

**IMPORTANT NOTICE
To Applicants for Pardon**

The following notice is provided pursuant to the privacy act of 1974 and may help you to understand what is involved in petitioning for pardon and why we need to obtain certain information about you.

The information which we request from you on the accompanying pardon application form, and in the event you are interviewed by an agent of the United States Government, is needed to help provide the basis of an informed judgment as to whether or not you should be granted a pardon. This is our only purpose in asking you to complete and sign the application and, if necessary, requesting that an investigation be made into your character and activities. You are under no obligation to furnish any information. However, unless you do provide us with all the information requested, we may be unable to process your application. Failure to provide your Social Security number will not prejudice your case.

In making inquiries with respect to these matters, an agent of the United States Government may interview you, as well as persons who have executed character affidavits or have written letters of reference on your behalf, neighbors, former and present employers, associates and other individuals who may be able to provide relevant information concerning you. While such inquiries are made discreetly and a reasonable effort is made not to disclose the underlying nature of the investigation, we cannot assure that the reason for the inquiry will not become known to some or all of the persons interviewed.

Our authority for requesting this information is the United States Constitution, Article II, Section 2 (the pardon clause); Order No. 1798-93, 58 Fed. Reg. 53658 and 53659 (1993), codified in 28 C.F.R. §§ 1.1 *et seq.* (the rules governing petitions for executive clemency); and Order of the Attorney General No. 1012-83, 48 Fed. Reg. 22290 (1983), as codified in 28 C.F.R. §§ 0.35 and 0.36 (the authority of the Pardon Attorney).

Executive clemency files are compiled and maintained to provide for the exercise of the President's constitutional pardon power and are routinely made available to him, members of his staff and other officials concerned with clemency proceedings. After the President has taken final action on an application, a public notice is prepared describing each grant of clemency (and may be prepared for each denial in cases of substantial public interest). A copy of each warrant of clemency is maintained in the Office of the Pardon Attorney as a public and official record.

Upon specific request, we advise anyone who asks whether a named person has been granted or denied clemency. Disclosure of the contents of executive clemency files to anyone may be made by the Pardon Attorney when the disclosure is required by law or the ends of justice. In addition, the pendency of an application is confirmed upon request, unless extraordinary considerations of privacy are presented in a particular case that outweigh the public interest in having access to this information. If you believe such privacy considerations are present in your case, you should so inform us in writing when you submit the application.

RULES GOVERNING PETITIONS FOR EXECUTIVE CLEMENCY

United States Department of Justice

WASHINGTON, D.C.

PART 1 - EXECUTIVE CLEMENCY

Sec.

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Authority: U.S. Const., Art. II, sec.2; authority of the President as Chief Executive; and 28 U.S.C. §§ 509, 510.

§ 1.1 Submission of petition; form to be used; contents of petition.

A person seeking executive clemency by pardon, reprieve, commutation of sentence, or remission of fine shall execute a formal petition. The petition shall be addressed to the President of the United States and shall be submitted to the Pardon Attorney, Department of Justice, Washington, D.C. 20530, except for petitions relating to military offenses. Petitions and other required forms may be obtained from the Pardon Attorney. Petition forms for commutation of sentence also may be obtained from the wardens of federal penal institutions. A petitioner applying for executive clemency with respect to military offenses should submit his or her petition directly to the Secretary of the military department that had original jurisdiction over the court-martial trial and conviction of the petitioner. In such a case, a form furnished by the Pardon Attorney may be used but should be modified to meet the needs of the particular case. Each petition for executive clemency should include the information required in the form prescribed by the Attorney General.

§ 1.2 Eligibility for filling petition for pardon.

No petition for pardon should be filed until the expiration of a waiting period of as least five years after the date of the release of the petitioner from confinement or, in case no prison sentence was imposed, until the expiration of a period of at least five years after the date of the conviction of the petitioner. Generally, no petition should be submitted by a person who is on probation, parole, or supervised release.

