan.

### SECTION 5. CONFIDENTIAL INFORMATION

No Board member, Officer or Employee shall disclose or otherwise use confidential information acquired by virtue of his or her position or employment with KTKB for any person's private gain.

### SECTION 6. REPRESENTATION

No Board member, Officer or Employee shall appear on his or her own behalf, or represent, advise, or appear on behalf of, whether paid or unpaid, any person before any court or before any legislative, administrative, or quasi-judicial board, agency, commission, or committee of the State in which the Foundation conduct activities, municipality or other political subdivision of the State concerning any contract or transaction which is or may be the subject of an official act or action of KTKB or otherwise use or attempt to use his or her official position to secure unwarranted privileges or exemptions for any person.

### SECTION 7. INCOMPATIBLE EMPLOYMENT

No Board member, Officer or Employee shall engage in or accept employment with or render services for any business or professional activity when such is adverse to and incompatible with the proper discharge of such person's official duties. For the purpose of this Code of Conduct, the employment of a Consultant by any business or person involving matters unrelated

to any contract or transaction by or with KTKB shall not be deemed incompatible with such Consultant's official duties.

### **SECTION 8. DISCLOSURE**

A Board member, Officer or Employee who has an interest that he or she has reason to believe may be affected by such person's official acts or actions or by the official acts or actions of KTKB shall disclose the precise nature and size of such interest by sworn written statement to the Board of Directors. Every Board member, Officer or Employee who knowingly has any interest direct or indirect in any contract to which KTKB is or is about to become a party, or in any other business with KTKB, shall make full disclosure of such interest to the Board of Directors, and, if a Board member, to his or her appointing authority. The provisions of this Section 8 shall apply to any interest, including a remote interest.

### **SECTION 9 DISQUALIFICATION**

A Board member, Officer or Employee shall disqualify himself or herself from participating in any official act or action directly or indirectly affecting a business or activity in which such person has any interest, whether or not a remote interest.

No Board member, Officer or Employee shall mix or persuade to influence any religion organization or institution to participate in activity due to the federal statue of separating church from state or education. Anyone found in violation of this shall be disqualified for the continue development of KTKB.

No Board member, Officer or Employee shall attempt to influence a political party or assist in any campaign efforts to promote favors or influence to a certain political party. Anyone found in violation of this shall be disqualified from employment and cease in the development process of KTKB.

No Board member, Officer or Employee shall bring any materials, flyers, signs or paraphernalia into the establishment or activities in an attempt to influence others of one or organization beliefs or movements. (For example, flags, banners, and symbols that represent a particular party or group or movement.)

### **SECTION 10. ACQUIRING AN INTEREST**

No Board member, Officer or Employee shall acquire an interest in any contract or transaction at a time when he or she believes or has reason to believe that such an interest will be affected directly or indirectly by any official act or actions of KTKB.

### **SECTION 11. CONTRACTS INVOLVING BOARD MEMBERS, OFFICER, AND EMPLOYEES**

A. Unless otherwise approved by the Board of Ethics, KTKB shall not enter into any contract involving services or property with a Board member, Officer or Employee (including Public Employee), or with a business in which a Board member, Officer or Employee has an interest. This section shall not apply in the case of:



- 1) the designation of a bank or trust company as a depository for KTKB funds;
- 2) the borrowing of funds from any bank or lending institution which offers a rate of interest for such loan that is competitive with other lending institutions in metropolitan in which the Foundation accounts are established.
- 3) Contracts entered into with a business which employs a Consultant, provided that such employment is not incompatible with the Consultant's official duties under section 7 of this Code;
- 4) Contracts for service entered into with a business, which is the only available source for such goods or services.
- 5) Contracts entered into under circumstances which constitute an emergency situation, provided that a record explaining the emergency is prepared by the President and submitted to the Board at its next regular meeting and thereafter kept on file;
- 6) Contracts of employment by KTKB entered into with Board members, Officers or Employees; and
- 7) Contracts including services or property entered into with any governmental entity.

B. KTKB is not precluded from entering into any contract involving services or property with a Public Employee (or with a business in which a Public Employee has an interest) who serves solely by appointment as an unpaid or nominally paid member of a public board, commission, committee, council or task force, but only if the likelihood of an actual conflict of interest of the Public Employee with KTKB is remote.

In determining whether likelihood of such conflict of interest is remote, all relevant information shall be considered including the following factors:

- 1) Whether the board, commission, committee, council or task force on which the Public Employee serves has legal regulatory, governmental or advisory jurisdiction over the affairs of KTKB or over matters that may affect KTKB's duties or responsibilities or in which KTKB has a special or particularized concern;
- 2) the interest of the Public Employee in the contracting entity; and
- 3) the subject matter of the contract.

## **SECTION 12. CONTRACTS INVOLVING FORMER DIRECTORS, OFFICERS AND EMPLOYEES**

KTKB shall not enter into any contract with, nor take any official act or action favorably affecting, any former Board member, Officer or Employee or any business in which such person has an interest, if such person has been within the preceding six month period a Board member, Officer or Employee or KTKB.

## **SECTION 13. COMPLIANCE WITH APPLICABLE LAWS**

No Board member, Officer or Employee shall engage in any activity or transaction that is prohibited by any law, now existing or hereafter enacted.

#### **SECTION 14. CONSTRUCTION AND APPLICATION**

- 1) This Code shall be construed liberally to effectuate its purposes and policies and to supplement such existing laws as may relate to the conduct of Board members, Officers and Employees.
- 2) The propriety of any official act or action taken by or transaction involving any Board member, Officer or Employee immediately prior to the time this Code shall take effect shall not be affected by the enactment of this Code.

#### **SECTION 15. BOARD OF ETHICS**

- 1) **Creation, Membership – There is hereby created and established a Board of Ethics Which shall consist of three persons chosen by the Board of Directors of KTKB. The members of the Board of Ethics shall not be Board members, Officers or Employees. The members shall serve without compensation and shall elect a chairperson and effect their own organization internally.**
  - 2) **Duties – The Board of Ethics shall have the following duties:**
    - a) To establish procedures, rules and regulations governing its internal organization and conduct of its affairs.
    - b) To render advisory opinions to the Board with respect to the interpretation and Application of this Code as to whether a particular course of conduct would constitute a violation of the standards imposed herein.
    - c) To receive and hear complaints of violations of the standards required by this Code.
    - d) To hold such hearing and make such investigations and inquiries as it deems necessary for it properly to carry out its functions and powers.
    - e) To recommend to KTKB any disciplinary action deemed appropriate for violations of this Code.
    - f) To make proposals and recommendations to the Board of Directors of KTKB for the adoption of any revisions or amendments to this Code, policy or KTKB Guidelines.
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## **KEEP THE KIDS BUSY FOUNDATION'S ACTIVITIES AND GAMES POLICY**

### **CONFIDENTIAL INFORMATION POLICY**

The purpose of this policy is to set forth procedures for safeguarding KTKB's Confidential Information for the children and parents that choose to participate.

#### **Reasons for a Confidential Information Policy**

1. Since many students will eventually come into the programs to compete for allowances, scholarships and jobs. To assist in the development process of their future, the safeguarding of Confidential Information will allow KTKB to maximize its revenues and minimize its expenses. This will further KTKB's goal of hosting various games and activities in the communities where these students live without taxpayer funding and will increase the amount of funds available after the Games to support amateur athletics.
2. KTKB employees and volunteers will put forth vast energies to develop plans, projections and other information that will be necessary to successfully negotiate favorable contracts. The safeguarding of Confidential Information will protect these efforts of fellow KTKB employees and volunteers.
3. KTKB employees and volunteers occupy a position of trust and confidence with KTKB and their communities and thus owe a duty to maintain and protect Confidential Information as the Foundation works its effort in attempt to bring people from their communities together and rebuild the communities at the same time.

#### **Basic List of KTKB Confidential Information**

Confidential Information is privilege information which consist of any information that KTKB has not disclosed to the public and that, if disclosed to a person other than a director, officer, or employee of KTKB, would likely provide such person with an advantage over KTKB or others in any transaction with KTKB or that otherwise could be used to the detriment of KTKB. Although this list is not all-inclusive, the following information is to be considered confidential:

1. Site plans and the terms and specifications of bids for the construction of KTKB activities, venues, and bids for other construction by or on behalf of KTKB.
  2. Marketing plans and the identity and terms of bids for sponsorships and marketing rights pertaining to the any events broadcasting by KTKB
  3. The identity and terms of bids for equipment and services being acquired by KTKB.
  4. The existence and terms of competing bids for broadcasting rights to any large games of competition by the students from various areas or parts where the Foundation exist.
  5. Any proposed significant new project, acquisition of property, joint venture or similar development.
-

6. Information concerning negotiations for the above matters.
7. KTKB budgets, financial statement and projections prior to general release by KTKB to the public will be prepare by and certified by Chairperson and Certified Public Accountant.
8. Contract awards and cancellations
9. Litigation matters, contract disputes and internal personnel matter.
10. Information pertaining to logos, slogans, and themes of KTKB prior to general release by KTKB to the public.
11. Legal memoranda and correspondence with KTKB's attorneys. All attempted agencies, schools or parties that deals with education will be served with Certificate of Service to showcase KTKB attempt to work in collaboration with such agencies for public record and The Department of Education.

The information itemized above my circulate through KTKB offices and communities in many ways. It may be recorded in memoranda, task force reports, meeting notes, correspondence with outside personnel and the like. Confidential Information may also be discussed in meeting and over the telephone.

Please keep in mind that whether Confidential Information is in printed or oral form is not important. The substance of the information and its value to KTKB makes it important. Also, it is often critical that the mere existence of a matter be kept confidential, in addition to the details of the matter.

Employees or volunteers with questions about whether any particular item should be considered Confidential Information should contact a designated appointed community specialist that will be appointed in each county, state or community where the KTKB project exist.

#### **Access to Confidential Information**

Employee and volunteers should take all steps that are necessary under the circumstance to protect Confidential Information. Access to Confidential Information generally is given only to person working on a particular matter and who have a need to know the information. At a minimum, employees and volunteers should:

1. Not discuss Confidential Information with or disclose Confidential Information to any other employee or volunteer or outside contact unless such individual has a clear right and legitimate need to know such information to fulfill job responsibilities.
  2. Not seek access to Confidential Information unless they have a reason to obtain and use the information.
  3. Use Confidential Information only for the purpose of carrying out his or her responsibilities concerning the information.
-



4. Not discuss matters involving Confidential Information with family, relatives or business or social acquaintances.
5. Not discuss Confidential Information in public places, such as sports events, elevators, restaurants, car pools or airplanes.
6. Avoid using speakers phones and cellular phone and cordless telephone to discuss confidential matters.

#### **Labeling of Confidential Information**

All memoranda, correspondence, envelopes and similar items containing Confidential Information should be marked "Confidential." Where appropriate, the following notation can be used to further identify Confidential Information:

#### **CONFIDENTIAL AND PROPRIETARY**

**This material is confidential and proprietary to KTKB and  
Should not be reproduced, published, or disclosed to others  
Without express authorization of KTKB.**

#### **Sending Confidential Information**

The following procedures should be followed when sending Confidential Information:

1. Confidential materials should be placed in an envelope that is (i) properly addressed; (ii) marked "Confidential" or "To Be Opened by Addressee Only"; (iii) sealed. If the sender desires to avoid marking the outside envelope "Confidential," an envelope marked "Confidential" can be placed inside a separate envelope having no special marking.
2. Material containing Confidential Information should be sent by telecopy only when the recipient is able to monitor its receipt and be available for its prompt retrieval.
3. Documents being carried office to office, and outside KTKB's offices should be kept in envelopes and folders.
4. Envelopes or folders marked "personal" or "Confidential" should be open only the addressee.

#### **Office Housekeeping Matters**

Written materials containing Confidential Information should be secured at all times to prevent unauthorized disclosure. Confidential material should be kept in locked desks and filing cabinets, and should not be left on desks and tables. All materials containing Confidential Information should be systematically destroyed by shredding. Confidential Information should not be thrown away in open waste containers as normal trash.

All visitors to KTKB's offices should be logged in and out and given a temporary Pass Tag for the period of time visiting. The visitor's log should contain the visitor's name, organization represented and whom he or she is visiting. All visitors must obtain and display a visitor's badge. Employees and volunteers should offer to assist any person unfamiliar to them who is not wearing a visitor's badge.

### **Confidential Information Patrol Officer**

The KTKB Chief Operation Officer shall assign an officer or manager-level employee to monitor all student activity for proper compliance with this Policy. Any KTKB employee or volunteer failing to secure Confidential Information in accordance with this Policy shall be subject to disciplining pursuant to applicable personnel department policies.

### **Federal and State Securities Laws**

Employees and volunteers shall not buy or sell, or advise others to buy or sell, securities of entities contracting or negotiating to contract with KTKB if the employee or volunteer is in possession of material, nonpublic information concerning its dealing with KTKB.

### **Internal Questions Concerning Confidential Information**

Employee and volunteers who have questions regarding the applicability of interpretation of this Confidential Information Policy should direct such questions to The Confidential Policy Specialist. If any person proposes to take any action varying from this Policy, he or she should obtain approval from the Confidential Policy Specialist.

### **Outside Requests for Information**

All requests for information, comments, or interviews made to any KTKB employee or volunteer, which might require disclosure of or comment on Confidential Information should be directed to the Confidential Policy Specialist.

### **Implementation of this Confidential Information Policy**

This policy should be distributed to all employees, independent contractors and volunteers working in KTKB's offices, outside projects or otherwise having access to Confidential Information, and should be included in KTKB staff and volunteer manuals. A summary of this Policy should be posted on bulletin boards in KTKB's offices. Students receiving job training will be train in detail on every aspect of these by-laws and policy that the organization must operate on

Each Department Vice President shall review periodically the persons within his or her department who should have access to Confidential Information and shall review the proper implementation of this policy.

### **Post Employment and Post Volunteer Duties**

Employees and volunteers must preserve Confidential Information for so long as KTKB maintains or attempts to maintain the confidentiality of the information. In dealing with Volunteers, volunteers may see potential job posting or listing first, thereby, giving them priority to compete for future job opening or listing within the foundation.



# **The Keep the Kids Busy Foundation, Inc.**

## **Code of Ethics Certification for Directors, Officers, and Employees**

I, \_\_\_\_\_, certify that I have read and understand the Code of Ethics of the Keep The Kids Busy Foundation, Inc. (KTKB). I agree to comply with the code and affirm that, to the best of my knowledge and belief, I am not involved in any activity and have no interests that conflict or suggest a potential conflict with the best interest with the movement of KTKB. This movement will be to bring about safe and drugs free streets and schools for our youth in collaboration with the Department of Education mission, except as follows (if none, so state):

\_\_\_\_\_

\_\_\_\_\_

I also agree, during the term of my tenure with KTKB, to report to the Secretary of KTKB promptly any future situation that involves or might appear to involve me in any conflict with the best interests of KTKB.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF MISSISSIPPI  
SECRETARY OF STATE



POST OFFICE BOX 136  
JACKSON, MISSISSIPPI 39205-1036  
TELEPHONE (601) 359-1333

**DUTIES AND RESPONSIBILITIES  
FOLLOWING THE INCORPORATION OF A  
MISSISSIPPI NON-PROFIT CORPORATION**

1. After incorporation, if initial directors are named in the Articles of Incorporation, the initial directors must hold an organizational meeting, at a call of a majority of the directors, to complete organization of the corporation by appointing officers and carrying on other business brought before the meeting.
2. If initial directors were not named in the Articles, the incorporator (s) must hold an organizational meeting at a call of a majority of the incorporators:
  - a. to elect directors and complete the organization of the corporation;
  - OR
  - b. to elect a board of directors who must complete the organization of the corporation.

**IT IS IMPERATIVE THAT THE ORGANIZATIONAL MEETING TAKE PLACE WITHIN TWO YEARS OF THE DATE OF INCORPORATION AS REQUIRED BY SECTION 180 OF THE MISSISSIPPI CONSTITUTION. IF THIS REQUIREMENT IS NOT MET, THE CORPORATION'S CHARTER IS VOID.**

3. Organizing the corporation includes the following:
  - a. electing or appointing officers of the corporation, whichever is applicable. see 1 and 2 above;
  - b. adopting bylaws for the operation of the corporation;
  - c. opening bank account in corporate name;
  - d. completing any pre-incorporation agreements.



# State of Mississippi

Secretary of State's Office

Eric Clark

Secretary of State  
Jackson, Mississippi

## MISSISSIPPI CORPORATION INFORMATION SYSTEM

Corporation Name:

KEEP THE KIDS BUSY FOUNDATION OF MISSISSIPPI

Corp ID: 0670109

Filed: 04/28/1999 AT 8:00 A. M.

Filing Fee Receipt: \$50.00



SECRETARY OF STATE  
P.O. Box 136  
Jackson, MS 39205  
(601) 359-1333

A handwritten signature in cursive script that reads "Eric Clark".

ERIC CLARK  
Secretary of State

## Subpoena Regulations Adopted by Judicial Conference

At its March 2003 meeting, the Judicial Conference endorsed regulations governing responses to subpoenas issued to federal judges and employees. By establishing procedures for litigants to follow to obtain documents or testimony from offices within the judicial branch, as well as the procedures judges and employees would follow if they receive subpoenas, these regulations accomplish three goals:

- they establish an administrative process for subpoena requests;
- they impose general limitations on the nature of responses; and
- they direct agency employees not to comply with subpoenas that are not approved through the administrative process.

The regulations are principally procedural in nature, and do not interfere with substantive decisions by individual courts and officers as to the availability of official documents and testimony. For example, the regulations provide that for a subpoena directed to a judge or a member of a judge's personal staff, that judge would be the official authorized to determine the proper substantive response to the subpoena. For a subpoena directed to a court unit or office, the determination would be assigned to the head of the unit or office, in consultation with the chief judge of the court, when appropriate.

Thus, the only real change that these regulations accomplish is to provide the "determining officer" with well-recognized procedural and substantive grounds to respond to a subpoena. The following is the full text of the subpoena regulations, as adopted by the Judicial Conference in March 2003.

### **Testimony of Judiciary Personnel and Production of Judiciary Records in Legal Proceedings** *As adopted by the Judicial Conference of the United States in March 2003*

#### Section 1. Purpose.

(a) These regulations establish policy, assign responsibilities and prescribe procedures with respect to: (1) the production or disclosure of official information or records by the federal judiciary, and (2) the testimony of present or former judiciary personnel relating to any official information acquired by any such individual as part of that individual's performance of official duties, or by virtue of that individual's official status, in federal, state, or other legal proceedings covered by these regulations.

(b) The purpose of these regulations is, among other things, to: (1) conserve the time of federal judicial personnel for conducting official business; (2) minimize the involvement of the federal judiciary in issues unrelated to its mission; (3) maintain the impartiality of the federal judiciary in disputes between private litigants; (4) avoid spending the time and money of the United States for private purposes; and (5) protect confidential and sensitive information and the deliberative processes of the federal judiciary.

#### Section 2. Authority.

These regulations are promulgated under the authority granted the Director of the Administrative Office of the United States Courts, under the supervision and direction of the Judicial Conference of the United States, to "[s]upervise all administrative matters relating to the offices of clerks and other clerical and administrative personnel of the courts," 28 U.S.C.

§ 604(a)(1); to "[p]erform such other duties as may be assigned to him by . . . the Judicial Conference of the United States," 28 U.S.C. § 604(a)(24); to "make, promulgate, issue, rescind, and amend rules and regulations . . . as may be necessary to carry out the Director's functions, powers, duties, and authority," 28

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U.S.C. § 604(f); and to “delegate any of the Director’s functions, powers, duties, and authority . . . to such officers and employees of the judicial branch of Government as the Director may designate,” 28 U.S.C. § 602(d).

### Section 3. Definitions.

(a) Request. An order, subpoena, or other demand of a court, or administrative or other authority, of competent jurisdiction, under color of law, or any other request by whatever method, for the production, disclosure, or release of information or records by the federal judiciary, or for the appearance and testimony of federal judicial personnel as witnesses as to matters arising out of the performance of their official duties, in legal proceedings. This definition includes requests for voluntary production or testimony in the absence of any legal process.

