RELATIONSHIPS

Federal executives Lisa Ross, Nancy Killefer, Melodie Mercer and Annetta Cheek passed TWC's contract to Cheek's and Mercer's close friend, Susan Kleimann of Kleimann Communications Group (KCG)

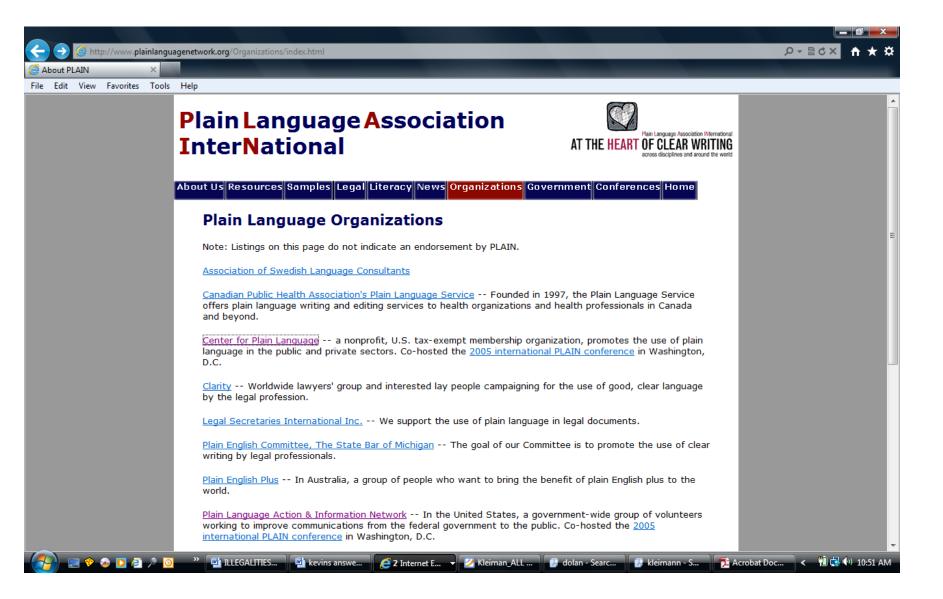
MELODIE MERCER, ANNETTA CHEEK, SUSAN KLEIMANN

Mercer, Cheek, and Kleimann's relationship was centered around the following writing projects/initiatives:

- NPR Plain Language Writing Initiative: NPR was an interagency task force undertaken during the Clinton Administration intended to reform the way the U.S. federal government worked. When introduced, it was expected the initiative would involve a six-month review of the federal government under the leadership of the Vice President Al Gore. But NPR continued over several years and was eventually renamed the National Partnership on Reinventing Government in early 1998. One of NPR's undertakings involved promoting plain writing in government.
- ➤ PLAIN: Plain Language Action & Information Network was formed in 1993. Annetta Cheek—NPR Plain Language Coordinator--served as the chair from the date of the group's inception until she retired in 2007. Mercer is also a longstanding member of PLAIN, having served on PLAIN's Board. PLAIN—composed of federal employees like Cheek and Mercer—utilizes writing consultants such as Kleimann to help simplify government documents at their agencies.
- Non-profit Center for Plain Language: The Center for Plain Language is a non-profit organization formed by Mercer, Cheek and Kleimann in 2003. The Center for Plain Language website lists the organization's goals as follows:

 We support those who use plain language, train those who should use plain language, and urge people to demand plain language in all the documents they receive, read, and use.
 - · Advocate for people to use, learn, and teach plain language in government, business, non-profits, and universities.
 - · Give people information and tools they need to achieve their plain language goals.
 - · Do and share research that identifies best practices for using, learning, and teaching plain language.
 - · Coordinate activities, such as workshops and presentations that help people know more about and use plain language.

The following screen print provides additional information about the Center for Plain Language and Plain Language Information and Action Network:



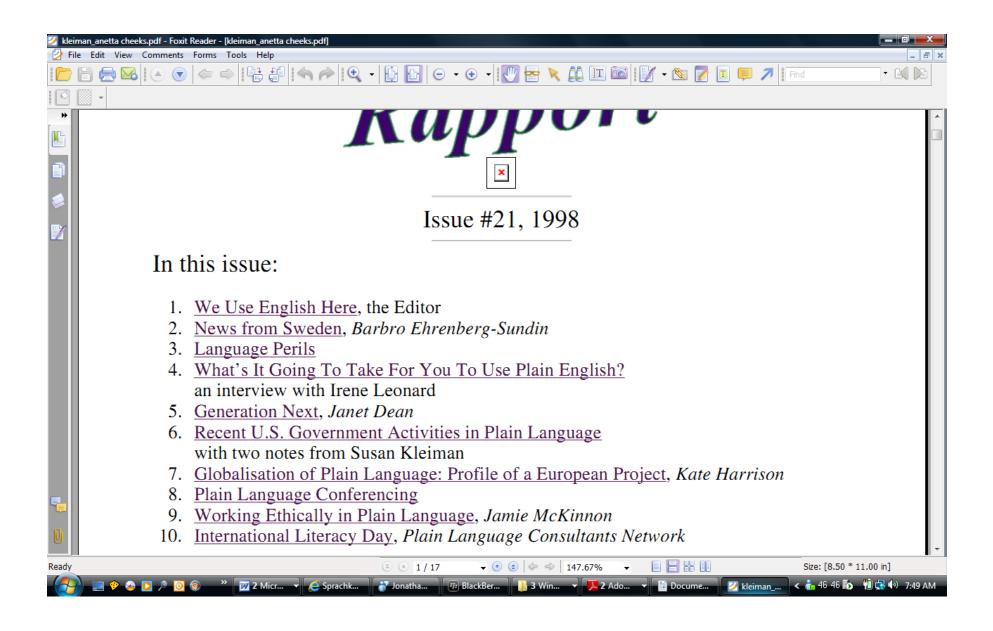
The following firms/individuals conspired to divert TWC's IRS Notice Redesign Contract to Kleimann Communications Group (KCG):

- Annetta Cheek: In 1996, Annetta Cheek became head of Vice President Gore's National Performance Review/ National Partnership for Reinventing Government (NPR) plain language writing initiative. She is reportedly one of the first federal employees involved in the plain language movement. Cheek's charge at NPR was to spread the plain language initiative across the federal government. Cheek helped found the Plain Language Action and Information Network (PLAIN), a group of federal employees promoting plain language and served as its chair until her retirement from government in early 2007. She also developed PLAIN's original website and oversaw its redesign in 2004-2005. In 2003, Annetta and several plain language colleagues founded the nonprofit Center for Plain Language in Washington, DC.
- Melodee Mercer: Mercer served on the Board of PLAIN & Center for Plain Language from 1990 to 2009, along with Annetta Cheek. She also worked at NPR from 1995 to 2000, with Annetta Cheek. Mercer was a member of the Veteran Benefits Administration's Simplified Communication Task Force charged with exporting plain writing standards and tactics throughout the organization before she joined NPR.
- Nancy Killefer: Nancy Killefer was a Director in the Washington, D.C., office of McKinsey & Company—a global management consulting firm. Killefer left McKinsey & Company from 1997 to 2000 to serve as Assistant Secretary for Management, Chief Financial Officer (CFO), and Chief Operations Officer (COO) at the United States Department of the Treasury. After returning to McKinsey in 2000, she joined the IRS Oversight Board, a public-private entity akin to a corporate board that oversees the IRS. She served there from 2000 to 2005 and was its Chairperson from 2002 to 2005. Killefer and Ross spearheaded the effort to divert TWC's contract to NPR (Cheek and Mercer) and Kleimann—all of whom benefitted personally from the contract.
- Lisa Ross: Ross joined the Department of Treasury in 1998 as the Deputy Assistant Secretary for Strategy Finance. When Killefer resigned, President Clinton nominated Lisa Ross-McGonigle as Killefer's replacement. Prior to joining the U.S. Treasury, Ross served as Vice President of Strategic Planning for Marriott International and a consultant with McKinsey & Company. Pursuant to the Chief Financial Officers Act of 1990, both Ross and Killefer were charged with ensuring sound financial management practices and outcomes within Treasury bureaus and proper stewardship of taxpayer funds.
- > Susan Kleimann: Kleimann formed Kleimann Communications Group in Novermber 1997—some seven days after IRS promised TWC the Notice Redesign Contract. Kleimann and business partner Barbra Enlow worked closely with Annetta Cheek and Melodee Mercer on the NPR plain language effort headed by Vice President Gore. She, Mercer and Cheek were also founding members of PLAIN. Kleimann worked with Mercer on projects at Veterans Benefits Administration (VBA). Kleimann also worked with Cheek and Mercer at NPR.