§ 1.3 Eligibility for filling petition for commutation of sentence.

No petition for commutation of sentence, including remission of fine, should be filed if other forms of judicial or administrative relief are available, except upon a showing of exceptional circumstances.

§ 1.4 Offenses against the laws of possessions or territories of the United States.

Petitions for executive clemency shall relate only to violations of laws of the United States. Petitions relating to violations of laws of the possessions of the United States or territories subject to the jurisdiction of the United States should be submitted to the appropriate official or agency of the possession or territory concerned.

§ 1.5 Disclosure of files.

Petitions, reports, memoranda, and communications submitted or furnished in connection with the consideration of a petition for executive clemency generally shall be available only to the officials concerned with the consideration of the petition. However, they may be made available for inspection, in whole or in part, when in the judgment of the Attorney General their disclosure is required by law or the ends of justice.

§ 1.6 Consideration of petitions; recommendations to the President.

(a) Upon receipt of a petition for executive clemency, the Attorney General shall cause such investigation to be made of the matter as he/she may deem necessary and appropriate, using the services of, or obtaining reports from, appropriate officials and agencies of the Government, including the Federal Bureau of Investigation.

(b) The Attorney General shall review each petition and all pertinent information developed by the investigation and shall determine whether the request for clemency is of sufficient merit to warrant favorable action by the President. The Attorney General shall report in writing his or her recommendation to the President, stating whether in his or her judgment the President should grant or deny the petition.

§ 1.7 Notification of grant of clemency.

When a petition for pardon is granted, the petitioner or his or her attorney shall be notified of such action and the warrant of pardon shall be mailed to the petitioner. When commutation of sentence is granted, the petitioner shall be notified of such action and the warrant of commutation shall be sent to the petitioner through the officer in charge of his or her place of confinement, or directly to the petitioner if he/she is on parole, probation, or supervised release.

§ 1.8 Notification of denial of clemency.

(a) Whenever the President notifies the Attorney General that he has denied a request for clemency, the Attorney General shall so advise the petitioner and close the case.

(b) Except in cases in which a sentence of death has been imposed, whenever the Attorney General recommends that the President deny a request for clemency and the President does not disapprove or take other action with respect to that adverse recommendation within 30 days after the date of its submission to him, it shall be presumed that the President concurs in that adverse recommendation of the Attorney General, and the Attorney General shall so advise the petitioner and close the case.

§ 1.9 Delegation of authority.

The Attorney General may delegate to any officer of the Department of Justice any of his or her duties or responsibilities under §§ 1.1 through 1.8.

§ 1.10 Advisory nature of regulations.

The regulations contained in this part are advisory only and for the internal guidance of Department of Justice personnel. They create no enforceable rights in persons applying for executive clemency, nor do they restrict the authority granted to the President under Article II, Section 2 of the Constitution.

Dated: August 23, 1993.
Janet Reno,
Attorney General.

Dated: October 12, 1993.
Approved:
William J. Clinton,
President.

INFORMATION AND INSTRUCTIONS ON PARDONS

Please read carefully before completing the pardon application

1. *Submit the petition to the Office of the Pardon Attorney*

All petitions, except petitions relating to military offenses (see paragraph 6 below), should be forwarded to the pardon Attorney, Department of Justice, 500 First Street N.W., 4th Floor, Washington, D.C. 20530. It is important that the completed pardon petition be entirely legible; therefore, please print or type. *The form must be completed fully and accurately in order to be considered.* You may attach to the petition additional pages and documents which amplify or clarify your answer to any question.

2. *Federal convictions only*

Only *federal* convictions are subject to presidential pardon since the federal pardon power does not extend to state offenses. Necessary information concerning the conviction may be obtained from the clerk of the federal court where you were convicted.