(b) Judicial personnel. All present and former officers and employees of the federal judiciary and any other individuals who are or have been appointed by, or subject to the supervision, jurisdiction, or control of, the federal judiciary, including individuals hired through contractual agreements by or on behalf of the federal judiciary, or performing services under such agreements for the federal judiciary, such as consultants, contractors, subcontractors, and their employees and personnel. This phrase also includes alternative dispute resolution neutrals or mediators, special masters, individuals who have served and are serving on any advisory committee or in any advisory capacity, and any similar personnel performing services for the federal judiciary.

(c) Legal proceedings. All pretrial, trial, and post-trial stages of all existing or anticipated judicial or administrative actions, hearings, investigations, cases, controversies, or similar proceedings, including grand jury proceedings, before courts, agencies, commissions, boards or other tribunals, foreign and domestic, or all legislative proceedings pending before any state or local body or agency, other than those specified in section 4(b).

(d) Information or records. All information, records, documents, or materials of any kind, however stored, that are in the custody or control of the federal judiciary or were acquired by federal judicial personnel in the performance of their official duties or because of their official status.

(e) Testimony. Any written or oral statement in any form by a witness arising out of the performance of the witness’ official duties, including personal appearances and statements in court or at a hearing or trial, depositions, answers to interrogatories, affidavits, declarations, interviews, telephonic, televised, or videotaped remarks, or any other response during discovery or similar proceedings that would involve more than production of documents.

### Section 4. Applicability.

(a) These regulations apply to:

(1) All components of the federal judiciary and their personnel, except the Supreme Court of the United States, the Federal Judicial Center, and the United States Sentencing Commission, and their personnel.

(b) These regulations do not apply to:

(1) Legal proceedings in which the federal judiciary or a court or office of the federal judiciary is a party.

(2) Legal proceedings, arising out of the performance of official duties by federal judicial personnel, in which federal judicial personnel are parties.

(3) Legal proceedings in which federal judicial personnel are to testify while in leave or off-duty status as to matters that do not arise out of the performance of official duties. These regulations do not seek to

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deny federal judicial personnel access to the courts as citizens in their private capacities on off-duty time.

(4) Congressional requests for testimony or documents.

(5) Requests governed by the Regulations for Garnishment of Pay of Officers and Employees of the Federal Judiciary, Guide to Judiciary Policies and Procedures, Vol. I-C, Chap. XI, Part A.

(6) Proceedings conducted under the Judicial Conduct and Disability Act, 28 U.S.C. § 372(c), under the authority conferred on the judicial councils of the respective federal judicial circuits by 28 U.S.C. § 332, or under the authority conferred on the Judicial Conference of the United States by 28 U.S.C. § 331.

(7) Requests by members of the public, when properly made through the procedures established by a court for that purpose, for records or documents, such as court files or dockets, routinely made available to members of the public for inspection or copying.

#### Section 5. Policy.

(a) Federal judicial personnel may not provide testimony or produce records in legal proceedings except as authorized in accordance with these regulations.

(b) Testimony may be taken from federal judicial personnel only at the federal judicial personnel's place of business, or at any other place authorized by the determining officer designated in section 7(b). Additional conditions may be specified by the determining officer. The time for such testimony shall be reasonably fixed so as to avoid substantial interference with the performance of official duties by federal judicial personnel.

(c) Nothing in these regulations shall restrict in any way any defenses, objections, or privileges that may be asserted by federal judicial personnel in response to a request.

(d) These regulations are not intended to, and do not:

(1) Waive the sovereign immunity of the United States; or

(2) Infringe upon or displace the responsibilities committed to the Department of Justice in conducting litigation on behalf of the United States in appropriate cases.

(e) These regulations are intended only to govern the internal operation of the federal judiciary and are not intended to create, do not create, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable in law or equity against the United States or against the federal judiciary or any court, office, or personnel of the federal judiciary.

#### Section 6. Contents and timeliness of a request.

(a) The request for testimony or production of records shall set forth, or shall be accompanied by an affidavit setting forth, a written statement by the party seeking the testimony or production of records, or by counsel for the party, containing an explanation of the nature of the testimony or records sought, the relevance of the testimony or records sought to the legal proceedings, and the reasons why the testimony or records sought, or the information contained therein, are not readily available from other sources or by other means. This explanation shall contain sufficient information for the determining officer designated in section 7(b) to determine whether or not federal judicial personnel should be allowed to testify or the records should be produced. Where the request does not contain an explanation sufficient for this purpose, the determining officer may deny the request or may ask the requester to provide additional information.

**NOTE: REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS**



(b) The request for testimony or production of records, including the written statement required by section 6(a), shall be provided to the federal judicial personnel from whom testimony or production of records is sought at least fifteen (15) working days in advance of the time by which the testimony or production of records is to be required. Failure to meet this requirement shall provide a sufficient basis for denial of the request.

(c) The determining officer designated in section 7(b) has the authority to waive the requirements of this section (6) in the event of an emergency under conditions which the requester could not reasonably have anticipated and which demonstrate a good faith attempt to comply with the requirements of these regulations. In no circumstance, however, shall a requester be entitled to consideration of an oral or untimely request; to the contrary, whether to permit such an exceptional procedure is a decision within the sole discretion of the determining officer.

#### Section 7. Identity of determining officer.

(a) Federal judicial personnel shall not, in response to a request for testimony or the production of records in legal proceedings, comment, testify, or produce records without the prior approval of the determining officer designated in section 7(b).

(b) The determining officer authorized to make determinations under these regulations shall be as follows:

(1) In the case of a request directed to a federal court of appeals judge, district judge, Court of International Trade judge, Court of Federal Claims judge, bankruptcy judge, or magistrate judge, or directed to a current or former member of such a judge's personal staff (such as a judge's secretary, law clerk, or courtroom deputy clerk), the determining officer shall be the federal court of appeals judge, district judge, Court of International Trade judge, Court of Federal Claims judge, bankruptcy judge, or magistrate judge himself or herself.

(2) In the case of a request directed to a former federal court of appeals judge, district judge, Court of International Trade judge, Court of Federal Claims judge, bankruptcy judge, or magistrate judge, or directed to a former member of a former judge's personal staff who is no longer a court employee and thus is not covered by sections 7(b)(1) or (3), the determining officer shall be the chief judge of the court on which the former judge previously served.

(3) In the case of a request directed to an employee or former employee of a court office (other than an employee or former employee covered by section 7(b)(1)), such as the office of the clerk of court, the office of the circuit executive, the staff attorneys' and/or preargument attorneys' office, the probation and/or pretrial services office, and the office of the Federal Public Defender, the determining officer shall be the unit head of the particular office, such as the clerk of court, the circuit executive, the senior staff attorney, the chief probation officer, the chief pretrial services officer, or the Federal Public Defender. In these instances, the determining officer (except the Federal Public Defender, as provided below) shall, as provided by local rule or order, consult with the chief judge of the court served by the particular office regarding the proper response to a request. The Federal Public Defender, in the case of a request related to the defender office's administrative function (but not requests related to the defender office's provision of representation pursuant to the Criminal Justice Act, 18 U.S.C. 3006A, and related statutes), shall, as provided by local rule or order, consult with the chief judge of the court of appeals that appoints the Federal Public Defender regarding the proper response to such a request.

(4) In the case of a request directed to an employee or former employee of the Administrative Office of the United States Courts, the determining officer shall be the General Counsel of the Administrative Office.

**NOTE: REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS**

(5) In the case of a request not specified in subsections (1) through (4) above (such as, for example, a request made to federal judicial personnel as defined by section 3(b) above who are not current or former judges or their staff, employees of a court office, or employees of the Administrative Office), the determining officer shall be the officer designated to serve as the determining officer by the chief judge of the court served by the recipient of the request. In these instances, the determining officer (if someone other than the chief judge of the relevant court) shall, as provided by local rule or order, consult with the chief judge of the relevant court regarding the proper response to a request.

Section 8. Procedure when request is made.

(a) In response to a request for testimony or the production of records by federal judicial personnel in legal proceedings covered by these regulations, the determining officer may determine whether the federal judicial personnel may be interviewed, contacted, or used as witnesses, including as expert witnesses, and whether federal judicial records may be produced, and what, if any conditions will be imposed upon such interview, contact, testimony, or production of records. The determining officer may deny a request if the request does not meet any requirement imposed by these regulations. In determining whether or not to authorize the disclosure of federal judicial information or records or the testimony of federal judicial personnel, the determining officer will consider, based on the following factors, the effect in the particular case, as well as in future cases generally, which testifying or producing records will have on the ability of the federal judiciary or federal judicial personnel to perform their official duties.

(1) The need to avoid spending the resources of the United States for private purposes, to conserve the time of federal judicial personnel for the performance of official duties, and to minimize the federal judiciary's involvement in issues unrelated to its mission.

(2) Whether the testimony or production of records would assist the federal judiciary in the performance of official duties.

(3) Whether the testimony or production of records is necessary to prevent the perpetration of fraud or injustice in the case or matter in question.

(4) Whether the request is unduly burdensome or is inappropriate under applicable court or administrative rules.

(5) Whether the testimony or production of records is appropriate or necessary under the rules of procedure governing the case or matter in which the request arises, or under the relevant substantive law of privilege.

(6) Whether the request is within the proper authority of the party making it.

(7) Whether the request meets the requirements of these regulations.

(8) Whether the request was properly served under applicable court, administrative, or other rules.

(9) Whether the testimony or production of records would violate a statute, regulation, or ethical rule.

(10) Whether the testimony or production of records would disclose information regarding the exercise of judicial or quasi-judicial responsibilities by federal judicial personnel in the decisional or deliberative process.

(11) Whether the testimony or production of records would disclose confidential information from or pertaining to a presentence investigation report or pertaining to an individual's probation, parole, or

**NOTE:** REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS

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supervised release, or would disclose any other information that is confidential under any applicable statute or regulation.

(12) Whether the testimony or production of records reasonably could be expected to result in the appearance of the federal judiciary favoring one litigant over another, or endorsing or supporting a position advocated by a litigant.

(13) Whether the request seeks testimony, records or documents available from other sources.

(14) Whether the request seeks testimony of federal judicial personnel as expert witnesses.

(15) Whether the request seeks personnel files, records or documents pertaining to a current or former federal judicial officer or employee, and (1) the personnel files, records or documents sought by the request may be obtained from the current or former federal judicial officer or employee in question, or (2) the personnel files, records or documents sought by the request would be made available to the requester with the written consent or authorization of the current or former federal judicial officer or employee in question.

(16) Any other consideration that the determining officer designated in section 7(b) may consider germane to the decision.

(b) Federal judicial personnel upon whom a request for testimony or the production of records in legal proceedings is made shall promptly notify the determining officer designated in section 7(b). If the determining officer determines, upon consideration of the requirements of these regulations and the factors listed in section 8(a), that the federal judicial personnel upon whom the request was made should not comply with the request, the federal judicial personnel upon whom the request was made shall notify the requester of these regulations and shall respectfully decline to comply with the request. In appropriate circumstances federal judicial personnel may -- through the Department of Justice, or with the assistance of retained legal counsel if the Department of Justice is unavailable -- file a motion, before the appropriate court or other authority, to quash such a request or to obtain other appropriate relief.

(c) If, after federal judicial personnel have received a request in a legal proceeding and have notified the determining officer in accordance with this section, a response to the request is required before instructions from the determining officer are received, federal judicial personnel shall notify the requester of these regulations and inform the requester that the request is under review pursuant to these regulations. If necessary, federal judicial personnel may -- through the Department of Justice, or with the assistance of retained legal counsel if the Department of Justice is unavailable -- seek a stay of the request pending a final determination by the determining officer, or seek other appropriate relief.

(d) If, in response to action taken under section 8(c), a court of competent jurisdiction or other appropriate authority declines to stay the effect of a request pending a determination by the determining officer, or if such court or other authority orders that the request be complied with notwithstanding the final decision of the determining officer, the federal judicial personnel upon whom the request was made shall notify the determining officer and shall comply with the determining officer's instructions regarding compliance with the order or request. Unless and until otherwise instructed by the determining officer, however, the federal judicial personnel upon whom the request was made shall respectfully decline to comply with the order or request. See United States ex rel. Touhy v. Ragen, 340 U.S. 462 (1951).

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3           These Subpoena Regulations are and were adopted by Judicial Conference.  
4   Therefore, they are without questions are legal, accurate and true in accordance with the  
5   rules, regulations and the laws of the United States of America. No one is exempted or  
6   immune from them except for those as so stated and mentioned in the above paragraphs or  
7   paraphrases.

**NOTE: REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS**

**Rule 45 (e)** specifically states Contempt is when and where by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a non-party to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A) in the Federal Rules of Civil Procedures so stated and expressed passed by Members of Congress regardless if one is representing him or herself as a *pro se* or being represented by legal counsel a subpoena is still a legal document and instrument in which everyone must obey and comply with in accordance with the rules, regulations and the laws of the United States of America.

**Note:** a subpoena is no different from the rules under **Rule 4** or a summons which were served upon a party to appear and comply with all the rules of civil or criminal rules of procedures. Such failure to comply also results in default and contempt of court. In which Show Cause must be administrated upon the party or parties who failed to honor and respect the rules of procedures. Such party or parties must surrender their answers, responses and defenses in a timely manner as so stated and demonstrated on the summons served before move forward in the due process of law. Such failure to surrender in a timely manner will result in default and failure to timely enter and served such answers, responses, and defenses in a timely manner as so stated and illustrated on the summons served.

Anyone who is found or caught trying to alter or amend such rules or regulations are consenting to committing a felony act which is punishable in accordance with the rules, regulations and the laws of the United States of America for such person or agency will be attempting to mislead or disrupt the process of due process of law.

As long as the evidence show such person or party was served in accordance with the rules and regulations of the laws and if such person failed to appear or surrender anything as stated and instructed in the subpoena or summons served such person or party is held in contempt of court and the other party has a two year statue of limitation to file a contempt of court lawsuit against the person or party who failed to appear and failed to acknowledge proper service.

**When anyone failed to honor and respect the proper process of anything and fail to honor and respect the federal rules of civil or criminal procedures and such person or party falls in the default category due to their own individual mentality of ignorance of the law and ignorance of the law is no excuse for anyone rather if they are a licensed attorney practicing law which make them to be practicing such law illegally, improper and not in accordance with the rules, regulations and the laws of the United States of America or any other country that has written rules, regulations, policies, procedures and a constitution in which it citizens must honor and respect at all times. This too means they too are in default and has no case to justify their actions or wants. For lawyers too make mistakes just like others and too intentionally perform illegal acts just like everyone else. The Supreme Court of the United States of America calls those legal counsels ill-informed. Therefore, these rules must be posted and attached to this website or any other business or business where this organization should go or exist based on population request by demand. See the attached 501 (c) 3, By Laws, etc.[End]**

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**NOTE:** REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS



**THESE ARE YOUR SPECIAL POWER OF ATTORNEYS AND SPONSORS.**  
**ALL EVIDENCE IS ATTACHD:**

- 1. PRESIDENT OF THE UNITED STATES OF AMERICA**
- 2. (EXECUTIVE BRANCH)**  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500; Phone # (202) 456-1111, Fax # (202) 456-1111
- 3. DEPARTMENT OF JUSTICE**  
➤ **FEDERAL BUREAU OF INVESTIGATION, et al**  
1000 Custer Hollow Road  
Clarksburg, WV 26306-0001; (304) 420-6492, Fax # Unknown
- 4. FEDERAL BUREAU OF INVESTIGATION, et al**  
**DIRECTOR IN CHARGE**  
**J. EDGAR HOOVER BUILDING**  
935 PENNSYLVANIA AVE, N.W.  
Washington, DC 20535-0001; Phone # (202) 324-3000, (202) 324-2731
- 5. CENTRAL INTELLIGENCE AGENCY, et al**  
**ATTN: SCOTT KOCH / DIRECTOR IN CHARGE**  
**INFORMATION AND PRIVACY COORDINATOR**  
WASHINGTON, DC 20505; Phone # (703) 482-0623, Fax # (703) 613-3007
- 6. FEDERAL TRADE COMMISSION, et al**  
600 Pennsylvania Avenue, NW  
Washington, DC 20580; Phone # (202) 326-2021, Fax # (202) 326-3197
- 7. INTERNAL REVENUE SERVICE, et al**  
**ATTN: DISCLOSURE**  
320 Federal Place  
Greensboro, NC 27401; Phone # (202) 435-5850, Fax # (202)-435-5031
- 8. U.S. HOUSE OF REPRESENTATIVES, et al**  
**Attn: Chairman John Conyers, Jr.**  
2138 Rayburn House Office Bldg.  
Washington, DC 20551; Phone # (202) 274-4233, Fax # (202) 274-4130
- 9. UNITED STATES SENATE, et al**  
**ATTN: CHAIRMAN SHELDON WHITEHOUSE**  
224 Dirksen Senate Office Building  
Washington, DC 20510-2403; Phone # (202) 456-1111, (202) 456-2461

**NOTE:** REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS

**10. LEGAL TIME & OTHERS**

PUBLISHER OF LEGAL TIME &amp; INFLUENCE

**ATTN: DAVID BROWN & JOE PALAZZOLO**

1730 M. STREET, N.W. SUITE 800

WASHINGTON, DC 20036; Phone # (202) 828-0315, Fax # (202) 457-0718

**11. PATRISE PERKIN-HOOKER & ASSOCIATES**

C/O HOWOWELL FOSTER &amp; GEPP, PC

120 Harris Tower

233 Peachtree Street, NE

Atlanta, Georgia 30303-1507; Phone # (404) 658-9900, Fax # (404) 880-3364

**12. LENNISON ALEXANDER & COMPANY (CPA)**

P.O. BOX 312154

ATLANTA, GA 31131; Phone # (404) 344-4446, Fax # 404-349-0856

**13. FRAMME LAW FIRM OF MISSISSIPPI, PC****14. CLEMMONS' ESTATE**

C/O OF M. L. LEE, et al

P.O. BOX 347

BROOKHAVEN, MS 39602; Phone # 866-409-7758, Fax # (425) 944-7024

**15. PARDUE & MASSEY**

ATTORNEY AT LAW

1919 PENNSYLVANIA AVENUE, NW

WASHINGTON, DC 20006

(LEGAL SERVICE PAID) Phone # (202) 736-2139, Fax # (202) 223-6739

**SEE SPECIAL POWER OF ATTORNEY DOCUMENTS & LISTING**

FOR YOU SPECIAL PROTECTION THESE DOCUMENTS ARE FOR YOUR PROTECTION REPLY BACK TO THEM OR THIS SITE FOR ANY IMMEDIATE ASSISTANCE BY LAW AND BY RIGHT EVERY LISTED AGENCY, PERSON OR BUSINESS LISTED IN THESE DOCUMENTS ARE FOR YOUR PROTECTION AND TO MAINTAIN SECURITY AND PROTECTION OF YOU, YOUR CHILD, WEBSITE AND ANY BUSINESSES OUTSIDE OF THIS WEBSITE FOR THE PROPER REPORTING AND SUBMITTING INFORMATION IN ACCORDANCE WITH THIS ORGANIZATION KEEP THE KIDS BUSY FOUNDATION DBA KIDSFUNDS' DATABASE AND PROPER REPORTING TO THOSE LISTED AND STATED IN THESE DOCUMENTS. CHARACTER, INTEGRITY AND BACKGROUND IS VERY IMPORTANT IN EVERYTHING YOU DO IN LIFE. ALWAYS KEEP YOUR CONFIRMATION NUMBER AFTER ENROLLING FOR THIS EVIDENCE WILL BE ASKED FOR AGAIN AT OTHER TIMES AS YOU CONTINUE TO PROCESS YOU AND SUCH CONFIRMATION SHOULD BE USED WITH 58-2177597 FOR YOUR TAX DEDUCTION CLAIM BEFORE EVERYONE. SEE ATTACHED SUBPOENAS REGULATIONS AS EVIDENCE AND THE LEGAL DOCUMENTS BEFORE YOU ON THIS WEBSITE FOR YOUR UNDERSTANDING. **SEE SPECIAL POWER OF ATTORNEY DOCUMENTS & LISTING**

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**NOTE: REFER TO THESE DOCUMENTS ONLINE FOR ANY LEGAL QUESTIONS OR ANSWERS**



# **The Keep the Kids Busy Foundation, Inc.**

## **Code of Ethics Certification for Directors, Officers, and Employees**

I, \_\_\_\_\_, certify that I have read and understand the Code of Ethics of the Keep The Kids Busy Foundation, Inc. (KTKB). I agree to comply with the code and affirm that, to the best of my knowledge and belief, I am not involved in any activity and have no interests that conflict or suggest a potential conflict with the best interest with the movement of KTKB. This movement will be to bring about safe and drugs free streets and schools for our youth in collaboration with the Department of Education mission, except as follows (if none, so state):

\_\_\_\_\_

\_\_\_\_\_

I also agree, during the term of my tenure with KTKB, to report to the Secretary of KTKB promptly any future situation that involves or might appear to involve me in any conflict with the best interests of KTKB.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# *Freedom of Information and Privacy Acts*



*Federal Bureau of Investigation*

**FOR PUBLIC RELEASE**

-CONGRESSIONAL REVIEW -  
"SEE SUPPORT DOCUMENTS"



-FOR EDUCATIONAL PURPOSES ONLY-





**OPEN GOVERNMENT IS WHAT?  
IS THE KEY TO HONEST  
GOVERNMENT**









When used for Inspector General  
reports, dissemination is  
prohibited except as  
authorized by  
AR 20-1.