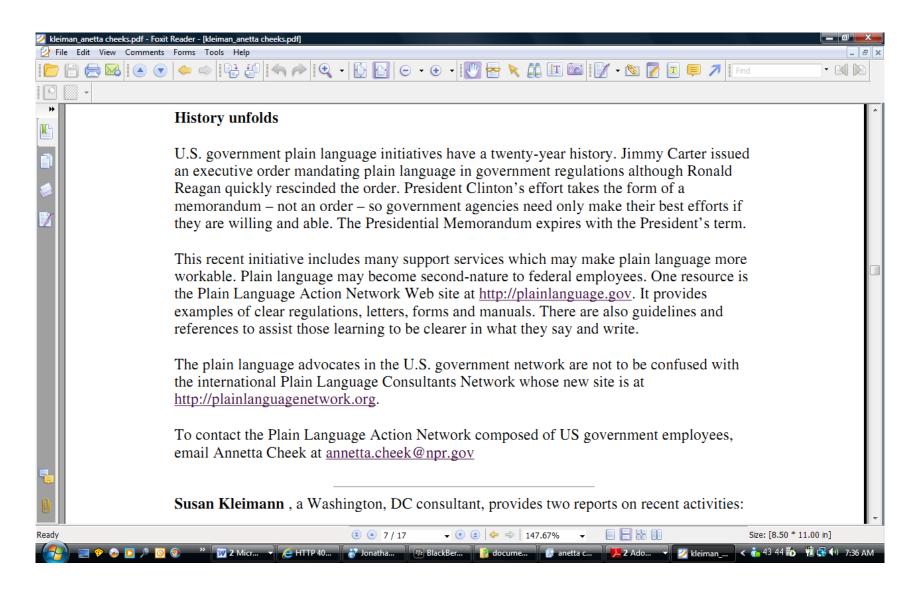
EVIDENCE OF RELATIONSHIP BETWEEN KLEIMANN AND BUSINESS PARTNER ENLOW AND CHEEK AND MERCER BEFORE OR DURING TWC'S IRS NOTICE REDESIGN CONTRACT

Susan Kleimann published an article in 1998 in a publication named *Rapport* (printouts of the publication appear on a series of pages that follow). The article was titled *U.S. Government Activities in Plain Language*. The article reveals the following about Kleimann, Cheek and Mercer's relationship:

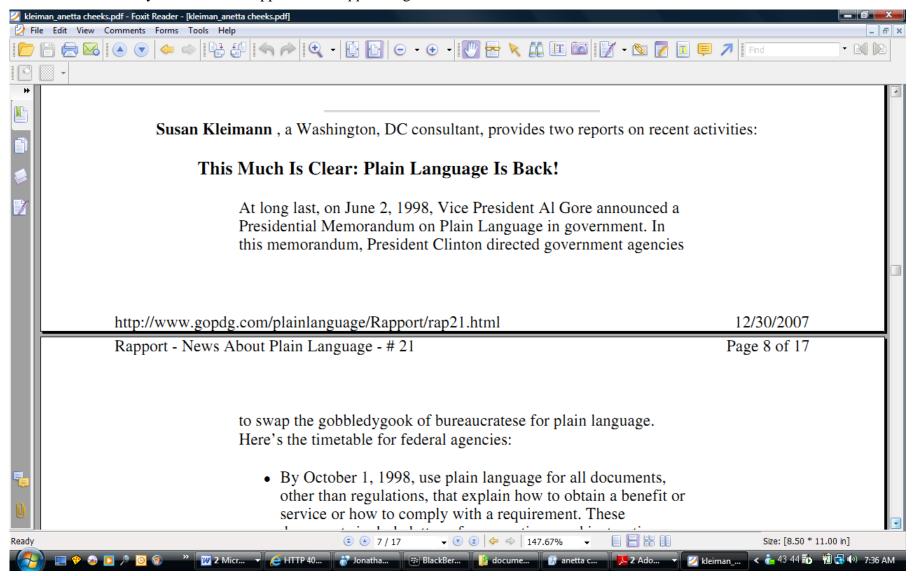
- ➤ Kleimann knew Annetta Cheek in 1998, since she references her in the publication.
- ➤ Kleimann knew Melodie Mercer in 1998, since she speaks extensively about PLAIN—an organization in which Cheek and Mercer had a leading role.
- ➤ Kleimann and Mercer jointly authored documents that were used at PLAN/PLAIN meetings as examples of plain language writing approaches and techniques.