3. *Five-year waiting period required*

A minimum waiting period of five years after completion of sentence is required before anyone who has been convicted of violating a federal law is eligible to apply for a presidential pardon. The eligibility waiting period required by the Rules Governing Petitions for Executive Clemency (as published in Title 28, Code of Federal Regulation, §1.1 *et seq.*) begins on the date of the petitioner's release from confinement. If the conviction resulted in probation or a fine and no term of imprisonment, the waiting period begins on the date of conviction. In addition, the petitioner should have satisfied the penalty imposed, including all probation, parole, or supervised release. The waiting period is designed to afford the petitioner a reasonable time in which to demonstrate an ability to lead a responsible, productive and law-abiding life to the betterment of the community. Accordingly, offenses committed subsequent to the offense for which pardon is sought may lengthen the minimum eligibility period for pardons. Waiver of any portion of the waiting period is rarely granted and then only in the most exception circumstances.

4. *Reason for seeking pardon*

In answering question 17 on page 6 of the petition, you should state the specific purpose for which you are seeking pardon and attach documentary evidence (e.g. copies of applicable provisions of state constitutions, statutes or regulations and/or letters from appropriate officials of administrative agencies, professional associations, licensing authorities or the like) that a pardon will be helpful to you in accomplishing the purpose for which it is sought. Most disabilities attendant upon a federal felony conviction, e.g., the right to vote and hold public office, are imposed by state rather than federal law, and may be removed by state action. The federal pardon process is exacting and may be more time-consuming than state procedures for restoration of civil rights, and you may therefore wish to consult in this regard with the Governor or other appropriate authorities of the state of your residence (e.g., the state board of pardons and paroles).

5. *Multiple federal convictions*

If you are seeking pardon of more than one federal conviction, the most recent conviction should be shown in response to question 2 of the petition and the form completed as to that conviction. The information requested in questions 2 through 4 of the petition concerning any other federal convictions, including convictions by military courts-martial, should be provided on an attachment. Any federal charges not resulting in conviction should be reported in the space provided for prior and subsequent arrests (question 5).

6. *Pardon of a military offense*

If you are requesting pardon of a military offense only, you should submit your completed petition directly to the Secretary of the military department which had original jurisdiction in your case, completing questions 2 through 4 and question 13 of the petition form to show all pertinent information concerning your court-martial trial and conviction. You should be aware that pardon of a military offense will not change the character of a military discharge. This may be accomplished only by appropriate military authorities.

7. *Additional arrest record*

You must disclose in answering question 5 any additional arrest record (civilian or military), whether local, state or foreign, both prior and subsequent to the offense for which you are seeking pardon. Your answer should list every violation, including traffic violations that resulted in an arrest or criminal charge. Your failure to disclose any such arrest, whether or not it resulted in conviction, may be construed as falsification of the petition.

8. *Credit status and civil lawsuits*

In response to question 12, you must list all delinquent credit obligations, whether or not you dispute them. You must also list all civil lawsuits in which you were named as a party, whether as plaintiff or defendant. You must also list all unpaid tax obligations, whether federal, state or local. You may submit explanatory material in connection with any of these matters, e.g., an agreed method of payment for indebtedness.

9. *Character references*

At least three character affidavits must accompany the petition. If you submit more than three, you should designate the three persons whom you consider to be primary references. The affidavit forms provided are preferred; however, letters of recommendation which evidence therein a knowledge of the offense for which you seek pardon may be substituted. Persons submitting references should not be related to you by blood or marriage.

10. *Effect of a pardon*

A presidential pardon will *not* erase or expunge your record of conviction. A presidential pardon is a sign of forgiveness and not of vindication. It does not connote or establish innocence. Therefore, you will still be required to report the conviction where such information is required. In addition, in considering the merits of a pardon petition, pardon officials take into account statement by the petitioner relating to acceptance of responsibility, remorse and atonement.