Criminal statutes and regulations pro-  
vide penalties for unauthorized  
removal or disclosure of  
safeguarded  
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documents are destroyed,  
filed, mailed, or when protec-  
tive markings are removed. By itself,  
this cover sheet requires no protection

## DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority: 10 USC Section 3012 and 5 USC Section 301.  
 Principal Purpose: To assist personnel managers in determining duty and assigning a branch for ROTC cadets and ROTC graduates.  
 Routine Uses: Record is to be maintained in the Military Personnel Records Jacket in order that the desires and qualifications of individual Senior ROTC Cadets/Graduates may be acknowledged insofar as branch strength will allow.  
 Disclosure: Information requested of graduates already commissioned is mandatory. Information requested of cadets is voluntary; however, failure to disclose all or part of the information may delay processing for duty and designation of a branch and specialty.

## PART I - OFFICER MASTER FILE DATA

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1 Name	C	L	E	M	M	O	N	S		S	A	M	U	E	L	
	17	18	19	20	21	22	23	24	25	26	27					
	L	E	N	N	I	O	U	S								
2 Military Personnel Code	28					3. SSN		29	30	31	32	33	34	35	36	37
	0															
4. College FICE Code JACKSON STATE UNIV.	38	39	40	41	42	43						5. Education Level Code		44		
	0	0	2	4	1	0								2		
6. Academic Major Code PUBLIC POLICY	45	46	47						7. Type Degree Code			48	49	50		
	B	C	C									M	P	A		

## PART II - OFFICER/CADET PREFERENCES AND COMMENTS

8. Duty Preferences	51	52
	A	D
b. Second	53	54
9. Branch Preferences	55	56
	A	G
b. Second	57	58
	A	D
c. Third	59	60
	M	P
d. Fourth	61	62
	Q	H
e. Fifth	63	64
	S	C
f. Sixth	65	66
	T	C
10. Branch Detail	67	
	N	

## 11. OFFICER/CADET COMMENTS

The Adjutant General's Corps is my primary choice because I possess a special interest in the concerns of human needs in the military. This branch implements management into its complex system which adheres to my graduate study Public Policy and Administration. Furthermore, I truly feel the branch will impart on my readiness, morale and expertise in policy administration. I have prepared myself for Active Duty through hard work and dedication. The additional training I will receive as a graduate student in the Public Administration area will also enhance my abilities as an AG Officer.

**-PROPER UNITED STATES PAPERWORK MUST BE PRODUCED -  
AND BE IN RECORDS**

**"SEE SUPPORT / SAMPLE DOCUMENTS"**



# OATH OF OFFICE - MILITARY PERSONNEL

For use of this form, see AR 135-100, the proponent agency is ODCSPER

INDICATE THE APPOINTMENT FOR WHICH OATH IS BEING EXECUTED BY PLACING AN "X" IN APPROPRIATE BOX. REGULAR ARMY COMMISSIONED OFFICERS WILL ALSO SPECIFY THE BRANCH OF APPOINTMENT WHEN APPOINTED IN A SPECIAL BRANCH.

## DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 1331; 10 USC 275.

PRINCIPAL PURPOSE: To create a record of the date of acceptance of appointment.

ROUTINE USES: Information is used to establish and record the date of acceptance. The SSN is used to identify the member. The date of acceptance of appointment is used in preparing statements of service and computing basic pay date.

DISCLOSURE: Completion of form is mandatory. Failure to do so will cause the appointment to be invalid.

## INSTRUCTIONS:

This form will be executed upon acceptance of appointment as an officer in the Army of the United States as indicated at top of form. Immediately upon receipt of notice of appointment, the appointee will, in case of acceptance of the appointment, return to the agency from which received, the oath of office (on this form) properly filled in, subscribed and attested.

In case of non-acceptance, the notice of appointment will be returned to the agency from which received, (by letter) indicating the fact of non-acceptance.

### COMMISSIONED OFFICERS

- ☐ REGULAR ARMY  
(Branch, when so appointed)  
☐ ARMY OF THE UNITED STATES, WITHOUT COMPONENT  
☒ RESERVE COMMISSIONED OFFICER

### WARRANT OFFICERS

- ☐ REGULAR ARMY  
☐ ARMY OF THE UNITED STATES, WITHOUT COMPONENT  
☐ RESERVE WARRANT OFFICER

I, Samuel Lennious Clemmons

(First Name-Middle Name-Last Name)

(Social Security Number)

2LT

having been appointed an officer in the Army of the United States, as indicated above in the grade of 2LT do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter. SO HELP ME GOD.

DD Form 1A (Officer's Commission)  
issued 12 MAY 1990  
(date)

OFFICIAL

(Signature - full name as shown above)

SWORN TO AND SUBSCRIBED BEFORE ME W. MATTHEWS Jackson State University Jackson, MS

THIS 12th DAY OF MAY, 1990

Arthur E. Williams  
Brigadier General (07), US Army  
(Grade, component, or office of official administering oath)

(Signature)

## FOR THE EXECUTION OF THE OATH OF OFFICE

1. Whenever any person is elected or appointed to an office of honor or trust under the Government of the United States, he/she is required before entering upon the duties of his/her office, to take and subscribe the oath prescribed by Section 1757, Revised Statutes, (5 U.S.C. 16, M.L. 1949, Section 118).

2. 10 U.S.C. 3394 eliminates the necessity of executing oath on promotion of officers.

3. The oath of office may be taken before any commissioned officer of any component of any Armed Force, whether or not on active duty (10 U.S.C. 1031), or before any commissioned warrant officer when acting as an adjutant, assistant adjutant, acting

adjutant, or personnel adjutant in any of the Armed Forces (See UCM, Article 136; 10 U.S.C. 936). A commissioned warrant officer administering the oath of office will show his/her title in the block to the left of his/her signature.

4. Oath of office may also be taken before any civil officer who is authorized by the laws of the United States or by the local municipal law to administer oaths, and if so administered by a civil official, the oath must bear the official seal of the person administering the oath, or if a seal is not used by the official, the official's capacity to administer oaths must be certified to under seal by a clerk or court or other proper local official.

DA FORM 71, DEC 38

EDITION OF AUG 59 WILL BE USED UNTIL EXHAUSTED

910.5. 1. 1949-242-1-0000

**-PROPER UNITED STATES PAPERWORK MUST BE PRODUCED -**  
**AND BE IN RECORDS**  
**"SEE SUPPORT / SAMPLE DOCUMENTS"**





DEPARTMENT OF THE ARMY

HEADQUARTERS, U.S. ARMY THIRD REGION  
U.S. ARMY ROTC CADET COMMAND  
FORT RILEY, KANSAS 66442-6700



REPLY TO  
ATTENTION OF

ATOC-PAC (145-1m)

12 May 1990

MEMORANDUM THRU Professor of Military Science, Jackson State  
University, Jackson, MS 39217-7500

FOR Second Lieutenant Samuel Lennious Clemmons, [REDACTED], 1204  
Rance Drive, Brookhaven, MS 39601

SUBJECT: Appointment as a Reserve Commissioned Officer of the  
Army Under Title 10, United States Code, Sections 591, 593,  
2104, 2106, and 2107

Branch of service to which assigned: IN

1. The Secretary of the Army has directed that you be informed that by direction of the President you are appointed a Reserve commissioned officer of the United States Army, effective on your acceptance, in the grade and with the social security number shown in address above.
2. This appointment is for an indefinite term.
3. You are requested to execute and return promptly the enclosed DA Form 71 (Oath of Office-Military Personnel). Your execution and return of the oath of office constitutes your acceptance of appointment. No other evidence of acceptance is required. Prompt action is requested since regulations require cancellation of this tender of appointment if not accepted when designated by the Professor of Military Science.
4. Upon receipt of the properly executed oath of office, a commission (DD Form 1A) will be presented to you. You are assigned to the branch of the Army Reserve shown above.
5. After acceptance of this appointment, any change in your permanent home address of more than 30 days duration will be reported by you to the custodian of your military personnel records. Include your full name and social security number in any correspondence concerning your military status.

FOR THE COMMANDER:

Encl



*David E. McLaughlin*  
DAVID E. MCLAUGHLIN  
LTC, AG  
Adjutant General

Date of Acceptance

**-PROPER UNITED STATES PAPERWORK MUST BE PRODUCED -  
AND BE IN RECORDS  
"SEE SUPPORT / SAMPLE DOCUMENTS"**





# DEPARTMENT OF THE ARMY

HEADQUARTERS, U.S. ARMY THIRD REGION  
U.S. ARMY ROTC CADET COMMAND  
FORT RILEY, KANSAS 66442-8700



REPLY TO  
ATTENTION OF

ATOC-PAC (145-1m)

05 JUL 1990

MEMORANDUM THRU Professor of Military Science, Jackson State  
University, Jackson, MS 39217-7500

FOR 2LT Samuel L. Clemmons, [REDACTED]

SUBJECT: Active Duty Reporting Date

1. You are ~~XXXXXXXXXX~~rescheduled for active duty as follows:

Service School: IN OBC  
Location: Ft Benning, GA  
Course Number: 2-7-C20  
Class Number: 90-10  
Reporting Date: 26 Aug 90

2. We will mail your orders to you approximately 30 days prior to your reporting date. Do not depart for your first duty station until you receive them.

FOR THE COMMANDER:



*Jeannette Z. Walker*  
JEANNETTE Z. WALKER  
MAJ, AG  
Adjutant General

**-PROPER UNITED STATES PAPERWORK MUST BE PRODUCED -  
AND BE IN RECORDS  
"SEE SUPPORT / SAMPLE DOCUMENTS"**



Cancer Research Center

1600 Pierce Street  
Denver, Colorado 80214  
303 233-9562 FAX  
303 233-6501

September 2, 1992

Mr. Samuel Clemmons  
C CO 4/7 IN Box 978  
APO AE 09162

Dear Mr. Clemmons:

Please accept our sincere thanks for your generous contribution to AMC Cancer Research Center through the Fall 1991 Overseas Combined Federal Campaign. Your interest and support is deeply appreciated. We realize the endless choices that confront people today in supporting so many worthy causes, organizations and programs, and this fact alone makes your gift even more significant and appreciated.

Your contribution helps to make possible a variety of research programs carried out in our laboratories and clinics, as well as in communities across the country. These community based programs have already touched the lives of over one million Americans.

AMC's Cancer Information and Counseling Line (1-800-525-3777) has been in operation since 1981 and serves over 10,000 callers annually. This service provides up-to-date facts about all aspects of cancer, as well as personal assistance from counselors trained and experienced in dealing with the fear, confusion, conflicts, and other problems often associated with the disease. The enclosed cards are for you to share with family, friends or anyone you know who may benefit from this free service.

All of our research is focused on the prevention and control of cancer. This vital, emerging area of scientific activity promises to have the most immediate and significant impact on the fight against cancer's tragic consequences. Your gift is invaluable to the continuation and expansion of AMC's prevention and control programs.

Again, our heartfelt thanks. We sincerely hope you will continue to share our vision of a world free from cancer's devastation.

Sincerely,



Bill Spellman  
Director, National Federated  
Giving Programs

BS/jls  
Enclosure



P.S. Please forgive this belated thank you. Unfortunately, your name/address was not received until just last week.





**United Way**  
of America

701 North Fairfax Street  
Alexandria, Virginia 22314-2045  
Phone 703 836 7100

October 22, 1992

Samuel Clemmons  
C Co 4/7 In Box 978  
APO AE, 09162

Dear Samuel,

Thank you for your generous contribution to United Way of America through the 1991 Combined Federal Campaign. Your support helped to confront the tough issues in our neighborhoods today; issues such as hunger, homelessness, illiteracy and substance abuse.

The needs are greater than ever. It has been a devastating year for many of our friends and colleagues throughout the country. After Hurricane Andrew in Florida and Louisiana; Hurricane Iniki in Hawaii and the riots in Los Angeles, United Way was onsite ensuring that needed services were delivered to victims. This was possible only because of the steady, ongoing, generous support of people such as you. People in desperate need were fed, housed, and clothed.

Many changes also occurred at United Way of America. If you heard the negative publicity at the beginning of the year concerning William Aramony, I hope you will be pleased to hear of the sweeping reforms made to ensure your trust and confidence: United Way of America has named a Chief Professional Officer who will assume those duties no later than November 16, 1992; Internal financial controls have been tightened; and our members are so pleased with the changes that 90 percent of our funding has been restored.

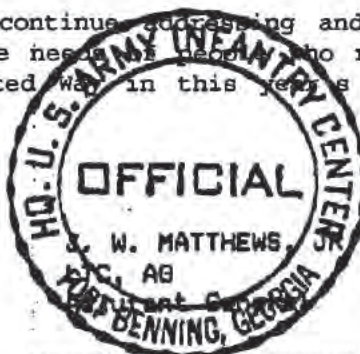
It would help us tremendously if you would share these facts with your friends at work, as it is impossible for us to communicate with donors who did not give us their addresses.

The ongoing needs continue to grow. Too many of our youth are sidetracked from education and preparation for adulthood by drug and alcohol problems; the number of families and individuals who are homeless is rising dramatically; and illiteracy is crippling our country's future. Caring individuals such as you make these programs possible.

We need your help to continue addressing and meeting the growing health and human-service needs of people who rely upon us. Please consider giving to United Way in this year's campaign. Your gift makes a difference.

Sincerely yours,

Renee S. Acosta  
United Way of America



(SEE ATTACHED SUPPORTED RULES, REGULATIONS, POLICIES, PROCEDURES, ETC.)

WTU OUT-PROCESSING RECORD CHECKLIST

NAME: (Last, First, MI) \_\_\_\_\_ Rank: \_\_\_\_\_

SSN: \_\_\_\_\_

CONTACT PHONE NUMBER: \_\_\_\_\_

ASSIGNED SPONSOR: (Rank/Name) \_\_\_\_\_ DATE: \_\_\_\_\_

Event/Task	Date Completed	Signature
1. Company S-1		
a. Orders		
b. Evaluation		
c. Copy of Profile		
d. ERB/ORB/2-A/2-1/eMILPO/Transactions		
e. Mailroom		
f. Change of Address		
g. Meal card (last out processing day)		
2. Patient Administration		
a. MODS Data Entry		
b. JPTA Update		
c. DTMS		
d. CHCS Update		
e. FMR Review/Update		
3. Finance		
a. Review pay and allowances		
b. Refer to Social Security Benefits Advisor as needed		
4. Supply (S-4)		
5. RC/NG Liaison (NG/RC only)		
a. NG/RC Liaison Interview		
b. OMPF Records Brief		
c. TCS Orders/MOB Orders		
6. Chaplain		
7. Case Manager		
a. Follow on care appointments arranged		
8. TRICARE / DEERS		
9. Social Work Services		
10. Wounded Warrior Program (AW2)		
a. 1 <sup>st</sup> Army Checklist		
b. Counseling Form		
c. DD214WS Worksheet		
d. TCS order		
11. Occupational Therapy		



-FOR EDUCATIONAL PURPOSES ONLY-







# **- SHOW CAUSE EVIDENCE / EXHIBIT -**

(SEE ATTACHED SUPPORTED RULES, REGULATIONS, POLICIES, PROCEDURES, ETC.)



NAME: (Last, First, MI) \_\_\_\_\_ Rank: \_\_\_\_\_

Event/Task	Date Completed	Signature
12. Primary Care Manager		
13. Soldier Family Assistance Center		
14. Veterans Administration		
a. VBA		
b. VHA		
c. Vocational Rehabilitation		
15. ACAP/TAPS		
16. Housing/Billeting (On / Off Post)		
17. Dental Clinic		
18. Outpatient Records		
19. ID Cards Section		
20. Travel Section		
21. Safety Officer		
22. Platoon/Squad Assignment		
23. First Sergeant		
24. Company Commander		
25. Transition Center (Final Out processing)		
26. Military Personnel Division		

Warrior Signature: \_\_\_\_\_



**-FOR EDUCATIONAL PURPOSES ONLY-**

**-CONGRESSIONAL REVIEW -  
"SEE SUPPORT DOCUMENTS"**

# - SHOW CAUSE EVIDENCE / EXHIBIT -

(SEE ATTACHED SUPPORTED RULES, REGULATIONS, POLICIES, PROCEDURES, ETC.)

## MILITARY POLICE REPORT

The proponent agency of this form is ACSOPS.

MILITARY POLICE REPORT NUMBER

DATE

CROSS REFERENCE NUMBER



THRU:

TO:

FROM:

1. REPORT TYPE / STATUS: <input type="checkbox"/> INFORMATION <input type="checkbox"/> COMMANDER'S ACTION (OHMR FORM 4833) <input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> COMPLAINT																																			
2. EVALUATION: <input type="checkbox"/> CRIMINAL OFFENSE <input type="checkbox"/> MILITARY OFFENSE <input type="checkbox"/> TRAFFIC OFFENSE <input type="checkbox"/> FOUNDED <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> INFORMATION																																			
3. COMPLAINT/OFFENSE/INCIDENT (See Reverse/Attached for Summary)		4. LOCATION (Address) <input type="checkbox"/> ON POST <input type="checkbox"/> OFF POST		5. TIME OF OFFENSE		6. DATE OF OFFENSE																													
7. OFFENSE CODES		8. COMPLAINT RECEIVED BY		9. TIME RECEIVED		10. DATE RECEIVED																													
11. MP ACTION REFERRED TO: <input type="checkbox"/> PATROL <input type="checkbox"/> OHARNG <input type="checkbox"/> CIVIL AUTHORITIES (Specify) _____ <input type="checkbox"/> MPI <input type="checkbox"/> CID <input type="checkbox"/> OTHER _____						a. DATE REFERRED																													
12. NAME OF SUBJECT				a. GRADE		b. ORGANIZATION (Include address and phone number)																													
c. SSN		d. PLACE OF BIRTH		e. DATE OF BIRTH																															
f. CAT. (1)		g. COLOR HAIR		h. COLOR EYES		i. WEIGHT		j. HEIGHT		k. AGE		l. JUVENILE <input type="checkbox"/> YES <input type="checkbox"/> NO		m. SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE																					
n. COMPLEXION		o. RACE (2)		13. INVOLVEMENT <input type="checkbox"/> ALCOHOL <input type="checkbox"/> DRUGS		14. DRESS <input type="checkbox"/> UNIFORM <input type="checkbox"/> CIVILIAN		15. COOPERATIVE <input type="checkbox"/> YES <input type="checkbox"/> NO		16. IDENTIFYING MARKS																									
17. PERSONS RELATED TO REPORT (Place additional entries on reverse/attached)																																			
a. NAME				b. GRADE		c. SSN				d. ORGANIZATION/ADDRESS/TELEPHONE NO.				e. (1)	d. (3)																				
18. PROPERTY DATA																19. DISPOSITION OF																			
a. DATE				b. (4)		c. (5)		d. AMOUNT		a. OFFENDER								b. EVIDENCE																	
ENCLOSURES										DISTRIBUTION										FOR THE COMMANDER (Strike out if not applicable)															
																				TYPED NAME, RANK, AND TITLE OF REPORTING OFFICER															
																				SIGNATURE															
(1) CATEGORY				(2) RACE				(3) STATUS				(4) PROPERTY TYPE				(5) PROP. ACTION																			
A - OHMR B - OHNG C - Other Service D - Civilian E - Family Member				F - Contractor G - Other State/ Govt Employee H. Other _____ E - Hispanic X - Other				A - Red B - Yellow C - Black D - White E - Hispanic X - Other				A - Not used B - Witness C - Victim D - Complainant E - Military Police F - Civil Authorities G - Sponsor H - Other				A - State Prop/Funds B - State Vehicle C - Fed Prop/Funds D - Fed Vehicle				E - Private Property F - Private Vehicle G - Other H - Unknown				A - Lost B - Stolen C - Recovered D - Damaged											



**Army Regulation 635-10**



**Personnel Separations**

# **Processing Personnel for Separation**

**Headquarters  
Department of the Army  
Washington, DC  
10 June 1987**

**UNCLASSIFIED**

# ***SUMMARY of CHANGE***

AR 635-10

Processing Personnel for Separation

- o This UPDATE printing publishes a reprint of this publication and Changes 1 - 8.
- o This UPDATE printing incorporates all of those changes directly into the body of text.