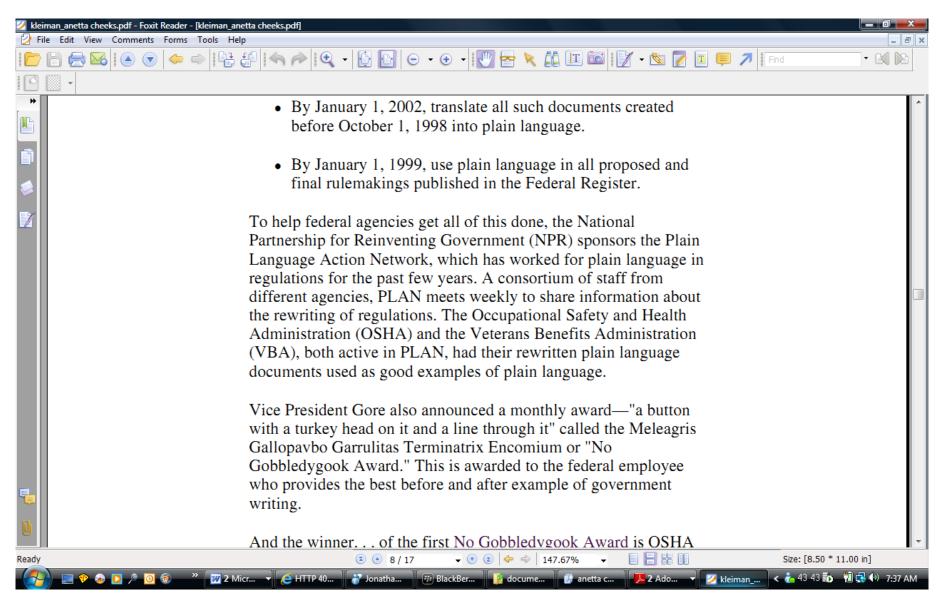
Susan Kleimann references Annetta Cheek in article she is writing on Recent U.S. Government Activities in Plain Language. Kleimann is writing about the undertakings of Gore's plain writing effort headed by Cheek.



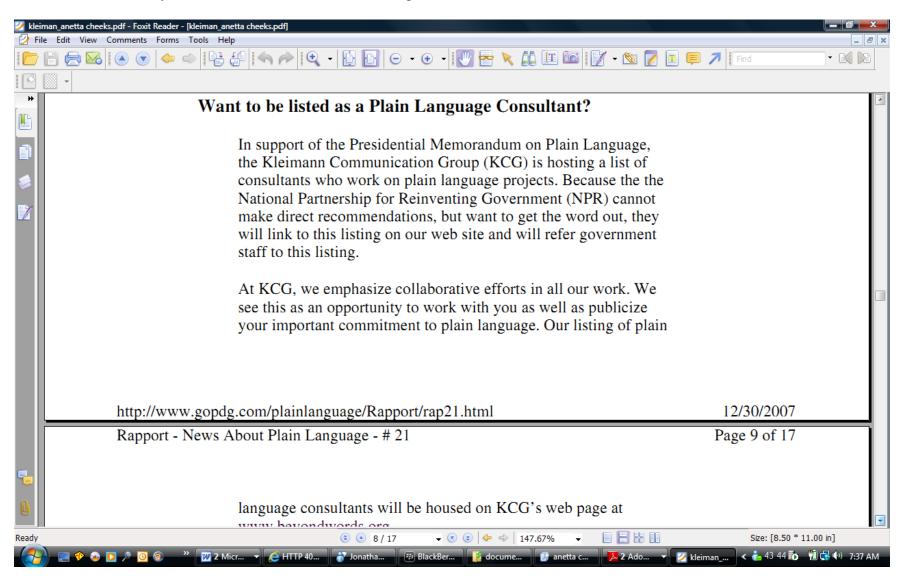
The article written by Kleimann that appeared in *Rapport* begins below:

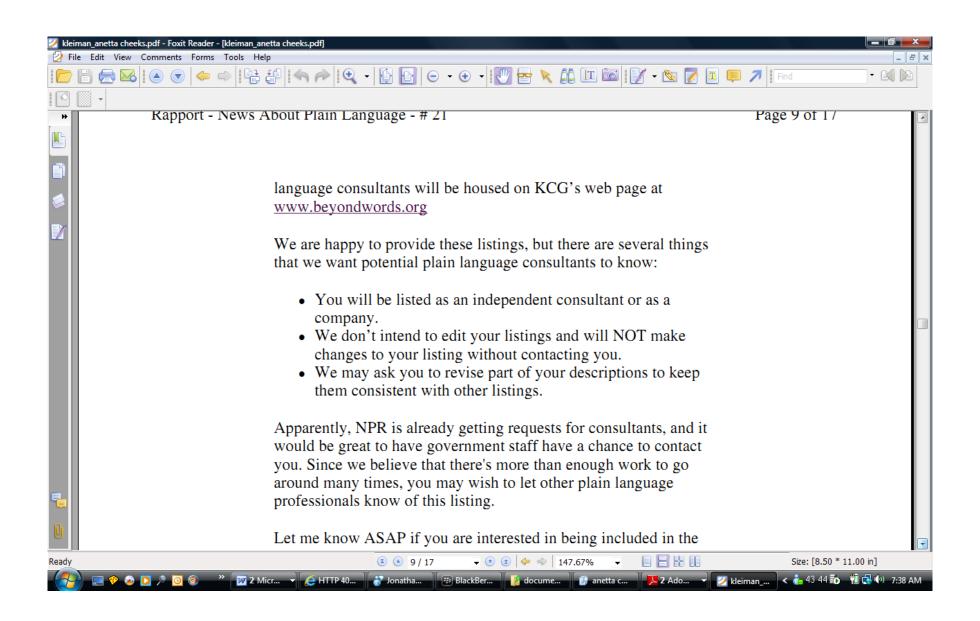


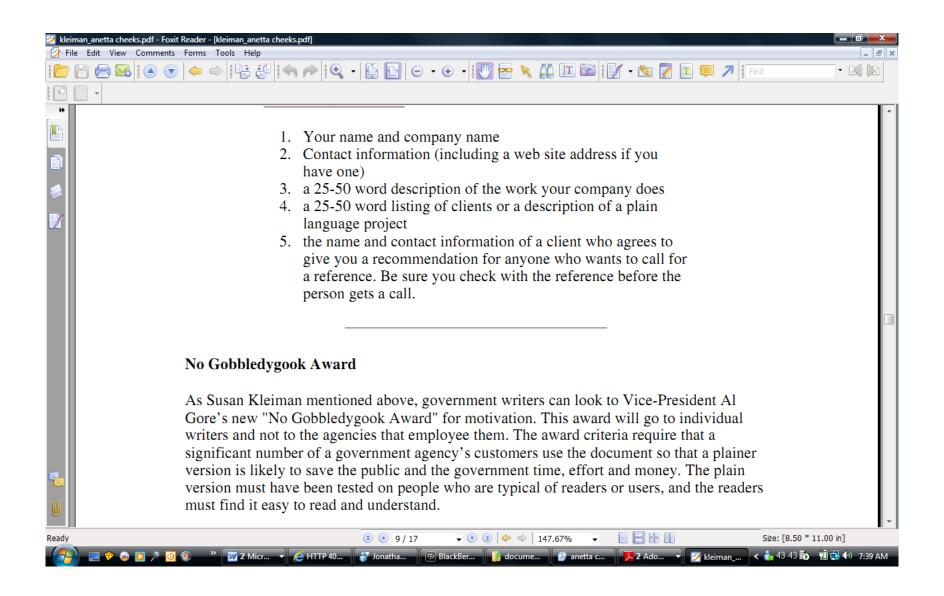
A section of the newsletter *Rapport* dated 1998 (which is continued below) describes PLAN/PLAIN:



The following section of the article that appeared in *Rapport* reveals NPR linked a government website to Susan Kleimann's website. The article also states NPR referred government staff and members of PLAIN/PLAN who were looking for writing consultants to KCG's website. NPR gave Kleimann preferential treatment when they linked to Kleimann's site and direct government staff to Kleimann's site.