11. *Scope of investigation*

Pardon officials conduct a very thorough review in determining a petitioner's worthiness for relief. Petitioners should therefore be prepared for a detailed inquiry into their background and current activities. Among the factors entering into this determination are the nature, seriousness, and recentness of the offense, petitioner's prior and/or subsequent criminal record, any specific hardship the petitioner may be suffering by reason of the conviction (see paragraph 4 above), and the nature and extent of an applicant's post-conviction involvement in community service, charitable or other meritorious activities, regarding the latter, submission of information concerning the petitioner's noteworthy community contributions is encouraged.

12. *Presidential pardon authority*

The power to grant pardons is vested in the President alone. No hearing is held and there is no appeal from an adverse decision in a pardon matter. The specific reasons for the action taken in a pardon matter are not disclosed. If your petition is denied, you may submit a new petition for consideration two years from the date of denial if new and significant information or substantially changed circumstances support favorable action.

For more information, you may contact the Office of the Pardon Attorney at the address provided in paragraph 1 above or by telephone at (202) 616-6070.

PETITION FOR PARDON AFTER COMPLETION OF SENTENCE

Please read accompanying instructions carefully before beginning. Typewrite or print the answers in ink. Each question must be answered fully, truthfully, and accurately. If the space for any answer is insufficient, petitioner may complete answer on a separate sheet of paper and attach it to the petition. Submission of material, false information is punishable by imprisonment of up to five years and a fine of not more than \$250,000. 18 U.S.C. §§ 1001 and 3571.

TO THE PRESIDENT OF THE UNITED STATES:

The undersigned petitioner prays for a pardon and in support thereof states as follows:

1. Full name: _____
First Middle Last

Address: _____
Number Street City State Zip Code

Telephone Number (include area code): _____

Social Security No. _____ Date and place of birth: _____

Sex: _____ Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Are you a United States citizen? yes no If not, state nationality and give alien registration number: _____.

If naturalized U.S. citizen, furnish date and place of naturalization: _____

State in full every other name by which you have been known, including name under which you were convicted, the reason for the use of another name, and the dates during which you were so known (for example, include your maiden name, name(s) by a former marriage(s), alias(es), and nickname(s)).

Offense(s) For Which Pardon Is Sought

2. Petitioner was convicted on a plea of _____ in the United States District Court
(guilty, not guilty, nolo contendere)

for the _____ District of _____ of the crime of:
(Norther, Western, etc.) (Identify state)

(Describe specific offense)

and was sentence on _____, 19__ to imprisonment for _____

probation for _____, a fine of \$ _____, and/or restitution of \$ _____.

Petitioner was _____ years of age when the offense was committed.

3. Petitioner began service of the sentence of imprisonment probation on _____, 19__;
released on _____, 19__ from _____;
(Federal institution)

expiration of sentence on _____, 19__. Petitioner did did not appeal the conviction. Indicate the date(s) on which the fine, restitution or special assessment was paid. If the fine, restitution, or assessment have not been paid in full, explain why. If appealed, please provide the date of decision(s) by the Court of Appeals and, if applicable, the Supreme Court. Please also provide citations to any published judicial opinion(s) or a copy of unpublished opinion(s). (An optional continuation page is provided.)

Biographical Information

6. Current marital status: Never Married Married Divorced Widowed Separated
For each marriage give the following: name of spouse, date and place of spouse's birth, date and place of marriage, and, if applicable, date and place of divorce, and current or last known address and telephone number of each former spouse:

<i>name of spouse</i>	<i>date/place of birth</i>
<i>full address including zip code</i>	<i>telephone number, including area code</i>
<i>date/place of marriage</i>	<i>date/place of divorce</i>
<i>name of spouse</i>	<i>date/place of birth</i>
<i>full address including zip code</i>	<i>telephone number, including area code</i>
<i>date/place of marriage</i>	<i>date/place of divorce</i>

7. List your children by name and furnish date and place of birth for each:
(If you do not have custody of any minor children, indicate whether you pay child support.)