Personnel Separations

Processing Personnel for Separation

**By Order of the Secretary of the Army:**

**JOHN A. WICKHAM, JR.**  
*General, United States Army*  
*Chief of Staff*

**Official:**

**R. L. DILWORTH**  
*Brigadier General, United States Army*  
*The Adjutant General*

**History.** The original form of this regulation was first published on 1 July 1984. Since that time, changes have been issued to amend the original. As of 3 August 1987, permanent Changes 1– 8 remained in effect. This UPDATE printing incorporates all of those changes directly into the body of text.

**Summary.** This regulation establishes standardized transition processing policies for all military personnel centers (PSC), personnel service companies (PSC), and personnel service divisions (PSD). It also

establishes final transition processing policies at US Army Transition Points (TP) and US Army Transition Activities (TA).

**Applicability.** This regulation applies to all Active Army personnel, Army National Guard of the United States (ARNGUS), and United States Army Reserve (USAR) members serving on initial active duty for training (IADT), full-time training duty (FTTD), active duty for training (ADT) for 90 days or more, special active duty training (SADT) for up to 179 days. Also included is Active Guard Reserve (AGR) for National Guard and US Army Reserve personnel providing full-time support serving under the Long Tour Management Program in excess of 179 days.

**Proponent and exception authority.** Not applicable

**Army management control process.** This regulation is subject to requirements of AR 11–2. It contains internal control provisions but does not contain checklists for conducting internal control review. These checklists will be contained in a DA Circular in the 11 series.

**Supplementation.** Supplementation of this regulation is prohibited without prior

approval from HQDA(DAPC–PDT–S), ALEX VA 22331–0400.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested improvements.** The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAPC–PDT–S), ALEX VA 22331–0400.

**Distribution.** Active Army, USAR, and ARNG: A

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## **Glossary**

# Chapter 1

## Introduction

### Section I

#### General

#### 1-1. Purpose

This regulation establishes standardized transition—

- a. Pretransition processing policies for all military personnel centers (PSC), personnel service companies (PSC), and personnel service divisions (PSD).
- b. Final transition processing policies at US Army Transition Points (TP) and US Army Transition Activities (TA).

#### 1-2. References

Required and related publications are listed in Appendix A.

#### 1-3. Explanation of abbreviations and terms

Abbreviations and special terms are explained in the Glossary.

#### 1-4. Leave in conjunction with transition

Soldiers may be granted accrued leave in conjunction with transition, if requested and approved, provided such leave will not delay transition (AR 630-5). Accomplish departure transactions as outlined in DA Pam 600-8-1. Establish reporting dates to the TP as shown in DA Pam 600-8-11, table 2-1-2.

#### 1-4-1. Non-CONUS residents and aliens

The transition processing policies contained in this regulation of non-CONUS residents from Alaska, Republic of Panama, Guam, Hawaii, Philippine Islands, Puerto Rico, American Samoa, the Virgin Islands, and aliens from foreign countries will be specifically addressed in chapter 2, section I, paragraph 2-2 g to clarify the processing procedures required because of soldiers' non-CONUS resident classification.

### Section II

#### Transition Activities

#### 1-5. Purpose

This section governs the objectives, designation, organization, functions, and selection of transition activities for processing of personnel for transition.

#### 1-6. Transition objectives

The Army is interested in ensuring that personnel being transitioned are expeditiously processed at transition activities. Harassment and unnecessary delays during processing must be precluded. Personnel responsible for transition processing will take every opportunity to leave a favorable impression upon each member being transitioned from the Active Army.

#### 1-7. Designation and organization of transition activities

Commanders of CONUS installations, the Commanding General of the US Army Military District of Washington, major oversea commanders, and HQDA agencies exercising command over units will—

- a. Centralize transition processing at any activity or installation which has more than one PSC, more than one personnel service company or division, or a combination thereof. *Exceptions:*

- (1) Commanders of the US Disciplinary Barracks and US Army Correctional Activity are granted separation authority for those soldiers confined in these facilities. Soldiers assigned as operational personnel must be processed at a transition point listed in appendix B.

- (2) Commanders of Army Medical Centers (MEDCEN) are granted separation authority for soldiers assigned to those centers as patients. (US Army Medical Department Activities (MEDDAC) must use the TP listed in app B to separate patients.)

- b. Designate specific TA to do the processing where an TP does not exist.
- c. Prescribe the transition flow pattern from units to TP for soldiers who cannot be processed at an activity shown in a and b above.
- d. Organize TP/TA under DA Pam 600-8 and DA Pam 570-551.

#### 1-8. Functions of transition activities

The functions of transition activities are as outlined below—



- a. Accomplish the processing of personnel for transition within the time limits specified in this regulation, to include completion of pretransition processing actions, when necessary.
- b. Accomplish final disposition of records initiated during pretransition processing, final transition processing, and those accumulated during a soldier's period of active duty.
- c. Provide billeting, transportation, and meals for personnel being processed for transition, when necessary.
- d. Counsel personnel being transitioned concerning personal problems incident to transition from military to civilian life.

### 1-9. Transition facilities

- a. The transition function will be carried out in favorable surroundings. Commanders responsible for Transition Points (TP) and Transition Activities (TA) will ensure that—
  - (1) Transition processing is conducted in an informal, quiet, and friendly atmosphere.
  - (2) All material needed for interviewing and counseling are readily available.
- b. Locate the TP/TA in a permanent or semi-permanent building near the Military Personnel Center (PSC), Standard Installation Division Personnel System Interface Branch (SIB), and Finance and Accounting Office (FAO). Attractively furnish the TP/TA with pictures, drapes on windows, and carpeting or rugs. Use proper office equipment and adequate heating, ventilation, and air conditioning. Contact the local medical activity to arrange to measure lighting, noise, and air quality. Provide as quiet and private an interview place as possible. Provide a well-equipped and comfortable lounge/waiting room. Use guidance in TM 5-807-7 to select paint for interior walls. When a separate building near the PSC, SIB, and FAO is available, locate the TP/TA in it. Contact the post Master Planner, through the facility engineer, to determine availability of buildings. Plan the use of office space/buildings so that the sequence of the major steps in final transition processing as outlined in paragraph 3-6 will be completed in an efficient and professional manner.
  - (1) Provide enough space to handle all the transition functions. Provide an attractive assembly room or auditorium for the transition orientation/viewing of the required separation films/videotapes. Arrange lighting so speakers and visual aids can be seen plainly from all parts of the room.
  - (2) Plan the layout of the sections to avoid back-tracking and criss-crossing of soldier through the cycles. Try to use assembly-line processing. Post directional signs. (Use DA Pam 5-4-2 for guidance on layouts.)
  - (3) Use design guide 1110-3-104, available through facility engineer channels, to plan space needs.
  - (4) Provide interviewing booths or a partitioned interview area to ensure privacy. Where acoustical dividers are used, select from partitions on the Federal Supply Schedule. Try to get partitions that meet the Public Building class "B" acoustical specifications, or "Speech Privacy Partition" specifications.
  - (5) Provide sufficient space, light, work surfaces, and pens/pencils wherever soldiers must prepare forms or records.
  - (6) Provide a comfortable lounge/waiting room (and restrooms) for soldiers and their dependents.
  - (7) Provide a suitable place for the US Army Recruiting Command (USAREC) In-Service Recruiting NCO.
  - (8) Maintain an adequate filing/locator system to ensure rapid handling of requests for information from USAREC. When feasible, automate this function.
  - (9) Provide a place within easy walking distance of each TP for the soldiers to buy commercial transportation tickets and collect final pay and allowances.
  - (10) Locate noisy work such as typing, away from the interview area. When this cannot be done, use the sound and controls listed in DA Pam 340-2, chapter 7, to reduce noise.
  - (11) Experience at several TP shows that better service can be provided at lower cost by the proper use of word processing systems. AR 340-8, and DA Pam 340-2 show how to get these systems.
  - (12) Furnishings for the TP/TA are authorized by Common Table of Allowance (CTA) 50-909. If the CTA item bases of issue do not apply, request a CTA change under AR 310-34, chapter 3.

## Chapter 2 Pretransition Processing of Personnel

### Section I Responsibility

#### 2-1. Purpose and responsibilities

This section sets forth pretransition processing time limits and policies for the commanders having custody of soldier's personnel records. DA Pam 600-8-11 contains detailed pretransition processing procedures.

#### 2-2. Commencement of pretransition processing

- a. *Normal transition date.* Start pretransition processing 120 days before the effective date of transition for soldiers scheduled for normal transition upon completion of the period for which ordered to active duty or enlisted.

*b. Prior to normal transition date.* Start pretransition processing for soldiers to be separated before their normal transition date upon receiving information showing approval of separation.

*c. Preseparation Service Program (PSSP).* Conduct pretransition processing orientation as established by the installation Preseparation Services Program Coordinator. (See para 2-3 c(5) and DA Pam 600-8-11.) Use transition orientation films as shown in DA Pam 600-8-11.

*d. Counseling certain retirement-eligible enlisted soldiers.*

(1) Each enlisted soldier who, on his expiration of term of service (ETS), will have 20 or more years of active Federal service but who is being preprocessed for transition upon ETS rather than retirement, must be counseled as shown in AR 635-200, paragraph 4-3.

(2) The Personnel Officer/Records Custodian will ensure that—

(a) These retirement-eligible soldiers fully understand the results of separating rather than retiring (AR 635-200, chap 4).

(b) Records contain the appropriate signed statement required by AR 635-200, paragraph 4-3, showing they understand the results of separating rather than retiring.

(c) **(Rescinded.)**

e. **(Rescinded.)**

*f. Counseling certain transitioning/retiring officers.* Officers in the grade of major or above who will have 10 or more years of extended active duty on their transition date must be counseled and sign a statement on the reporting procedures for defense related employment. Commanders who keep MPRJs will ensure that such officers are counseled during preprocessing for transition or retirement. (See AR 600-47, para 3 b(1), and DA Pam 600-8-11, para C-9, app C.)

*g. Counseling and processing non-CONUS residents and aliens.* Process these soldiers in accordance with the policies of this regulation except with the following specific guidance:

(1) *Place of transition* Non-CONUS residents and aliens will be processed for transition in accordance with table 2-2 of this regulation and DA Pam 600-8-11, tables -1-1 and 2-1-2.

(a) *Soldiers stationed in CONUS.* Process soldiers stationed in CONUS at the TP/TA servicing their present unit of assignment.

(b) *Soldiers stationed in their home of record (HOR) area.* Process soldiers stationed in their HOR area at the authorized TP/TA servicing their unit of assignment or the TA will be the PSC servicing their present unit of assignment.

(c) *Soldiers stationed in an overseas area other than their HOR.* Process these soldiers for transition only at the TA servicing the CONUS APOD listed in table 2-1 of this regulation, except soldiers with an approved transition in the overseas command in which serving. Port call instructions will apply when reassigning soldiers from the overseas command to the TP servicing the APOD.

(2) Inform soldiers they will be provided with travel and transportation allowances to their home of selection (if applicable), HOR, or place from which entered on or ordered to active duty. Advise soldiers of the time limitations involved with these entitlements. (See JFTR, vol 1, paras U5125, U5130, U5225, U5230, U5360, 5365-A, 5345-H.)

(3) The effective date of release for soldiers of the ARNG and USAR being released from active duty for training and reverting to the control of the ARNG and USAR, is 2400 hours on the date of expiration of authorized travel time to their HOR. Coordination must be made with the Travel/Transportation Office and Finance Office to ensure these soldiers are provided with adequate travel time and allowances so they arrive in their HOR by 2400 hours on the effective date of expiration of authorized travel time. Soldiers will be processed for release from active duty prior to departure to HOR. The DD Form 473 and soldier's copy of DD Form 214 (if authorized) will be mailed to an address provided by the soldier on the day after the effective release date. Soldiers will be counseled about procedures to be taken in the event of their hospitalization or death prior to the effective date of release. Disposition of MPRJ and accompanying documents will be in accordance with app D, DA Pam 600-8-11.

(4) Counsel soldiers who are not United States citizens and scheduled to transition in CONUS that they must have in their possession a valid passport and US visa upon transition. Also, advise any soldier who is transitioning in an overseas command that a current passport and visa is required, and that time limitations for travel entitlement to HOR, place from which entered on or ordered to active duty, or home of selection apply.

(5) Advise Philippine/Panamanian residents with American citizenship that they cannot enter the Phillipine Islands/ Republic of Panama unless they possess a current American passport and a Philippine visa/Panamanian resident permit for permanent residence in the Philippine Islands/Republic of Panama.

## **2-3. Preseparation Services Program (PSSP)**

*a. Installation/communities will implement a preseparation services program which integrates the pretransition efforts of the education center, reenlistment NCO, in-service recruiters, and military personnel center (PSC). The format is a mandatory briefing for honorably transitioning soldiers (not retirees) to be conducted not later than 90 days before transition date. Spouses should be invited. The briefing will contain the following information—*

(1) Introduction expressing the Army's thanks for the individual's honorable service.



- (2) *Reenlistment*. Show videotape— *Consider the Possibilities* to all enlisted personnel except those transitioning for disability and/or retirement.
- (3) *Physical disability entitlements*. Show videotape— *Separation for Physical Disability* to all Army compensable disabled soldiers.
- (4) Discussion of civilian living expenses.
- (5) Documentation of education and training received in service.
- (6) Civilian job search activities. Show videotapes— *Applying for a Job and Applying for a Federal Job* to all soldiers.
- (7) Attending college or vocational school.
- (8) VA benefits.
- (9) ISR presentation of benefits of joining United States Army Reserve (USAR) and Army National Guard (ARNG). Show videotapes— *You and the IRR* and *The Opportunity for the Citizen Soldier*.
- (10) *Safeguarding transition documents*. Show videotape— *Helpful Hints* to all soldiers.
- (11) PSC briefing will include preprocessing requirements as outlined in this chapter.
- (12) Followup individual counseling session will be scheduled with representatives of PSC Education Center, or the ISR as appropriate.
- (13) **(Rescinded.)**
  - b. *Rationale*. The pretransition counseling program is designed to—
    - (1) Provide an opportunity to thank soldiers for honorable service. The program reinforces good will among transitioning soldiers and produces positive word of mouth advertising on Army experiences.
    - (2) Gives soldiers and spouses realistic information early enough to plan and act on transition to civilian life.
    - (3) Show clearly the benefits and opportunities available through participation in USAR and ARNG.
  - c. *Responsibilities*.
    - (1) ODCSPER (DAPE-MP) will—
      - (a) Be the proponent agency for the Preseparation Services Program on the Army Staff (ARSTAFF).
      - (b) Coordinate, maintain, publish and distribute pretransition program materials.
      - (c) Coordinate with appropriate ARSTAFF agencies on implementation of changes and evaluation of the program.
    - (2) Commanding General, MILPERCEN will—
      - (a) Update DA Pam 600-8-11 as to transition points/activities responsibilities, as required.
      - (b) Continue to evaluate conduct of transition processing.
      - (c) Update film/video tape series, “ Separating from the Army,” as required.
      - (d) Coordinate with appropriate ARSTAFF agencies on implementation of changes in, and evaluation of program.
    - (3) MACOM commanders will —
      - (a) Implement the PSSP in their commands.
      - (b) Monitor the program and provide policy direction and guidance to installation commanders.
      - (c) Serve as a clearing house for coordinating actions between DCSPER, MILPERCEN, and TP/TA for recommended improvements in the PSSP.
    - (4) Installation/community commanders will—
      - (a) Implement the PSSP at their installations.
      - (b) Insure all honorably transitioning soldiers (not retirees) are scheduled for and attend pretransition briefing.
      - (c) Designate coordinator of the PSSP on the installation or community; this should be the Military Personnel Center (PSC).
    - (5) Coordinators will—
      - (a) Coordinate scheduling, facilities, speakers, equipment, and materials for the PSSP on the installation.
      - (b) Provide personnel as needed to conduct the PSSP.
      - (c) Provide/arrange for followup counseling service for soldiers and spouses who request them.
      - (d) Develop listings of transitioning personnel to attend group briefings.
      - (e) Notify transitioning personnel of the date, time, and location of briefings.
    - (6) **(Rescinded.)**
      - (a) **(Rescinded.)**
      - (b) **(Rescinded.)**
      - (c) **(Rescinded.)**
    - (7) ISR will present material on procedures for entering the USAR or ARNG following separation, entitlements and benefits of such service, and information to soldiers with a service obligation on their responsibilities as soldiers of the Reserve. This briefing should also emphasize the requirement for the application of the DD Form 2A Identification Card (Reserve) (red) during pretransition processing. (See para 2-4 c.)
    - (8) Reenlistment NCOs will present material on entering the USAR or ARNG if an ISR is not assigned or available.

- (9) PSSP briefings will normally be presented in classroom areas to groups of not more than 50 soldiers.

## Section II

### Administrative Procedures for Personnel Stationed in CONUS

#### 2-4. Pretransition processing sequence

Follow this regulation, DA Pam 600-8, and DA Pam 600-8-11.

*a. Reenlistment interview.* Counsel and interview the soldier as prescribed by AR 601-280 on the benefits of immediate reenlistment. All eligible enlisted personnel to be relieved from active duty or discharged will be interviewed again 60 days prior to scheduled transition date.

(1) If the Active Army soldier does not desire to reenlist, advise the Finance and Accounting Officer servicing his/her unit of the scheduled transition date.

(2) The Reserve Component (RC) In-Service Recruiting NCOs will interview potential soldiers approximately 60 days before scheduled ETS. The RC In-Service Recruiting NCOs must maintain a mutual referral system with the Active Army Reenlistment NCO.

*b. DD Form 1173 (Uniformed Services Identification and Privilege Card).* Inform soldiers whose dependents have DD Form 1173 that it is an accountable document and soldiers must have this form in their possession for final records processing, unless soldier is taking leave in conjunction with transition.

*c. DD Form 2A (Reserve) (red).* Each soldier being released from active duty who still has a remaining service obligation will be required to complete DA Form 428 (Application for Identification Card), under AR 640-3, paragraph 2-6. DD Form 2A (Armed Forces of the United States Identification Card) (Reserve) (red) will be prepared during pretransition processing by the servicing ID Card issue facility. Soldiers will be advised that the DD Form 2A must be in their personal custody at all times during their remaining service obligation.

*d. Separation medical examination.*

(1) There is no statutory requirements for soldiers of the active Army including USMA cadets and members of the USAR and ARNG on active duty or active duty for training to undergo a medical examination incidental to separation from Active Army service. However, it is Army policy to accomplish a medical examination f—

(a) Soldier is Active Army and retiring after 20 or more years of active duty.

(b) Soldier is being discharged/released from active duty and requests a medical examination. However, if soldier declines a medical examination his Health Record must be reviewed by a physician or physician assistant (PA) before separation.