<i>name of child</i>	<i>date/place of birth</i>
<i>name of child</i>	<i>date/place of birth</i>

8. List the complete address of all schools you have attended since your conviction, beginning with the most recent and working backward. Indicate the type of degree/diploma received and give the name of an instructor, counselor, or other school official who knew you well. (An optional continuation page is provided if necessary.)

<i>School</i>	<i>From (month/year)</i>	<i>To (month/year)</i>
<i>Number and Street</i>	<i>Degree</i>	<i>Month/year awarded</i>
<i>City</i>	<i>State</i>	<i>Zip</i>
<i>Name of school official</i>	<i>Telephone number of school official</i>	

Residences

9. List every place you have lived since the conviction, beginning with the present and working back. (All periods must be accounted for below.) List the physical location of your residence; do not use a post office box as an address. If you lived in an apartment complex, list your apartment number. (An optional continuation page is provided if necessary.)

<i>Date you moved to present address (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Employment History

10. List all periods of employment and unemployment since the conviction, beginning with the present and working backward. List all full and part-time work, self-employment, and periods of unemployment. For each period of unemployment, indicate your means of support. (An optional continuation page is provided.)

<i>Present Employer</i>		<i>Telephone (Include area code)</i>	
<i>Date you began this employment (month/year):</i>	<i>Number and Street</i>		
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Type of business</i>	<i>Position</i>	<i>Supervisor</i>	<i>Supervisor's telephone number</i>

<i>Employer</i>		<i>Telephone (Include area code)</i>	
<i>Began (month/year):</i>	<i>Number and Street</i>		
<i>Ended (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Type of business</i>	<i>Position</i>	<i>Supervisor</i>	<i>Supervisor's telephone number</i>

- (a) Since the conviction, have you been fired or left a job following allegations of misconduct or unsatisfactory job performance? yes no
- (b) Have you failed to list the conviction, or any other arrest or conviction, on any employment or other application where requested to list such information? yes no
- If you answered yes to either of the above questions, explain fully below. An optional continuation page is provided.*

Substance Abuse and Mental Health Information

11. (a) Have you ever used any illegal drug or abused prescription drugs or alcohol? yes no
If you answered yes, on a separate sheet identify the drugs used, the dates of use, and the frequency of use.
- (b) Have you ever been involved in the illegal sale or distribution of drugs? yes no
If you answered yes, on a separate sheet provide complete details and dates of your involvement.
- (c) Have you ever sought or participated in counseling, treatment, or a rehabilitation program for drug use or alcohol abuse? yes no
If you answered yes, on a separate sheet specify the dates of treatment or counseling, and provide the name, full address, and telephone number of the treatment facility and of the doctor, counselor, or other treatment provider.
- (d) Have you ever consulted with a mental health professional (psychiatrist, psychologist, or counselor) or with another health care provider concerning a mental health-related condition? yes no
If you answered yes, on a separate sheet specify the dates of treatment and the name, full address, and telephone number of the counselor/treatment provider.

Civil and Financial Information

12. (a) Are you in default or delinquent in any way in the performance or discharge of any debt or obligation imposed upon you? yes no
- (b) Since the conviction, have any liens (including federal or state tax liens) or any lawsuits been filed against you, or have you filed for discharge of your debts in bankruptcy? yes no
- (c) Do you have pending any judicial or administrative proceedings with the federal, state, or local governments: yes no

If you answered yes to any question, explain fully on the optional continuation page.

Military Record

13. (a) Have you ever served in the armed forces of the United States? yes no

Dates of service: _____ Branch(es): _____

Serial Number: _____ Type of discharge: _____

Decorations (if any): _____

If other than honorably discharged, specify type and circumstances surrounding your release(s) (use option continuation page) and attach copy of your separation papers (Form DD-214).