(c) The review of soldier's health records by physician or PA warrants an examination.

(d) Required by AR 40-501.

(2) Separation medical examination requirements are in AR 40-501, paragraph 10-25 and guidance is in DA Pam 600-8-11, procedure 1-6. Examination will be scheduled in time to ensure completion as follows:

(a) Voluntary. Not earlier than 4 months nor later than 1 month before anticipated transition date. When the soldier is separated UP AR 635-200, chapter 10 or section V, chapter 14, and requests a medical examination, it will be accomplished expeditiously without regard to the time constraints otherwise applicable to voluntary examinations.

(b) Required. Not later than 72 hours before anticipated transition date.

(3) Soldiers requiring medical or dental care may be retained on active duty past ETS only if retention has been authorized under AR 635-100 or AR 635-200 when continued hospitalization and/or physical disability processing is required.

*e. Separation dental examination.*

(1) The law limits eligibility to outpatient dental treatment by the Veterans Administration (VA) only under the following conditions:

(a) The veteran must have served not less than 180 days of active duty to be eligible for treatment.

(b) Application for VA treatment must be made within 90 days of discharge or release from active duty.

(c) The DD Form 214 (Certificate of Release or Discharge from Active Duty) contains a statement that the Veteran was not provided a complete dental examination and all appropriate dental services and treatment within 90 days before such discharge or release.

(2) If soldier has or has not received a dental examination and treatment within 90 days of separation, then the following appropriate statement must be placed in item 18, Remarks, of the DD Form 214: Dental care (provided/was not provided) within 90 days prior to separation.

(3) When soldier has received a dental examination and treatment within 90 days of separation, the dental clinic personnel will annotate in the remarks block of the SF 603 (Health Record—Dental), the following statement: "Member has been provided a complete dental examination and all appropriate dental services and treatment indicated by the examination."

(4) The law further requires that a statement, signed by the soldier acknowledging written explanation of the



eligibility requirements, be filed in each soldier's service record. The revised DA Form 664 (Service Member's Statement Concerning Compensation from the Veterans Administration) will be used for this purpose.

*f. DA Form 664.* Each soldier being processed for transition will prepare a DA Form 664 and be advised—

(1) To apply for compensation from Veterans Administration by completing VA Form 21-526e (Veterans Application for Compensation or Pension at Separation from Service) if—

(a) Soldier had undergone prolonged hospitalization, or suffered from wounds, injury, or disease while in service or;

(b) Soldier had a physical defect when entering the service which the soldier feels was aggravated by military service.

(c) The soldier does not apply for compensation at time of transition by completing VA Form 21-526e, he or she may do so at any time thereafter. However, it is advisable to apply before leaving the service since medical records are more easily attainable by VA at this time.

(2) If soldier has served not less than 180 days and was not provided a complete dental examination and all appropriate dental services and treatment within 90 days before discharge or release, he or she is eligible for veterans outpatient dental treatment. Application must be made to the Veterans Administration within 90 days of discharge or release from active duty.

*g. Clothing and equipment inventory.*

(1) A showdown inspection of personal clothing and organizational clothing and equipment will be accomplished under AR 700-84 and AR 710-2, respectively. The inspection will be accomplished immediately upon receipt of orders assigning the soldier to a transition activity, or, if assignment to a transition activity is not required, not earlier than 10 days nor later than 5 days before the scheduled transition date.

(2) All items of personal and organizational clothing not authorized for retention upon transition will be withdrawn, except necessary items of clothing required by soldiers for appearance, health, and comfort while en route to and/or pending transition at a distant transition activity. Authorized nonserviceable items will be replaced with serviceable items.

(3) Care will be taken to ensure that soldiers transferred to the Reserve are permitted to retain uniforms and equipment necessary to perform Reserve training (see para 3-10).

(4) Personnel who are discharged for cause or who have an enlistment voided retain only nonrecoverable items such as socks, underwear, handkerchiefs, shoes and towels. Civilian outer clothing is authorized under AR 700-84.

*h. Records processing.*

(1) Personnel, health, dental and financial records of each soldier scheduled for transition will be reviewed, initiated, and checked, as appropriate, during pretransition processing under DA Pam 600-8-11, appendix D.

(2) At regular scheduled ETS/ESA or on approved early separations, pretransition processing will include a careful and thorough review of the Personal Financial Record and Military Personnel Records. Review of these records will be completed 90 days before the date of ETS/ESA or as early as possible in the case of approved early separations. This review will be completed regardless of whether or not the soldier intends to remain on active duty. To accomplish this review, it is desirable that the custodian of the Military Personnel Records Jacket (MPRJ) and the custodian of the Personal Financial Record (PFR) conduct a joint review. Soldiers being transitioned will review their MPRJ and PFR when processed for transition by the special purpose team as provided in DA Pam 600-8, chapter 1. The review will include a check for the following documents contained in the MPRJ:

(a) Promotion and reduction orders.

(b) Article 15 actions.

(c) Court-martial orders.

(d) DA Forms 2 and 2-1 (Personnel Qualification Record, parts I and II).

(3) In all cases the DA Form 4188 (Military Personnel Office/Finance Office Verification of MPRJ and PFR) will be used to accomplish the review. If a joint review of records cannot be conducted between the FAO and PSC, the PSC will conduct the personnel records review in the presence of the individual soldier. Upon completion of the records review by the PSC and the soldier, the PSC will forward the completed DA Form 4188 to the FAO by MTL.

(4) Prepare DD Form 214WS (Worksheet for Certificate of Release or Discharge From Active Duty) approximately 90 days before normal transition date, or if soldier is being separated before normal transition date as soon as approval of separation is received. Prepare in original only and when completed, review and file in action pending section of MPRJ.

*i. Health care coverage (Major Care 90).*

(1) Advise soldier that he or she will be afforded an opportunity at time of transition to purchase short-term coverage under medical service insurance, or health plans designated by Department of the Army.

(2) Advise soldiers who are retiring to go to the facility maintaining their health records if they need copies of them.

*j. Industrial and education recruiting.* Maximum effort will be made by CONUS commanders, within their resources and to an extent which will not interfere with their operational missions, to assist soldiers preprocessing for transition to obtain employment and to finalize plans to continue their education following transition. This assistance will be arranged for at each installation and could include, to the extent feasible—

(1) Distributing or making available to soldiers literature provided by civilian governmental employers or educational institutions.

(2) Permitting representatives of business firms, governmental agencies (Federal, State, county, city), or educational institutions to meet and address soldiers during pretransition processing providing attendance is optional on the part of the soldiers.

(3) Permitting the organization of “job fairs” or other civilian employment recruiting activities or displays designed to inform these personnel of employment and educational opportunities available to them upon transition.



## **2-5. Completion of pretransition processing**

Successful accomplishment of final transition processing in accordance with chapter 3 depends entirely upon the accurate and timely completion of pretransition processing provisions of this chapter. Issue reassignment/separation orders for members stationed in CONUS who will transition within CONUS not later than 60 days before the scheduled transition date. Soldiers who desire their orders earlier than 120 days before scheduled transition date should submit written requests with justification. Coordinate requests with FAO and Transportation Officer (TO) and counsel members concerning early shipment of household goods and movement of dependents before approving. Complete actions prescribed in this chapter, and in DA Pam 600-8-11, procedure 2-1 and appendix A. If member is being assigned to an off-post TP, send all records as prescribed by AR 640-10 and records initiated during pretransition processing to the proper TP.



## **Section III**

### **Administrative Procedures for Personnel Stationed in Oversea Commands**

## **2-6. Pretransition processing sequence**

Except where indicated below, *the pretransition processing policies contained in section II apply to all soldiers stationed in overseas commands except medical evacuees. See AR 40-350 for processing of medical evacuees. See AR 600-85, appendix D, for processing soldiers being separated under AR 635-200, chapter 9, who are drug dependent.*

*a. Orientation.* Personnel will be informed prior to departure from their overseas station—

(1) That, in the interest of personnel economy and control, movements of certain personnel returning without dependents for transition will be accomplished by group shipments from overseas commands to appropriate transition points. These soldiers will be instructed to discourage their dependents and friends from attempting to meet them at the debarkation area or at the transition point. They will be informed further that their stay at the transition point will be a brief one with a full processing schedule that will permit little opportunity for contact with visitors.

(2) That unaccompanied officers returning for transition may be utilized as troop commanders en route from the overseas command to their ultimate military destination. (AMEDD officers with exception of MSC are excluded.)

*b. Separation medical examination.* Paragraph 2-4 *d* and DA Pam 600-8-11, procedure 1-6.

*c. DD Form 2A (Reserve) (red).* Paragraph 2-4 *c* applies.

*d. Clothing and equipment.* Paragraph 2-4 *g* applies.

*e. Processing pay documents.* Major overseas commanders will ensure that all pay related documents are included in the DA Form 3716 (Jumps-Army (Joint Uniform Military Pay System-Army) Personal Financial Record, United States Army) of all personnel returning for transition. These documents accompany the soldier upon his departure from the overseas command. Pay related documents and miscellaneous collection items are identified as charges or credits due a member. Pay related documents and miscellaneous collection items consist primarily of the following:

(1) Laundry charges.

(2) Fines, forfeitures, and detained pay.

(3) Statement of charges for Government property lost, damaged, or destroyed.

(4) Indebtedness to instrumentalities and agencies of the Government and damage to private property.

(5) Notice of credit to an individual.

(6) Copies of allotment documents.

(7) DA Form 2142 (Pay Inquiry).

(8) Promotion/reduction orders, dependency certificates, copies of records of nonjudicial punishment (DA Form 2627), and courts-martial orders.

(9) Leave rations.

*f. Personnel returning to CONUS or other area.* Personnel who are returned to continental United States or other area from overseas commands for transition will be assigned directly to an appropriate transition point in continental United States or other area in accordance with *i* below. See AR 614-30.

*g. Involuntary extensions.* The policy and procedure for involuntary extension of overseas tours are contained in AR 614-30, table 9-1.

*h. Issuance of orders for soldiers returning to CONUS for final transition processing.* In orders issued assigning



soldiers for transition processing, relieve the soldier from the unit and assign directly to the TP in CONUS (table 2-1 and 2-2), except as shown in paragraph *i* below. (See AR 614-30.)

*i. Selection of TP for final transition processing.*

(1) *General.* Major overseas Commanders will insure that the TP is selected based on 2 below, and tables 2-1 and 2-2. No matter which TP is selected, advise soldiers they are entitled to travel and transportation allowances from their overseas unit of assignment to their "home of record" or "place from which entered on or ordered to active duty."

(2) *Soldiers to arrive in the United States/HOR area in conjunction with emergency leave or TDY.*

(a) AR 635-200 allows enlisted soldiers in the United States or HOR area on TDY or emergency leave from overseas units to be discharged or released if, upon completion of TDY or leave, they will have less than 60 days till ETS. Assign affected soldiers to any authorized TP (app B) nearest their home of record or place from which entered on or ordered to active duty. Send personnel, health, dental, and financial records to the proper TP as soon as possible after departure of the soldier.

(b) If the place of an emergency is not near the soldier's home of record or place from which entered on or ordered to active duty, the soldier may be assigned (JFTR, vol I, para U5125) to any authorized TP (app B) nearest the place of emergency.

(c) If the soldier is assigned to an TP nearest the place of the emergency, cite in the orders assigning the member to that TP both AR 635-200 and JFTR, Volume I, paragraph U5125, as the authority. A soldier who elects to be assigned to such an TP nearest his place of emergency will not be entitled to any greater or additional monetary or other benefits for himself or his dependents than those to which he would have been entitled by separating at the authorized and directed TP.

(d) Do not process for REFRAD/discharge/retirement before leave or TDY is completed.

(3) *Personnel arriving in continental United States via commercial (Non-Government) transportation.* Personnel arriving in continental United States or other area via commercial transportation (non-Government), at aerial debarkation areas other than those indicated in table 2-1 will be assigned to a transition point located nearest debarkation area (app B).

(4) *Personnel arriving in continental United States via John F. Kennedy International Airport, New York, NY.* Personnel arriving in continental United States via commercial contract aerial transportation procured by the Military Airlift Command (MAC) or on MAC aircraft who debark at John F. Kennedy International Airport, New York, NY will be assigned to the transition point shown in table 2-1.

(5) *Special categories of military personnel.* Personnel returned to CONUS for separation for cause under AR 604-10, AR 635-100, or 635-200, will be returned by air. If the soldier is precluded from carrying his official military records, these records will be given to a designated courier who is returning on the same aircraft for delivery to the military processing personnel at the port of debarkation.

(6) *Personnel returning with privately owned vehicle.* Under AR 55-71, officers, warrant officers, and enlisted personnel are authorized to select an appropriate approved destination for delivery of the privately owned vehicle (POV). Notwithstanding selection made by the soldier of the approved destination area where the POV will be delivered, orders issued for personnel returning for transition will assign the soldier to the transition point nearest to the debarkation area (table 2-1). The soldier will be instructed in writing that the cost of any travel from the debarkation area to the authorized delivery point of the POV, for the purpose of procuring the POV, will be borne by the soldier on a nonreimbursable basis.

*j. Health care coverage.* Counsel the soldier as to the opportunity that will be afforded at time of transition to purchase short-term coverage under medical service insurance, or health plans designated by the Department of the Army (DA Pam 600-8-11, para C-25).

## 2-7. Not used

### Section IV

## Administrative Procedures for Processing Non-CONUS Residents Stationed Overseas and in CONUS

## 2-8. Not used

## 2-9. Not used

### Section V

## Retirement of Soldiers

## 2-16. Applicability

This section applies to—

- a. Soldiers retiring at an authorized and directed place of retirement or in an overseas command.

- b. All eligible soldiers requesting retirement at a location of personal choice.

## **2-17. Entitlement authority**

The entitlement portion of this regulation pertaining to per diem, travel, and transportation allowance has been reviewed by the Per Diem, Travel, and Transportation Allowance Committee under section III, DOD Directive 5154.13, dated 1 May 1958, as PDC Case 0205.

## **2-18. Policies for soldiers scheduled for retirement**

a. *Authorized place of retirement.* Process soldiers for retirement (JFTR, Vol 1, para U5130) who are entitled to select a home and travel thereto only at an authorized and directed TP/TA (DA Pam 600-8-11, table 2-1-1) except as indicated in paragraph 2-19.

(1) *Soldiers stationed in CONUS.* Process soldiers assigned for duty at an activity or installation where an TP is available only at that TP. Process soldiers who are assigned for duty at an activity or installation where an established TP is not available for retirement—

(a) At the servicing PSC.

(b) At the nearest authorized TP (See DA Pam 600-8-11, table 2-1-1.)

(2) *Soldiers stationed outside of CONUS.* Process soldiers stationed outside of CONUS for retirement only at the TP listed in table 2-1 this regulation, except soldiers with an approved separation in the oversea area in which serving.

(3) *Non-CONUS residents stationed in their HOR area.* Process these soldiers for retirement at the authorized TP/TA servicing their current unit of assignment, as applicable. (See DA Pam 600-8-11, table 2-1-1.)

b. *Entitlements after retirement.* A soldier is entitled to travel allowances after retirement only from the authorized TP/TA, listed in a above where he/she was required to be processed, to his/her ultimate home of selection (JFTR, para U5130 and 37 U.S.C. 404). Dependents are entitled to travel allowances only from last duty station of the soldier to the home of selection (JFTR, para U5230). Do not pay the final settlement for travel of the soldier and dependents until they have actually traveled to their home of selection.

## **2-19. Processing of soldiers for retirement at a location of personal choice**

a. As an exception to paragraph 2-18, eligible soldiers listed in the JFTR, paragraph U5130A3, who are either stationed in CONUS or desire to be returned to CONUS/Hawaii/Alaska, may elect to be processed for retirement at location of personal choice. They may be retired under this personal option at any authorized TP listed in appendix B at no additional expense to the Government. Soldiers must pay for travel to the location of personal choice TP. Commanders will ensure that each soldier is told he/she must pay for this travel before he applying for retirement.

b. Soldiers electing to be processed at a place of personal choice are *permitted* to proceed thereto, as distinguished from being *directed*.

(1) Soldiers returning to CONUS from overseas are entitled to travel under the JFTR ((para U5116 (soldier) and U52058 (dependents)), from the oversea station to the proper CONUS APOD. (See table 2-1.)

(2) After retiring and traveling to the home of selection, the soldier is entitled to the travel and transportation allowances prescribed in JFTR, paragraphs U5130 and U5230, for travel actually performed—not to exceed the allowances from the authorized place of retirement to the home of selection.

## **2-20. Retirement per diem allowances, travel allowances, and orders issuance**

Soldiers are entitled to per diem allowances while processing for retirement as indicated in tables 2-4 and 2-5. Allow travel time to permit the soldier to proceed from his CONUS duty station or CONUS APOD to arrive at his location of personal choice TP on the reporting date computed under DA Pam 600-8-11, table 2-1-2. Follow the rules prescribed in chapter 6, AR 37-106, for permanent change of station (PCS) (based on the mode of transportation to be used) in allowing travel time. Soldiers who elect to be processed for retirement at a location of personal choice will depart from their current duty station under orders issued as prescribed in tables 2-4, 2-5 this regulation and DA Pam 600-8-11, table 2-1-2. Consider the number of days' travel time plus any requested and approved leave (AR 630-5) in setting the departure date in order to permit arrival at the TP on the reporting date. (See DA Pam 600-8-11, table 2-1-2.) Ensure that soldiers who elect to be processed at a location of personal choice are not given any greater or additional monetary or other allowances than those to which they would have been entitled had they retired at the authorized place of retirement.

## **2-21. Retirement of soldiers at an authorized US Army Transition Point/Activity while on authorized leave**

a. If a soldier desires, he/she may take leave to take part in a retirement ceremony at his own expense at a CONUS post other than where the retirement action will be processed. The soldier will—

(1) While on leave, personally arrange to take part in the ceremony with the adjutant general or adjutant of the selected post.

(2) Advise the processing TP/TA that he/she is alive on the last day of the retirement month.



b. When transition processing has been completed and the soldier has departed on leave, such leave may be ended only as authorized by AR 630–5.

## 2–22. Retirement and transition action tables

Tables 2–4 and 2–5 show required administrative actions described above in simplified steps.

<b>Table 2–1</b> <b>Transition Point Upon Arrival in CONUS</b>		
	A	B
RULE	When arrival point within CONUS is to be	then transfer point is
1	John F. Kennedy International Airport New York, NY	US Army Transition Point(W1DC1E) Ft Dix, NJ 08640–7230
2	McGuire AFB Wrightstown, NJ	US Army Transition Point (W1DC1E) Ft Dix, NJ 08640–7230
3	Charleston AFB Charleston, SC	US Army Transition Point (WOU61A) Ft Jackson, SC 29207–6430
4	Travis AFB Fairfield, CA	US Army Transition Point (W0VW04) Oakland Army Base, Oakland CA 94626–5030
5	McChord AFB Tacoma, WA	US Army Transition Point (W12K1Z) Ft Lewis, WA 98433–5000
6	Oakland International Airport Oakland, CA	US Army Transition Point (W0VW04) Oakland Army Base, Oakland, CA 94626–5030
7	Philadelphia International Airport Philadelphia, PA	US Army Transition Point (W1DC1E) Ft Dix, NJ 08640–7230
8	Seattle-Tacoma International Airport Seattle, WA	US Army Transition Point (W12K1Z) Fort Lewis, WA 98433–5000

<b>Table 2–2</b> <b>Place of Transition for Soldiers who are Non-CONUS Residents and Aliens</b>		
	A	B
RULE	When soldier is	then the transition point/activity is
1	based in CONUS	the TP/TA servicing present unit of assignment (Notes 1, 2, and 3).
2	based overseas in HOR area	the authorized TP/TA servicing unit of assignment or the TA will be the PSC servicing unit of assignment (Notes 2 and 3).
3	based in an overseas area other than the home state, territory, or country	the TP servicing CONUS debarkation area (table 2–1) or with an approved separation by the overseas command, then the TA will be the PSC servicing the overseas unit of assignment (Notes 1, 2, and 3).

**Notes:**

<sup>1</sup> Non US citizens must have a current passport and visa in their possession upon separation.

<sup>2</sup> Travel and transportation entitlement limitations apply:

<sup>a</sup> Travel must be completed prior to 181st day following separation/or release from active duty, except when additional time is authorized or approved (JFTR, vol 1, para U5125).

<sup>b</sup> Travel to a selected home, if eligible, must be completed within 1 year after termination of active duty. (JFTR, vol 1, para U5130).

<sup>3</sup> See DA Pam 600–8–11, tables 2–1–1 and 2–1–2, for final separation reporting place and time.

**Table 2–3**  
**Separation Transfer Points/Activities for Return to an Oversea HOR Area (Rescinded)**

**Table 2–4**  
**Retirement of Soldiers Stationed in CONUS**

	A	B	C	D	E	F
RULE	If a soldier is stationed at an installation or activity—	soldier will be processed for retirement at—	reassignment and travel orders required to be issued for soldier to proceed to appropriate transition activity—	soldier entitled to monetary allowance, Government transportation or transportation request (TR) for travel to transition activity—	per diem allowances authorized while soldier being processed for retirement at the transition activity—	final settlement for travel of soldier and dependents to home of selection will be made by US Army Finance and Accounting Center after travel has actually been performed; travel allowances are payable from—
1	having an established transition point (e.g., Fort Belvoir, VA) and does not elect to be processed at a location of choice—	Fort Belvoir, VA (para 2–18 a(1))	Format 430 (table 2–1–2, DA Pam 600–8–11).	no—no travel involved	no	Fort Belvoir, VA (in this example) to home of selection (e.g., Miami, FL) (para 2–18 b)
2	same condition as Rule 1, but soldier elects to be processed at a location of choice (e.g., Fort Bliss, TX)—	Fort Bliss, TX (para 2–19 a)—a location of choice transition point must be one that can process off-post personnel.	Format 434	no—para 2–19	no	Fort Belvoir, VA (the authorized transition activity) to home of selection (e.g., Philadelphia, PA) (para 2–18 b and 2–19 b)
3	NOT having an established transition point and NOT serviced by a PSC—and soldier does not elect to be processed at a location of choice	nearest authorized transition point (para 2–18 a (1)), and	Format 430 (table 2–1–2, DA Pam 600–8–11).	yes	yes	<i>Soldier</i> —The authorized transition point where processed to home of selection (para 2–18 b) <i>Dependent</i> —Last duty station to home of selection (para 2–18 b)
4	same condition as Rule 3, but soldier elects to be processed at a location of choice (e.g., Fort Benning, GA)—	Fort Benning, GA (para 2–19 a)	Format 434	yes—from duty station to nearest authorized transition point (para 2–19)	yes	<i>Soldier</i> —authorized transition activity nearest duty station to home of selection (para 2–18b). <i>Dependents</i> —duty station to home of selection (para 2–19 b)
5	NOT having an established transition point, but unit of assignment is serviced by a PSC and soldier does not elect to be processed at a location of choice (see Rule 6 for exception)—	servicing PSC (para 2–18 a(1) and table 2–1–2, DA Pam 600–8–11).	not required	no—if Government transportation is provided on round trip daily basis yes—if Government transportation is NOT provided on round trip daily basis	no—if lapsed time is 10 hours or less, however, soldier can be paid for any meals necessarily procured at \$4.50 per meal not to exceed 2 meals. yes—if lapsed time exceeds 10 hours.	duty station to home of selection (para 2–18 b ).



**Table 2-4**  
**Retirement of Soldiers Stationed in CONUS—Continued**

	A	B	C	D	E	F
RULE	If a soldier is stationed at an installation or activity—	soldier will be processed for retirement at—	reassignment and travel orders required to be issued for soldier to proceed to appropriate transition activity—	soldier entitled to monetary allowance, Government transportation or transportation request (TR) for travel to transition activity—	per diem allowances authorized while soldier being processed for retirement at the transition activity—	final settlement for travel of soldier and dependents to home of selection will be made by US Army Finance and Accounting Center after travel has actually been performed; travel allowances are payable from—
6	EXCEPTION to Rule 5—if cost to move soldier from distant duty station to his servicing PSC exceeds cost to move to nearest authorized transition point and soldier does not elect to be processed at a location of choice—	nearest authorized transition activity (para 2-18 a(1)) and	Format 430 (table 2-1-2, DA Pam 600-8-11).	yes	yes	<i>Soldier</i> —authorized transition activity to home of selection (para 2-18 b). <i>Dependents</i> —duty station to home of selection (para 2-19 b).
7	same condition as Rule 5, but soldier elects to be processed at a location of choice (e.g., Fort Carson, CO)	Fort Carson, CO (para 2-19 a)	Format 434	Rule 5 applies	Rule 5 applies	Rule 5 applies
8	same condition as Rule 6, but soldier elects to be processed at a location of choice (e.g., Fort Ord, CA)	Fort Ord, CA (para 2-19 a)	Format 434	yes—from duty station to nearest authorized transition point (para 2-19)	yes	Rule 6 applies

Notes:

<sup>1</sup> Format 432 and 434 are contained in appendix A, AR 310-10.

**Table 2–5**  
**Retirement of Soldiers Stationed Outside of CONUS**

	A	B	C	D	E	F
RULE	If soldier stationed overseas—	soldier will be processed for retirement at—	reassignment and travel orders required to be issued for soldier to proceed to appropriate transition activity—	soldier entitled to monetary allowance Government transportation or a transportation request (TR) for his travel from CONUS debarkation area to activity—	per diem allowances are authorized while soldier being processed for retirement at the transition activity—	final settlement for travel of soldier and dependents to home of selection will be made by US Army Finance and Accounting Center after travel has been performed; travel allowances are payable from—
1	does NOT elect to be processed for retirement at a location of choice transition point (e.g., soldier stationed in USAREUR and will debark at J.F. Kennedy International Airport, NY or McGuire AFB, NJ)—	the authorized and directed transition point located adjacent to the CONUS debarkation area; e.g., Fort Dix, NJ for soldiers debarking at J.F. Kennedy International Airport, or McGuire AFB (para 2–18 a(2) and table 2–1)	Format 432. Orders will include port call instructions (para 2–14)	yes	yes	<i>Soldier</i> —authorized and directed transition point to home of selection (in this example from Ft Dix, NJ to Helena, MT) (para 2–18 b). <i>Dependents</i> —From last duty station to home of selection (para 2–18 b).
2	Elects to be processed for retirement at a location of choice transition point (e.g., soldier stationed in Korea and elects to be processed for retirement at Fort Sill, OK).	Fort Sill, OK (para 2–19 a) (a location of choice transition point must be one listed in appendix B)	Format 434 for transportation from last duty station to CONUS port of debarkation and other entitlements see JFTR para U5116	No—soldier must personally defray cost of his/her (and dependents) travel to location of choice (e.g., from Travis AFB, CA to Fort Sill, OK (para 2–19 b))	yes	<i>Soldier</i> —authorized and directed transition point to home of selection (para 2–18 a and 2–19 b (e.g., from Oakland, Army Base, CA to Omaha, NE)) <i>Dependent</i> —the CONUS debarkation area to home of selection (e.g., from Travis AFB, CA to Omaha, NE) (para 2–18 b and 2–19 b).

Notes:

Format 432 and 434 are contained in appendix A, AR 310–10.

## Chapter 3

### Final Transition Processing of Personnel

#### Section I

#### Unit Departure Ceremony/Reporting for Final Transition Processing

##### 3–1. Unit departure ceremony

During the pretransition processing and prior to soldier's departure from the unit, the unit commander and/or the installation representative will conduct a command departure ceremony for each member transitioning with an honorable character of service ((exclude AR 635–200, chaps 9, 10, 11 (Trainee Discharge Program), 13, 14, and 15)) to express the Army's appreciation and gratitude for the service rendered by the soldier.

a. The departure ceremony for non-retirement eligible soldiers (officers and enlisted) who receive honorable discharge certificates will include the presentation of the Army Lapel Button (ALB). The award of the ALB is to provide an appropriate identification of veterans for their honorable active Federal service in the Army of the United States (See AR 672–5–1, para 6–13 f). The ALB will not be given to soldiers separating honorably under adverse reasons for—

- (1) Unsatisfactory performance.



- (2) Entry Level Performance.
- (3) Misconduct.
- (4) Homosexuality.
- (5) Drug Abuse.
- (6) Alcoholism.
- (7) For the good of the Service.
- (8) Security reasons.

b. Soldiers retiring will receive appropriate recognition and appreciation of service on the occasion of their retirement.



### **3-1.1. Reporting for Final Transition**

After completion of pretransition processing prescribed by chapter 2 and DA Pam 600-8-11, soldiers will—

- a. Be reassigned to the TP, if appropriate, listed in DA Pam 600-8-11, table 2-1-1 on the reporting date established in the transition order under table 2-1-2.
- b. Physically report to the TP/TA for final transition processing on the date and time listed in DA Pam 600-8-11, table 2-1-2.

### **3-2. Soldiers being separated under less than honorable conditions**

Process these soldiers separately, to the maximum extent possible.

## **Section II**

### **Administrative Procedures**

### **3-3. Industrial and educational recruiting**

a. Recruiting by civilian governmental employers or agencies of individuals undergoing processing normally will be confined to the pretransition processing period as prescribed in paragraph 2-4. It is recognized, however, that such a policy is not appropriate for personnel whose last assignment was in an oversea command. Therefore, commanders of transition points which process oversea returnees for final transition are encouraged to authorize employment and education recruiting during final transition processing provided—

- (1) It does not interfere with processing procedures to an unacceptable degree, and
- (2) Participation of personnel being processed is on a voluntary basis (para 2-4 j).

b. Request for lists or rosters containing the names of personnel being processed for transition or previously transitioned will be denied.



### **3-4. Personal factor in final transition processing**

The impressions made upon the soldier during transition processing will have a significant influence in shaping attitude toward service in the Army. Accordingly, processing will be so conducted as to show the Army's interest in the future welfare of the soldier as a citizen. Personnel assigned to processing duties will be thoroughly trained for their jobs. Each person will be carefully selected with emphasis on military bearing, appearance, and ability to express oneself clearly and understandably. They must be courteous, exhibit exemplary conduct, and take every opportunity to leave a favorable impression upon each soldier processed for separation.



### **3-5. Time limits for completion of final transition processing**

- a. Separate oversea returnees, except retirees, on the first workday after arrival at STP, when possible.
- b. Separate those soldiers who will be REFRAD/discharged prior to ETS or period for which ordered to active duty by the third workday after approved separation, when possible.
- c. Separate all other soldiers on their scheduled transition date, except those that elect to separate on the last workday before a Saturday, Sunday, or holiday.



### **3-6. Final transition processing sequence**

a. The following actions will be accomplished during final transition processing:

- (1) Initial receiving.
- (2) Orientation. Show videotapes— *Address/Farewell by CSA* to all honorably separating members and *The Role of the Army Board for Correction of Military Records and The Army Discharge Review Board* to all soldiers.
- (3) Medical examination review.
- (4) Clothing and equipment turn-in/counseling.
- (5) Records interview processing.
- (6) Outgoing records check.
- (7) Final pay.

✓ **b.** TP chiefs/commanders will promptly notify the commander of the soldier's losing PSC, or in the case of an oversea returnee, the major oversea commander, of any deficiencies in preprocessing. TP commanders at Forts Dix and Jackson and Oakland Army Base will complete and forward the monthly Preprocessing Discrepancy Report (RCS: MILPC-71) to the major oversea commander, with a copy to HQDA (DAPC-PDT-S), ALEX VA 22331-0400.

c. **(Rescinded.)**

✓ **3-7. Initial receiving**

a. This includes—

- (1) An arrival briefing.
- (2) Issuance of required handout orientation material, if not issued earlier.
- (3) Checking to ensure that needed records are available.
- (4) Provisions for quarters and messing, if appropriate.

b. Check incoming records to verify eligibility for separation.

**3-8. Orientation**

a. *General.*

(1) Conduct an individual or group orientation based upon the number of soldiers being processed.

(2) Ensure that all soldiers have seen the entire set of tapes/films that apply to the type of separation they are receiving. The letters of instruction that come with the tapes/films state the specific type of separatees to whom each film/tape should be shown. DA Pam 600-8-11, appendixes B and C, contain specific requirements of tapes/films.

(3) Conduct an introductory/supplemental talk.

(4) Orient soldiers being separated under less than honorable conditions separately, to the maximum extent possible.

b. *Purpose.*

(1) The primary purpose of the tapes/films is to assist in making the transition from military to civilian life, explaining—

(a) Major rights, benefits, and obligations of personal interest to the soldiers.

(b) Services of civilian agencies available to soldiers after separation.

(2) The primary purposes of the introductory/supplemental talk are to—

(a) Acquaint the soldiers with the mission and facilities of the TP/TA and give instructions about where to go and what is required at each stage.

(b) Explain the purpose of the records processing interview.

(c) Answer questions concerning information covered in the orientation.

c. *Presentation.* The TP/TA commander or chief will appoint, if available, an officer or a senior NCO who has been decorated for combat-zone service or actions to be the principal orientation speaker. He will introduce any other speakers.

d. *Instructional materials for processing cadre.* Use the following publications in answering questions from transitioning soldiers and give them to separatees/retirees as indicated below.

(1) *VA Fact Sheet 1S-1—Federal Benefits for Veterans and Dependents.* This Veterans Administration publication is distributed annually by USAAG Publications Center, Baltimore, MD, to each transfer activity. Direct request to the Veterans Administration for this publication is not authorized. This publication will not be furnished to soldiers being separated.

(2) *DA Pam 360-506—Disability Separation.* Issue to disability soldiers.

(3) *DA Pam 360-526—Once a Veteran.* (Distribute to all soldiers.)

(4) *DA Pam 600-5—Handbook on Retirement Services for Army Personnel and Their Families.* (Distribute to retirees only.)

(5) *DA Pam 360-524—Your Personnel Affairs.* (Distribute upon request.)

(6) *College Placement Annual.* (Distribute to each college graduate being separated upon request.)

(7) *VA Pam 27-82- 2—A Summary of Veterans Administration Benefits.* (Distribute to all soldiers who are discharged/REFRAD/retired, except those remaining on active duty in the same or another status.)

(8) *CHAMPUS Handbook.* (Distribute to retirees only.)

(9) *DA Pamphlet 140-8—Information Pamphlet for the Career Development of Enlisted Members of the United States Army Reserve.* Distribute to each enlisted soldiers being released from active duty who will have a remaining service obligation and to those enlisted soldiers being separated without a remaining service obligation who are reenlistment eligible. (Direct request for this pamphlet will be made to Commander, ARPERCEN, ATTN: DARP-SP, 9700 Page Blvd., St. Louis, MO 63132-5200.)

(10) **(Rescinded.)**

✓ **3-9. Separation medical examination review**

a. Review DA Form 3444 series (Treatment Record) to determine whether—



- (1) The separation medical examination was accomplished as prescribed in paragraph 2-4 d.
- (2) The option statement as prescribed by DA Pam 600-8-11, procedure 1-6, is in file, if the separation medical examination is not required.

b. Soldiers must undergo a separation medical examination if one of the following conditions exist:

- (1) There is no record of a separation medical examination having been accomplished and one was required. (See para 2-4 d.)
- (2) The statement in DA Form 3444 series shows the soldier requested a separation medical examination and there is no SF 88 in file.

### 3-10. Clothing and equipment turn-in/counseling

Processing of clothing and equipment check will be accomplished under AR 700-84 and AR 710-2, respectively. Commanders of transition points processing overseas returnees separating for cause are responsible for recovering the military clothing retained for appearance, health, and comfort as outlined in paragraph 2-4 g. Enlisted personnel being released from active duty and transferred to the USAR will be cautioned that retained clothing and equipment may be required in connection with Inactive Duty Training, AT/ADT or order to AD in the event of mobilization, and that they may be charged for replacement issue if such items are not in possession when required for such training.

### 3-11. Records interview

a. Purpose.

- (1) To give the soldier an opportunity to verify the entries made on the final separation documents.
- (2) To inform the soldier of the purpose and importance of the documents about to be signed.
- (3) To have the soldier sign the separation document.

b. Conduct.

(1) When personnel are processed as individuals or as groups, all records and documents will be carefully checked and time allowed for questions and answers.

(2) Whenever a soldier is required to complete a form or sign a document, adequate instructions will be given as to its purpose and importance. Upon completion, all documents will be checked by the interviewer for accuracy, completeness, and to assure that instructions have been followed.

(3) The time allowed for each interview must be sufficient to permit the interviewer to survey the complete military records of the soldier. Entries on the various forms will be extracted from source documents to ensure completeness and accuracy. Data from DA Forms 2 and 2-1 will be used only when source documents are not available or regulations governing the specific form direct that information be obtained from the DA Forms.

c. Records. Appropriate records will be initiated and closed under DA Pam 600-8-11, appendix D.

### 3-12. Outgoing records check

Personnel will be required to examine and check all records prepared in connection with transition for completeness and accuracy. Errors or omissions detected will be corrected immediately. The soldier will sign any forms, records, or other documents requiring his or her signature. At the close of this phase of the processing, place the soldier's records inside the MPRJ for distribution in accordance with appendix D, DA Pam 600-8-11.

#### 3-12.1. Mailing rates for disposition of MPRJ

Since MPRJ contain material subject to the Private Express Statutes (39 U.S.C.), U.S. Postal authorities will accept MPRJ for shipment only at the First-Class or Priority mailing rates. In compliance with Title 39 of the United States Code and post transition processing procedures, the TP/TA will—

a. Prepare MPRJ and accompanying documents for shipment in accordance with DA Pam 600-8-11, appendix D, tables D-1 through D-12.

b. Deliver MPRJ directly to the United States Postal Service/Army Postal facility servicing the installation/activity not later than the fifth work day after the transition/retirement date for mailing as follows:

- (1) Mail pieces weighing 12 ounces or less at the First-Class rate.
- (2) Mail pieces weighing more than 12 ounces at the Priority rate.
- (3) Mark each piece of mail containing MPRJ either FIRST-CLASS or PRIORITY MAIL.
- (4) Do not use certified or registered mail.

c. Maintain an accurate record of when and where MPRJ are shipped to ensure an audit trail. Each box or envelope will contain one copy of DA Form 200 with the annotated shipment date.

### 3-13. Departure ceremony

(Rescinded.)

### 3-14. Final pay

a. The finance and accounting officer or class B agent officer will be responsible for computation of final payments

and preparation of DA Form 1341 (JUMPS—Army Allotment Authorization). Final pay and allowances, including payment for accrued leave, and mileage for travel, when applicable, will be paid.

✓ b. Soldiers will report to the finance and accounting officer or class B agent officer for final pay. Immediately following final payment, the individual will surrender Identification Card (DD Form 2A) or sworn statement of loss to the finance and accounting officer or class B agent officer. Installation commanders will establish appropriate control procedures for the destruction of the ID cards.

c. Enlisted personnel who enlist or reenlist immediately after separation will not be authorized to receive final pay until enlistment or reenlistment has been accomplished.

✓ **3-15. Forwarding fingerprints to the FBI**

Forward FD Form 249 (Federal Bureau of Investigation, Current Arrest or Receipt) when the soldier is discharged per AR 635-200, section IV of chapter 3, or chapters 10 or 14, if he or she meets the criteria of AR 190-47, paragraph 5-2. Send completed FD Form 249 without letter of transmittal to the US Department of Justice, FBI, ATTN: Identification Division, WASH DC 20537.

✓ **3-16. Furnishing home address to MILPERCEN**

Transition activities will submit Post separation home address ((NX) Transaction) on all separating personnel under DA Pam 600-8-2, procedure 2-59.

✓ **3-17. SIDPERS separation transactions**

Transition Points will ensure that a SIDPERS Separation Transaction is prepared for all personnel separated at the TP under DA Pam 600-8-2, procedure 2-77. This includes all personnel reassigned to an TP for the purpose of separation and oversea returnees/CONUS to CONUS Reassignments for retirement at a station of choice.

✓ **3-18. Selective service registration upon separation**

The law requires that all men born in 1960 or later must register with the Selective Service System when they leave active duty if they have not previously registered. Transition Point personnel will brief all eligible separatees on the requirement for registration and provide registration packet in accordance with procedures contained in DA Pam 600-8-11, appendix C, paragraph C-28.