- (b) While serving in the armed forces, were you the recipient of non-judicial punishment or the defendant in any court-martial? yes no

If yes, state fully the nature of the charge, relevant facts, disposition of the proceedings, the date thereof, and the name and address of the authority in possession of the records thereof. If you were convicted of an offense by court-martial, provide a copy of the court-martial promulgating order and on a separate sheet provide the same information with respect to each conviction that is required in questions 2 through 4 of this application.

Civil Rights and Occupational Licensing

14. Have you ever been granted or denied restoration of you civil rights (for example, a state pardon, a certification of restoration of civil rights, or a certificate of discharge)? yes no
Attach a copy of the document(s) evidencing the state's action.

15. Have you ever been granted or denied removal of your federal or state firearms disabilities? yes no
Attach a copy of the document(s) evidencing the federal or state action.

16. Since the conviction, have you been granted or denied any type of business or professional license, including the reinstatement of any licenses that were revoked or denied, in which your conviction was a consideration? yes no

If yes, attach a copy of the document(s) evidencing the action, including any explanation of the reasons for such action. If not available, provide the name, full address, and telephone number of the relevant authority taking the action, the name of the license, the disposition of your request, and the date of the disposition. Use optional continuation page if necessary.

**Optional Continuation Page for
Petition for Pardon After Completion of Sentence**

Residences

<i>From (month/year):</i>	<i>Number and Street</i>		<i>Apartment Number</i>
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>		<i>Apartment Number</i>
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>		<i>Apartment Number</i>
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>		<i>Apartment Number</i>
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Residences

<i>Employer</i>		<i>Telephone (Include area code)</i>	
<i>Began (month/year):</i>	<i>Number and Street</i>		
<i>Ended (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Type of business</i>	<i>Position</i>	<i>Supervisor</i>	<i>Supervisor's telephone number</i>

<i>Employer</i>		<i>Telephone (Include area code)</i>	
<i>Began (month/year):</i>	<i>Number and Street</i>		
<i>Ended (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Type of business</i>	<i>Position</i>	<i>Supervisor</i>	<i>Supervisor's telephone number</i>

<i>Employer</i>		<i>Telephone (Include area code)</i>	
<i>Began (month/year):</i>	<i>Number and Street</i>		
<i>Ended (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Type of business</i>	<i>Position</i>	<i>Supervisor</i>	<i>Supervisor's telephone number</i>

United States Department of Justice
Office of the Pardon Attorney
Washington, D.C. 20530

CHARACTER AFFIDAVIT
on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States
for pardon, I, _____,

(print or type name of affiant)

residing at _____,

Number Street City State Zip Code

_____ whose occupation is _____
Telephone (Include area code)

certify that I have personally known the petitioner for ____ years. Except as otherwise indicated below,
petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of
petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had
any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge
and belief.

(signature of affiant)

Subscribed and sworn to before me this ____ day of _____, 19 ____.

Notary Public

AUTHORIZATION FOR RELEASE OF INFORMATION

Carefully read this authorization to release information about you, then sign and date it in ink.

I authorize any investigator, special agent, or other duly accredited representative of the Federal Bureau of Investigation, the Department of Defense, and any authorized Federal agency, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, criminal history, arrest, conviction, medical, psychiatric/psychological, health care, and financial and credit information.

I understand that, for financial or lending institutions and certain other sources of information, a separate specific release may be needed (pursuant to their request or as may be required by law), and I may be contacted for such a release at a later date.

I further authorize the Federal Bureau of Investigation, the Department of Defense, and any other authorized agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my suitability for a government benefit.

I authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary.

I understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes provided in this form, and may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for three (3) years from the date signed.

<i>Signature (sign in ink)</i>		
<i>Full Name (type or print legibly)</i>		<i>Date Signed</i>
<i>Other Names Used</i>		
<i>Street Address</i>		
<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Home Telephone Number (Include area code)</i>		<i>Social Security Number</i>