OHMR FORM 3975 (May 88)

## **Appendix A**

### **References**

#### **Section I**

##### **Required Publications**

###### **AR 604-10**

Military Personnel Security Program. (Cited in para 2-6 *i*(5).)

###### **AR 635-100**

Officer Personnel. (Cited in paras 2-4 *d*(3) and 2-6 *i*(5).)

###### **AR 635-200**

Enlisted Personnel. (Cited in paras 2-2 *d*(1), 2-2 *d*(2) (*a*) , 2-2 *d*(2) (*b*), 2-4 *d*(2) (*a*), 2-4 *d*(3), 2-6 *i*(2) (*a*) , 2-6 *i*(5), and 3-1.)

###### **DA Pamphlet 600-8-11**

Separation Processing Procedures. (Cited in paras 1-4, 2-1, 2-2 *c*, 2-2 *f*, 2-2 *g*, 2-3 *c*(2) (*a*), 2-4 *d* (2), 2-4 *h*(1), 2-5, 2-6 *b*, 2-6 *j*, 2-18 *a* , 2-18(1) (*b*), 2-18(3), 2-20, 3-1.1, 3-1.1 *a*, 3-1.1 *b* , 3-8, 3-9, 3-11, 3-12 and 3-18, Table 2-4, and Table 2-5.)

#### **Section II**

##### **Related Publications**

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

###### **AR 37-106**

Finance and Accounting for Installations: Travel and Transportation Allowances

###### **AR 40-350**

Medical Regulating To and Within the Continental United States

###### **AR 40-501**

Standards of Medical Fitness

###### **AR 55-71**

Transportation of Personal Property and Related Services

###### **AR 190-47**

The United States Army Correctional System

###### **AR 310-10**

Military Orders

###### **AR 310-34**

Equipment Authorization and Utilization Policies and Criteria, and Common Table of Allowances

###### **AR 340-3**

Official Mail Cost Control Program

###### **AR 340-8**

Army Word Processing Program

###### **AR 600-8**

Military Personnel Operations

###### **AR 600-47**

Reporting Procedures on Defense Related Employment





**AR 600–85**  
Alcohol and Drug Abuse Prevention and Control Program

**AR 601–210**  
Regular Army Enlistment Program

**AR 601–280**  
Army Reenlistment Program

**AR 614–30**  
Oversea Service

**AR 614–200**  
Selection of Enlisted Soldiers for Training and Assignment

**AR 621–5**  
General Education Development

**AR 630–5**  
Leaves and Passes

**AR 630–10**  
Absence Without Leave and Desertion



**AR 635–5**  
Separation Documents



**AR 635–40**  
Physical Evaluation for Retention, Retirement or Separation



**AR 640–10**  
Individual Military Personnel Records

**AR 700–84**  
Issue and Sale of Personal Clothing

**AR 710–2**  
Material Management for Using Units, Support Units and Installation

**CTA 50–909**  
Common Table of Allowances

**DA Pamphlet 5–42**  
Work Simplification Handbook for Analysts

**DA Pamphlet 140–8**  
Information Pamphlet for the Career Development of Enlisted Members of the United States Army Reserve

**DA Pamphlet 340–2**  
Management Introduction to Word Processing



**DA Pamphlet 360–506**  
Disability Separations

**DA Pamphlet 360–524**  
Your Personal Affairs

**DA Pamphlet 570–551**  
Staffing Guide for US Army Garrisons

**DA Pamphlet 600-5**

Handbook on Retirement Services for Army Personnel and Families

**DA Pamphlet 600-8**

Military Personnel Office Management and Administrative Procedures

**DA Pamphlet 600-8-1**

SIDPERS Users Manual: Unit Level Procedures

**DA Pamphlet 600-8-2**

SIDPERS Users Manual: Military Personnel Office Level Procedures

**VA Fact Sheet 1S-1**

Federal Benefits for Veterans and Dependents

**VA Pamphlet, 27-82-2**

A Summary of Veterans Administration Benefits

**VA Pamphlet 360-526**

Once a Veteran

**JFTR Vol 1**

Joint Federal Travel Regulations, Vol 1: Uniformed Service Members

**CHAMPUS Handbook****College Placement Annual****Section III****Prescribed Forms**

This section contains no entries

**Section IV****Referenced Forms**

This section contains no entries



## **Appendix B**

### **US Army Transition Points**

#### **B-1. US Army Transition Points**

**US Army Transition Point (WOWR1A)**  
Aberdeen Proving Ground, MD 21005-5001

✓ **US Army Transition Point (WOUY1A)**  
Fort Belvoir, VA 22060-5016

✓ **US Army Transition Point (WOU2NT)**  
Fort Benning, GA 31905-5010

**US Army Transition Point (WOVH1G)**  
Fort Bliss, TX 79916-5111

**US Army Transition Point (WOU3NT)**  
Fort Bragg, NC 28307-5000

**US Army Transition Point (WOU41B)**  
Fort Campbell, KY 4223-5000

**US Army Transition Point (WOVNO4)**  
Fort Carson, CO 80913-5000

**US Army Transition Point (WOUG10)**  
Fort Devens, MA 01433-5400

✓ **US Army Transition Point (W1DC1E)**  
Fort Dix, NJ 08640-7230

**US Army Transition Point (WOUV10)**  
Fort Eustis, VA 23604-5090

✓ **US Army Transition Point (WOU5NT)**  
Fort Gordon, GA 30905-5020

**US Army Transition Point (W1EX1A)**  
Fort Benjamin Harrison, IN 46216-5170

**US Army Transition Point (WOVC1A)**  
Fort Hood, TX 76544-5056

**US Army Transition Point (WOVD1A)**  
Fort Sam Houston, TX 78234-5000

**US Army Transition Point (WOZQ1A)**  
Fort Huachuca, AZ 85613-6000

**US Army Transition Point (WOU61A)**  
Fort Jackson, SC 29207-6430

**US Army Transition Point (WOUX03)**  
Fort Knox, KY 40121-5000

**US Army Transition Point (WOVP03)**  
Fort Leavenworth, KS 66027-5080

**US Army Transition Point (WOU003)**  
Fort Lee, VA 23801-5152

**US Army Transition Point (WOVL38)**

Fort Leonard Wood, MO 65473–5000

**US Army Transition Point (W12K1Z)**

Fort Lewis, WA 98433–5000

**US Army Transition Point (WOU7NT)**

Fort McClellan, AL 36205–5000

**US Army Transition Point (WOU8NT)**

Fort McPherson, GA 30330–5000

**US Army Transition Point (WOUS07)**

Fort George G. Meade, MD 20755–5076

**US Army Transition Point (WOHB1B)**

Fort Monmouth, NJ 07703–5012

**US Army Transition Point (WOUW03)**

Fort Monroe, VA 23651–6000

**US Army Transition Point (W3J81A)**

Fort Myer, VA 22208–5050

**US Army Transition Point (WOVW04)**

Oakland Army Base, Oakland, CA 94626–5030

**US Army Transition Point (WOMY1A)**

Fort Ord, CA 93941–5000

**US Army Transition Point (WOVF1K)**

Fort Polk, LA 71459–5000

**US Army Transition Point (WOH910)**

Redstone Arsenal, AL 35898–5193

**US Army Transition Point (WASR02)**

Fort Richardson, AK 99505–5000

**US Army Transition Point (WOVM04)**

Fort Riley, KS 66442–6600

**US Army Transition Point (WOU9NT)**

Fort Rucker, AL 36362–5000

**US Army Transition Point (W3RB1A)**

Fort Shafter, HI 96558–5100

**US Army Transition Point (WOVK29)**

Fort Sheridan, IL 60037–5000

**US Army Transition Point (WOVG1A)**

Fort Sill, OK 73503–5100

**US Army Transition Point (WOVANT)**

Fort Stewart, GA 31313–5054

**US Army Transition Point (W2DH1B)**

\*Walter Reed Army Medical Center, WASH, DC 20307–5001





### **US Army Transition Point (WOQ21B)**

\*Fitzsimons Army Medical Center, Aurora, CO 80045-5001

*Note.* \*Processes only personnel assigned to medical holding detachment and permanent party personnel. May not be selected as personal choice of location for retirement processing.

## **B-2. Changes in transition points**

### **Changes in transition points**

Commanders of CONUS installations; Commanding General, US Army Military District of Washington; Headquarters, Department of the Army agencies having jurisdiction over field operating agencies and activities; and major oversea commanders will notify HQDA DAPC-PDT-S), 2461 Eisenhower Avenue, ALEX VA 22331-0400, of any changes to be made in this appendix.

## **Glossary**

### **Section I Abbreviations**

**ADT**

active duty for training

**AGR**

active guard reserve

**AMEDD**

Army Medical Department

**APOD**

aerial port of debarkation

**app**

appendix

**ARNGUS**

Army National Guard of the United States

**ARSTAFF**

Army Staff

**COMPACT**

Consolidated Military Personnel Activity

**CONUS**

continental United States

**CTA**

common table of allowances

**DA**

Department of the Army

**ETS**

expiration term of service

**FAO**

Finance and Accounting Office

**FBI**

Federal Bureau of Investigation

**FTTD**

full-time training duty

**HOR**

home of record

**HQDA**

Headquarters, Department of the Army

**IADT**

initial active duty for training

**ISR**

In-Service-Recruiter



**JFTR**

Joint Federal Travel Regulations

**MAC**

Military Airlift Command

**MACOM**

major Army command

**MEDCEN**

Army Medical Centers

**MEDDAC**

Army Medical Department Activities

**MILPERCEN**

US Army Military Personnel Center

**MILPO**

military personnel office

**MOM**

Military Ordinary Mail

**MPRJ**

Military Personnel Records Jacket, US Army

**NCO**

non-commissioned officer

**OCONUS**

outside continental United States

**PA**

physician assistant

**PCS**

permanent change of station

**POV**

privately owned vehicle

**PSC**

personnel service center/company

**PSD**

personnel service division

**PSSP**

Preseparation Services Program

**RC**

Reserve Component

**REFRAD**

release from active duty

**SADT**

special active duty support

**SIB**

Standard Installation Division/Personnel System Interface Branch

**SSN**

social security number

**TA**

transition activity

**TP**

transition point

**TAG**

The Adjutant General

**TDP**

trainee discharge program

**TDY**

temporary duty

**TO**

transportation officer

**USAR**

United States Army Reserve

**USAREC**

US Army Recruiting Command

**USMA**

US Military Academy

**VA**

Veterans Administration

**Section II****Terms****Home of record**

The place recorded in current personnel records as the home of the member when commissioned, reinstated, appointed, reappointed, enlisted, reenlisted, or ordered to active duty. (See JTR, vol 1, app J and para 4157–2.)

**Place from which ordered to active duty**

The place recorded in personnel records as the place from which the member initially entered on active duty. (See JTR, vol 1, app J and para 4157–2.)

**Release from active duty**

Ending active duty status, and transfer or reversion to an ARNG or USAR component not on active duty.

**Retirement for length of service**

Retirement of soldiers who have served 20 or more years in the active military service.

**Retirement for physical disability**

Retirement of soldiers from the Active Army by reason of physical disability. Such soldiers are placed on either the permanent or temporary disability retired list as directed by the Secretary of the Army, as prescribed in AR 635–40.



### **Returned to the ARNG/USAR**

Can be defined as *a* or *b* below.

- a.* A soldier who is on extended active duty for training as a member of ARNGUS or USAR who is returned to the ARNG or USAR to complete the unexpired portion of his/her enlistment contract or service obligation.
- b.* Officers who have indefinite-term USAR appointments.

### **Separation processing**

The procedures necessary to accomplish the following:

- a.* Relief from active duty.
- b.* Discharge.
- c.* Dismissal.
- d.* Resignation.
- e.* Retirement.
- f.* Release from custody and control of the Army.
- g.* Placement on the temporary disability retired list.
- h.* Relief from ADT and discharged from the Reserve of the Army.

### **Source documents**

The document of original entry from which basic data are extracted for use on other documents and reports.

### **Transfer to USAR**

Used to identify a soldier who enlisted in the Active Army and concurrently incurred a 6 or 8 year Military Service obligation and upon completion of the period for which enlisted, is relieved from active duty (REFRAD), is not discharged, and is transferred to the USAR to complete the unexpired portion of his/her service obligation.

### **US Army Transition Activity (TA)**

An activity designated to accomplish transition processing of members assigned/attached to that installation only.

### **US Army Transition Point (TP)**

A centralized activity at an installation that accomplish transition processing of members assigned/attached to—

- a.* Activities at the same installation or satellited on the same installation.
- b.* That activity from another installation specifically for separation.

## **Section III**

### **Special Abbreviations and Terms**

There are no special terms.

**UNCLASSIFIED**

**PIN 067990-000**



# USAPD

ELECTRONIC PUBLISHING SYSTEM  
OneCol FORMATTER WIN32 Version 208

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DATE: 11- 4-03

TIME: 16:22:21

PAGES SET: 31

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SECURITY: UNCLASSIFIED

DOC STATUS: NEW PUBLICATION



# Rules and Regulations

[ORDER 556-73]

Title 28 CFR Part 16 – Production or Disclosure of material or information

Subpart-C Production of FBI Identification Records in Response to Written Requests by Subjects Thereof

By order dated September 24, 1973, the Attorney General of the United States directed that the Federal Bureau of Investigation, hereinafter referred to as the FBI, publish rules for the dissemination of arrest and conviction records to the subjects of such records upon request. This order resulted from a determination that 28 U.S.C. 534 does not prohibit the subjects of arrest and convictions records from having access to those records. In accordance with the Attorney General's order, the FBI will release to the subjects of identification records copies of such records upon submission of a written request, satisfactory proof of identity of the person whose identification record is requested and a processing fee.

Since the FBI Criminal Justice Information Services (CJIS) Division is not the source of the data appearing on the Identification Records, and obtains all data thereon from fingerprint cards or related identification forms submitted to the FBI by local, state and federal agencies, the responsibility for authentication and correction of such data rests upon the contributing agencies. Therefore, the rules set forth for changing, correcting or updating such data require that the subject of an Identification Record make application to the original contributing agency in order to correct a deficiency.

The Relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation and delay in effective date are inapplicable because the material contained herein relates to the interpretation of 28 U.S.C. 534 as allowing the granting of an exemption to subjects of Identification Records and relief of prior administrative restrictions on dissemination of such records to them. Furthermore, it is deemed in the public interest that there be no delay in effective date of availability of Identification Records to the subjects thereof.

By Virtue of the order of the Attorney General, dated September 24, 1973, and

pursuant to the authority delegated to the Director, FBI, by 28 CFR 0.85(b), 28 CFR Part 16 is amended as follows:

## §16.30 Purpose and Scope

This subpart contains the regulations of the Federal Bureau of Investigation (FBI) concerning procedures to be followed when the subject of an Identification Record requests production of that record to review it or to obtain a change, correction, or updating of that record.

## §16.31 Definition of Identification Record

An FBI Identification Record, often referred to as a "rap sheet," is listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The Identification Record includes the name of agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the Identification Record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an Identification Record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an Identification Record.

## §16.32 Procedure to obtain an Identification Record.

The subject of an Identification Record may obtain a copy thereof by submitting a written request via the U.S. mail directly to the FBI, Criminal Justice Information Services Division, Attn: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. Such request must be accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth, and a set rolled-inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

## §16.33 Fee for production of Identification Record

Each written request for production of an Identification Record must be accompanied by a fee of \$18 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of 31 U.S.C. 9701 and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each Identification Record requested as specified in § 16.10. Any request for waiver of the fee shall accompany the original request for the Identification Record and shall include a claim and proof of indigence. Subject to applicable laws, regulations, and directions of the Attorney General of the United States, the Director of the FBI may from time to time determine and establish a revised fee amount to be assessed under this authority. Notice relating to revised fee amounts shall be published in the Federal Register.

## §16.34 Procedure to obtain change, correction or updating of Identification Records.

If, after reviewing his/her Identification Record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections, or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of an entry on his/her record to the FBI, Criminal Justice Information Services Division, Attn: SCU, Mod.D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

*Published in the Federal Register on 11/28/73; amended on 10/27/78, 10/27/81, 8/8/83, 5/6/86, 5/17/91, 1/3/95, and 9/28/99*



## EXPLANATION OF EXEMPTIONS

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b) (1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b) (2) related solely to the internal personnel rules and practices of an agency;
- (b) (3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b) (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b) (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b) (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b) (7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b) (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b) (9) geological and geophysical information and data, including maps, concerning wells.

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d) (5) information compiled in reasonable anticipation of a civil action proceeding;
- (i) (2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k) (1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k) (2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k) (3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k) (4) required by statute to be maintained and used solely as statistical records;
- (k) (5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k) (6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k) (7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



*Freedom of Information  
and  
Privacy Acts*



*Federal Bureau of Investigation*

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LEAVE BLANK		CRIMINAL		(STAPLE HERE)				LEAVE BLANK						
		STATE USAGE		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>						
		NFF SECOND												
		SUBMISSION		APPROXIMATE CLASS		AMPUTATION		SCAR						
STATE USAGE				LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX										
SIGNATURE OF PERSON FINGERPRINTED				SOCIAL SECURITY NO.		LEAVE BLANK								
ALIASES/MAIDEN LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX														
UNIVERSAL CONTROL NO.		STATE IDENTIFICATION NO.		DATE OF BIRTH		MM	DD	YY	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
R. THUMB		2. R. INDEX		3. R. MIDDLE		4. R. RING		5. R. LITTLE						
6. L. THUMB		7. L. INDEX		8. L. MIDDLE		9. L. RING		10. L. LITTLE						
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY				L. THUMB		R. THUMB		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY						

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, CLARKSBURG, WV 26306**

The FBI's acquisition, preservation, and exchange of identification information is generally authorized under 28 USC 534. This FD-249 is to be used for criminal justice purposes, such as incident to arrests and incarcerations. The Applicant form (FD-258) contains applicable Paperwork Reduction Act and Privacy Act notices and should be used for noncriminal justice purposes. "A Social Security Account Number (SSAN) is helpful to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), any Federal, State, or local government agency which requests an individual to disclose his/her SSAN is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it."

<b>JUVENILE FINGERPRINT</b>		<b>DATE OF ARREST</b>  MM DD YY		<b>ORI</b>	
SUBMISSION YES <input type="checkbox"/>				CONTRIBUTOR	
TREAT AS ADULT YES <input type="checkbox"/>				ADDRESS	
				REPLY YES <input type="checkbox"/> DESIRED?	
<b>SEND COPY TO:</b> (ENTER ORI)		<b>DATE OF OFFENSE</b>  MM DD YY		<b>PLACE OF BIRTH (STATE OR COUNTRY)</b>	
				<b>COUNTRY OF CITIZENSHIP</b>	
<b>MISCELLANEOUS NUMBERS</b>		<b>SCARS, MARKS, TATTOOS, AND AMPUTATIONS</b>			
		<b>RESIDENCE/COMPLETE ADDRESS</b>		<b>CITY</b>	<b>STATE</b>
<b>OFFICIAL TAKING FINGERPRINTS</b> (NAME OR NUMBER)		<b>LOCAL IDENTIFICATION/REFERENCE</b>			<b>PHOTO AVAILABLE?</b> YES <input type="checkbox"/>
					<b>PALM PRINTS TAKEN?</b> YES <input type="checkbox"/>
<b>EMPLOYER:</b> IF U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO.				<b>OCCUPATION</b>	
<b>CHARGE/CITATION</b> 1.				<b>DISPOSITION</b> 1.	
<b>2.</b>				<b>2.</b>	
<b>3.</b>				<b>3.</b>	
<b>ADDITIONAL</b>				<b>ADDITIONAL</b>	
<b>ADDITIONAL INFORMATION/BASIS FOR CAUTION</b>				<b>STATE BUREAU STAMP</b>	





## WTU OUT-PROCESSING RECORD CHECKLIST

NAME: (Last, First, MI) \_\_\_\_\_ Rank: \_\_\_\_\_

SSN: \_\_\_\_\_

CONTACT PHONE NUMBER: \_\_\_\_\_

ASSIGNED SPONSOR: (Rank/Name) \_\_\_\_\_ DATE: \_\_\_\_\_

**FACT**

Event/Task	Date Completed	Signature
1. Company S-1		
a. Orders		
b. Evaluation		
c. Copy of Profile		
d. ERB/ORB/2-A/2-1/eMILPO/Transactions		
e. Mailroom		
f. Change of Address		
g. Meal card (last out processing day)		
2. Patient Administration		
a. MODS Data Entry		
b. JPTA Update		
c. DTMS		
d. CHCS Update		
e. FMR Review/Update		
3. Finance		
a. Review pay and allowances		
b. Refer to Social Security Benefits Advisor as needed		
4. Supply (S-4)		
5. RC/NG Liaison (NG/RC only)		
a. NG/RC Liaison Interview		
b. OMPF Records Brief		
c. TCS Orders/MOB Orders		
6. Chaplain		
7. Case Manager		
a. Follow on care appointments arranged		
8. TRICARE / DEERS		
9. Social Work Services		
10. Wounded Warrior Program (AW2)		
a. 1 <sup>st</sup> Army Checklist		
b. Counseling Form		
c. DD214WS Worksheet		
d. TCS order		
11. Occupational Therapy		





NAME: (Last, First, MI) \_\_\_\_\_ Rank: \_\_\_\_\_

**FACT**

Event/Task	Date Completed	Signature
12. Primary Care Manager		
13. Soldier Family Assistance Center		
14. Veterans Administration		
a. VBA		
b. VHA		
c. Vocational Rehabilitation		
15. ACAP/TAPS		
16. Housing/Billeting (On / Off Post)		
17. Dental Clinic		
18. Outpatient Records		
19. ID Cards Section		
20. Travel Section		
21. Safety Officer		
22. Platoon/Squad Assignment		
23. First Sergeant		
24. Company Commander		
25. Transition Center (Final Out processing)		
26. Military Personnel Division		

Warrior Signature: \_\_\_\_\_



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## UNIT CLEARANCE RECORD

For use of this form, see AR 600-8-101; the proponent agency is DCS, G1

## DATA REQUIRED BY THE PRIVACY ACT OF 1974

**AUTHORITY:** Section 301, Title 5, USC.

**PRINCIPAL PURPOSE:** To ensure soldier readiness before PCS. To complete clearance verification before transition from active duty, transfer to another Service or Component, separation, discharge, or retirement.

**ROUTINE USES:** To close out installation personnel and finance records. To ensure that debt to the government and its instrumentalities is identified and that action is taken to obtain payment before the soldier's transition from active duty, separation or retirement. Forms will not be disclosed outside the Department of Defense (DoD) and DoD sponsored agencies.

**DISCLOSURE:** Disclosure is voluntary; however, failure to complete this form may result in only partial payment of final pay.

**INSTRUCTIONS TO THE SOLDIER:** This out-processing packet is designed to assist you and the installation in completing your final clearance as accurately and expeditiously as possible. You are responsible for ensuring that this checklist is completed properly. If you are transitioning from the Active Army, failure to complete this checklist correctly and entirely will result in you receiving only 55 percent of your final pay pending verification by DFAS of any outstanding debts. This checklist must be completed before your final military pay appointment. Separation payments will not be released until installation clearance is completed.

**TO THE UNIT COMMANDER/BN S1:** This soldier is scheduled to PCS or transition from the Active Army. We need your assistance to ensure proper installation clearance and computation of the soldier's final leave and pay entitlements. Identify all actions within the last 60 days before the soldier's departure date and complete the items below. Failure to provide this information will cause the withholding of 45 percent of the soldier's final pay at transition, pending DFAS final verification of outstanding transactions.

## SECTION A - PERSONNEL DATA (To be completed by the commander, BNS1, out-processing center, or appointed official)

1. NAME Clemmons, Samuel L.	2. RANK 02- 1LT(promo)	3. SSN ###-##-####	4. ORDERS NO.
5. GAINING UNIT	6. LOSING UNIT	7. DATE OF ORDERS (YYYYMMDD)	
8. REASON FOR CLEARING <input type="checkbox"/> PCS <input type="checkbox"/> ETS <input type="checkbox"/> RETIREMENT <input type="checkbox"/> OTHER (Specify)		9. DEPARTURE DATE (YYYYMMDD)	

## SECTION B - DEBT VERIFICATIONS

10. DUTY STATUS Indicate all leave, TDY, hospitalization, field duty, lost time, AWOL, and confinement within 60 days prior to issuance of the clearance forms.	a. TYPE OF ABSENCE	b. LOG NUMBER OR ORDER NUMBER (When Applicable)	c. START DATE (YYYYMMDD)	d. RETURN DATE (YYYYMMDD)

## SECTION C - ADVERSE ACTIONS

11. ADVERSE ACTIONS All that have occurred within 60 days prior to issuance of clearance forms. Include UCMJ actions, courts martial, administrative reductions, and administrative discharges.	a. TYPE OF ACTION	b. DATE OF SOURCE DOCUMENT (YYYYMMDD)	c. PUNISHMENT	d. EFFECTIVE DATE (YYYYMMDD)	e. COMPLETION DATE (YYYYMMDD)

## SECTION D - PROPERTY ACCOUNTABILITY AND PAY ITEMS

## 12. PROPERTY ACCOUNTABILITY

12a. <input type="checkbox"/> STATEMENT OF CHARGES/ CASH COLLECTION VOUCHER  <input type="checkbox"/> REPORT OF SURVEY	12b. DATE OF SOURCE DOCUMENT (YYYYMMDD)  12c. AMOUNT	12d. DISPOSITION
13. PAY ITEMS (Check all that apply) <input type="checkbox"/> BAS <input type="checkbox"/> BAH <input type="checkbox"/> COLA <input type="checkbox"/> OHA <input type="checkbox"/> FSA <input type="checkbox"/> IDP <input type="checkbox"/> CPP <input type="checkbox"/> SDAP <input type="checkbox"/> OTHER (Specify)		13a. INCENTIVE PAY (Specify Type)  13b. <input type="checkbox"/> ENLISTMENT BONUS <input type="checkbox"/> REENLISTMENT BONUS

## SECTION E - BATTALION/UNIT CLEARANCE ITEMS. A check by an item confirms that the item has been verified and that necessary action has been taken.

## 14. BN S1/UNIT COMMANDER VERIFYING OFFICIAL

a. TYPE OR PRINT NAME	b. SIGNATURE	c. DATE (YYYYMMDD)
<input checked="" type="checkbox"/> DA Form 31	<input checked="" type="checkbox"/> Family Care Plan	<input checked="" type="checkbox"/> PROFIS Duty Position
<input checked="" type="checkbox"/> Meal Card	<input checked="" type="checkbox"/> DD Form 2648	<input checked="" type="checkbox"/> TRICARE Dental Program
<input checked="" type="checkbox"/> Line of Duty Investigation	<input checked="" type="checkbox"/> DOD Travel Charge Card	<input checked="" type="checkbox"/> Exceptional Family Member Program
<input checked="" type="checkbox"/> Unit Items	<input checked="" type="checkbox"/> Flagged	<input checked="" type="checkbox"/> Physical Profile
<input checked="" type="checkbox"/> Evaluation Reports	<input checked="" type="checkbox"/> Weight Control Program	<input checked="" type="checkbox"/> Personnel Register
		<input checked="" type="checkbox"/> Change of Address Form

## 15. BN S2/3/UNIT COMMANDER VERIFYING OFFICIAL

a. TYPE OR PRINT NAME	b. SIGNATURE	c. DATE (YYYYMMDD)
<input type="checkbox"/> Security Briefing/Debriefing	<input type="checkbox"/> APFT	<input type="checkbox"/> Security Clearance
<input type="checkbox"/> Weapons Qualification	<input type="checkbox"/> Training Records	<input type="checkbox"/> Antiterrorism Briefing
<input type="checkbox"/> Training Room	<input type="checkbox"/> PERSTEMPO Verification Sheet	

## 16. BN S4/UNIT COMMANDER VERIFYING OFFICIAL

a. TYPE OR PRINT NAME	b. SIGNATURE	c. DATE (YYYYMMDD)
<input type="checkbox"/> Supply Room	<input type="checkbox"/> NBC Room	<input type="checkbox"/> Motor Pool
<input type="checkbox"/> Arms Room	<input type="checkbox"/> Protective Mask Inserts	

## 17. OTHER

a. OTHER CLEARANCES	b. TYPE OR PRINT NAME	c. SIGNATURE	d. DATE (YYYYMMDD)
Career Counselor			

## 18. REMARKS

## 19. SOLDIER'S AUTHENTICATION

a. TYPE OR PRINT NAME	b. SIGNATURE	b. DATE (YYYYMMDD)

## 20. COMMANDER/BN S1 AUTHENTICATING OFFICIAL

a. TYPE OR PRINT NAME	b. SIGNATURE	c. DATE (YYYYMMDD)





(SEE ATTACHED SUPPORTED RULES, REGULATIONS, POLICIES, PROCEDURES, ETC.)



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GOVERNMENT  
EXHIBIT

(SEE ATTACHED SUPPORTED RULES, REGULATIONS, POLICIES, PROCEDURES, ETC.)

**FACT**

## Army Regulations

AR 1-32	Disciplinary Control of US Army Personnel	AR 350-17	The Noncommissioned Officer Professional Development Program (NCOBP)
AR 10-5	Department of the Army	AR 350-30	Code of Conduct, Survival, Evasion, Resistance, and Escape (SERE)
AR 10-6	Branches of the Army	AR 350-37	Army Individual Training Evaluation Program
AR 20-1	Inspector General Activities & Procedures	AR 351-1	Individual Military Education and Training
AR 25-400-2	The Modern Army Records Keeping System (MARKS)	AR 351-5	Army Officer Candidate Schools
AR 27-10	Military Justice	AR 351-20	Army Correspondence Course Program
AR 27-20	Claims	AR 380-5	Department of the Army Information Security Program
AR 27-40	Litigation	AR 380-20	Restricted Areas
AR 27-50	Status of Forces Policies, Procedures, and Information	AR 381-20	US Army Counterintelligence Activities
AR 37-104-3	Jumps - Army Pay and Allowance Procedures	AR 385-10	Army Safety Program
AR 40-3	Medical, Dental, and Veterinary Care	AR 385-30	Safety Color Code Marking and Signs
AR 40-5	Preventive Medicine	AR 530-1	Operations Security (OPSEC)
AR 40-121	Uniformed Services Health Benefits Program	AR 600-8-2	Suspension of Favorable Personnel Actions (Flags)
AR 40-501	Standards of Medical Fitness	AR 600-8-22	Military Awards
AR 40-562	Immunization Requirements & Procedures	AR 600-9	The Army Weight Control Program
AR 50-5	Nuclear Surety	AR 600-15	Indebtedness of Military Personnel
AR 50-6	Chemical Surety	AR 600-20	Army Command Policy and Procedures
AR 55-29	Military Convoy Operations In CONUS	AR 600-21	Equal Opportunity
AR 95-16	Weight and Balance - Army Aircraft	AR 600-25	(Superseded By Ch. 6 AR 600-20)
AR 115-11	Army Topography	AR 600-31	Salutes, Honors, and Visits of Courtesy
AR 135-7	Incentive Program	AR 600-37	Suspension of Favorable Personnel Actions for Military Personnel
AR 135-91	Service Obligations	AR 600-43	Unfavorable Information
AR 135-100	Appointment of Commissioned & Warrant Officers of the Army	AR 600-60	Standards of Conduct for Department of the Army Personnel
AR 140-10	Assignments, Attachments, Details, and Transfers	AR 600-85	Physical Performance Evaluation System
AR 140-111	Enlistment and Reenlistment	AR 600-100	Alcohol and Drug Abuse Prevention and Control Program
AR 140-192	Military Intelligence, Signal Intelligence, Electronic Warfare, and Signal Units	AR 600-200	Army Leadership
AR 145-1	ROTC Program	AR 600-290	Enlisted Personnel Management System / Promotions
AR 190-8	EPW, Admin, Employment, and Compensation	AR 601-210	Passports and Visas
AR 190-11	Physical Security of Weapons, Ammunition, and Explosives	AR 601-280	Regular Army Enlistment Program
AR 190-13	Physical Security	AR 606-5	Total Army Retention Program (Reenlistment)
AR 190-14	Use of Force by Personnel Engaged in Law Enforcement and Security Duties	AR 608-1	Personnel Identification: ID Cards, Tags
AR 190-22	Search, Seizure, and Disposition of Property	AR 608-50	Army Community Service (ACS)
AR 190-28	Carrying of Firearms	AR 611-5	Legal Assistance
AR 190-30	Military Police Investigations	AR 611-201	Army Personnel Tests
AR 190-40	Serious Incident Report (SIR)	AR 614-3	Enlisted Career Management Fields and MOS's
AR 190-45	MP Reports and Forms	AR 614-6	Assignment of Military Personnel to Presidential Support Activities
AR 190-47	US Army Correctional System	AR 614-30	PCS Policy
AR 190-51	Security of Army Property at Unit & Installation Level	AR 614-100	Overseas Service
AR 195-2	Criminal Investigation Activities	AR 614-200	Officer Personnel
AR 200-1	Environmental Protection & Enhancement	AR 621-5	Enlisted Personnel Selection, Training , & Assignment System
AR 210-10	Administration	AR 623-105	ACES
AR 215-Series	Morale, Welfare, and Recreation (MWR)	AR 623-205	Army OER
AR 220-58	Organization and Training for Chemical, Biological and Radiological Defense Operations	AR 630-5	Army EER
AR 310-10	Military Orders	AR 630-10	Leaves, Passes, Permissive TDY
AR 310-25	Dictionary of Army Terms	AR 635-10	AWOL, Desertion
AR 310-31	Management System for Tables of Organization and Equipment	AR 635-100	Processing Personnel for Separation
AR 310-50	Authorized Abbreviations, Brevity Codes, and Acronyms	AR 635-200	Officer Personnel
AR 340-3	Official Mail	AR 640-2-1	Enlisted Personnel / Separations
AR 340-15	Preparing Correspondence	AR 640-3	Personnel Qualification Records
AR 340-16	Safeguarding "For Official Use Only" Information	AR 640-30	ID Cards, Tags, and Badges
AR 340-18	The Army Functional File System	AR 640-10	Photos for Military Personnel Files
AR 340-21	The Army Privacy Program	AR 670-1	Individual Military Personnel Records
AR 350-1	The Army Training System	AR 672-20	Wear and Appearance of the Uniform
AR 350-4	Qualification & Familiarization with Weapons and Weapons Systems	AR 680-29	Incentive Awards
AR 350-15	The Army Physical Fitness Program	AR 700-84	Military Personnel Organization & Types of Trans Codes
			Issue and Sale of Personal Clothing



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**FACT**

## Army Regulations

AR 840-10	Flags, Guidons, Streamers, Tabards, and Automobile and Aircraft Plates	AR 930-4	Army Emergency Relief (AER)
		AR 930-5	American Red Cross (ARC)

## USAREUR Regulations/Department of the Army Circulars (DA Cir)

UR 350-1	USAREUR Training	DA Cir 611-82-3	Career Management of the Enlisted Force
UR 600-2	SGT Morales	DA Cir 623-88-1	NCO Evaluation Report System
UR 600-11	USAREUR Sponsorship Program		

## Graphic Training Aids (GTA)

GTA 3-6-5	NBC Warning and Reporting System	GTA 9-12-1	Unexploded Ordnance Procedures
GTA 5-2-12	Map Reading Coordinate Scale and Protractor	GTA 17-2-9	Combat Vehicle Recognition
GTA 5-10-24	Minfield Clearing and Breaching Operations	GTA 17-2-11	Combat Vehicle Identification
GTA 5-10-27	Mine Card	GTA 17-2-13	Armored Vehicle Recognition
GTA 8-016(AE)	Medical Evacuation Procedures ( <i>Dustoff Europe</i> )	GTA 19-6-5	How to Inform Suspect/Accused of their rights
GTA 8-5-45	Heat Injury Prevention and First Aid	GTA 19-7-1	EPW Basic Commands
GTA 8-6-12	Adverse Effects Of Cold, Cause and Symptoms	GTA 30-139(AE)	UNPROFOR Mine Data

## Department of The Army Pamphlets (DA Pam)

DA Pam 1-1	State, Official & Special Military Funerals	DA Pam 350-15	Commander's Handbook on Physical Fitness
DA Pam 20-203	Russian Combat Methods in WWII	DA Pam 350-21	Family Fitness Handbook
DA Pam 20-231	Combat in Russian Forests and Swamps	DA Pam 350-38	Standards in Weapons Training
DA Pam 20-236	Night Combat	DA Pam 351-4	US Army Formal Schools Catalog
DA Pam 20-292	Warfare in the Far North	DA Pam 351-20	Correspondence Course Catalog
DA Pam 25-30	List of Army Publications & Blank Forms	DA Pam 360-501	Our Flag
DA Pam 27-21	Military Administrative Law Handbook	DA Pam 600-8	Military Personnel Management & Administrative Procedures
DA Pam 28-6	Intramural Sports for The Army	DA Pam 621-15 A	Soldier's Guide to Education
DA Pam 28-9	Unit Level Recreational Sports	DA Pam 623-205	NCOER "Inbrief"
DA Pam 30-60-1	Know your Enemy	DA Pam 738-750	The Army Maintenance Management System (TAMMS)
DA Pam 310-1	Consolidated index of Administrative Publications and Blank Forms	DA Pam 738-751	The Army Maintenance Management System-Aviation (TAMMS-A)
DA Pam 310-50	Authorized Abbreviations and Acronyms		
DA Pam 350-2	Developing and Maintaining Cohesion		

## Field Manuals (FM)

FM 1-5	Instrument Flying and Navigation for Army Aviators	FM 3-4	NBC Protection
FM 1-102	Army Aviation in an NBC Environment	FM 3-4-1	Fixed Site Protection
FM 1-111	Aviation Brigades	FM 3-5	NBC Decontamination
FM 1-112	Tactics, Techniques, & Procedures for the Attack Helicopter Battalion	FM 3-6	Field Behavior of NBC Agents (Including Smoke and Incendiaries)
FM 1-113	Assault Helicopter Battalion	FM 3-7	NBC Field Handbook
FM 1-114	Tactics, Techniques & Procedures for the Regimental Aviation Squadron	FM 3-8	Chemical Reference Handbook
FM 1-120	Army Air Traffic Services Contingency and Combat Zone Operations	FM 3-9	Potential Military Chemical/Biological Agents and Compounds
FM 1-303	Air Traffic Control Facility Operations and Training	FM 3-10	Employment of Chemical Agents
FM 1-400	Aviator's Handbook	FM 3-10-1	Chemical Weapons Employment
FM 1-500	Army Aviation Maintenance	FM 3-11	Flame, Riot Control Agent, and Herbicide Operations
FM 1-506	Fundamentals of Aircraft Power Plants	FM 3-12	Operational Aspects of Radiological Defense
FM 1-508	Maintaining Aviation Life Support Equipment (ALSE): Maintenance Program	FM 3-15	Nuclear Accident Contamination Control
FM 1-509	Fundamentals of Aircraft Pneudraulics	FM 3-19	NBC Reconnaissance
FM 1-513	Battlefield Recovery and Evacuation of Aircraft	FM 3-21	Chemical Accident Contamination Control
FM 1-514	Fundamentals of Rotor and Power Train Maintenance-Techniques and Procedures	FM 3-50	Smoke Operations
FM 3-3	Chemical and Biological Contamination Avoidance	FM 3-87	NBC Reconnaissance & Decontamination Opns
FM 3-3-1	Nuclear Contamination Avoidance	FM 3-100	Chemical Operations Principles & Fundamentals
		FM 3-101	Chemical Staffs and Units
		FM 3-101-1	Smoke Squad/Platoon Operations Tactics, Techniques, and Procedures
		FM 3-101-2	NBC Reconnaissance Squad/Platoon (Fox) Operations Tactics, Techniques, & Procedures



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YOUR STATE RECORDS WILL BE ADDED UPON VALIDATION OF YOUR RECEIPTS.



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**Internal Revenue Service**

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07

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