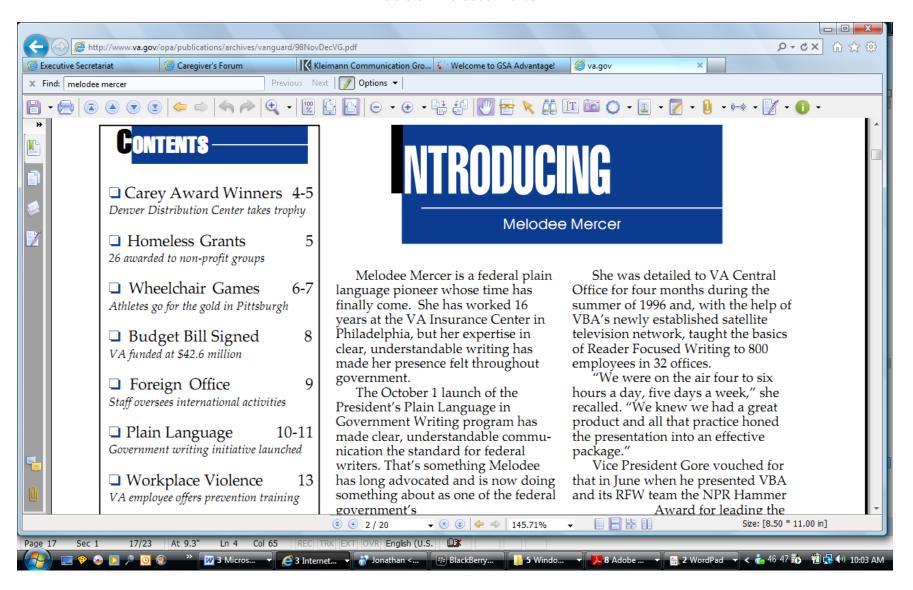






. November-December 1998 Publication of VANGUARD

Article on Melodee Mercer

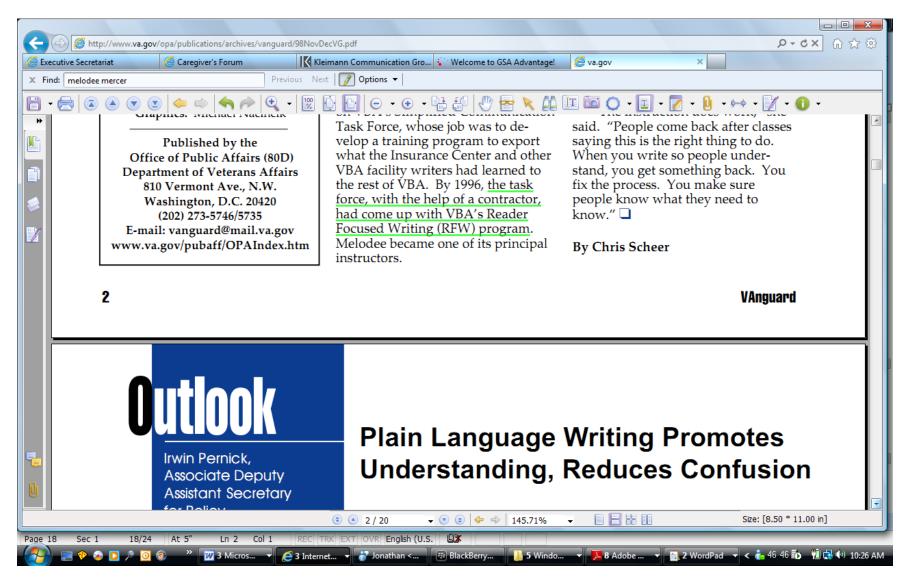


November-December 1998 Publication of VANGUARD

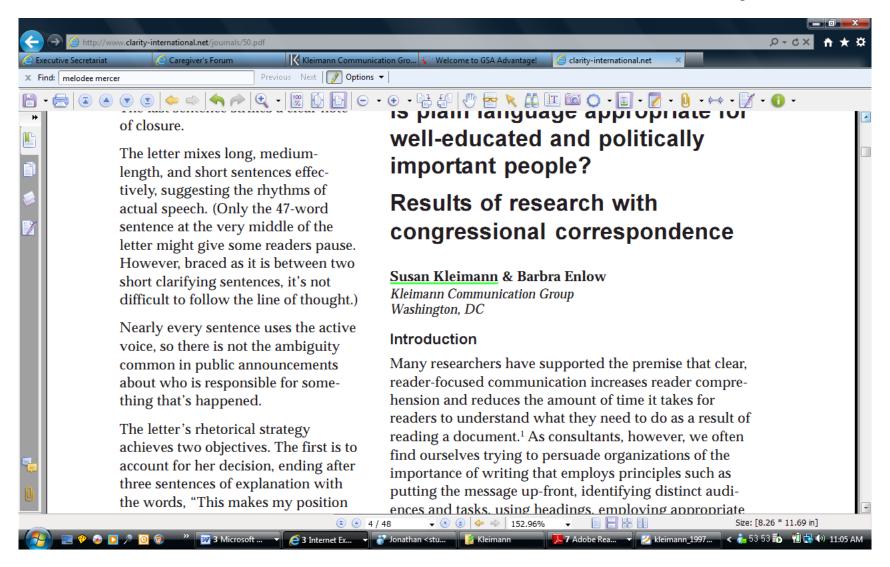
The following section of *Vanguard* speaks of Mercer's significant involvement in NPR's writing effort—headed by Cheek. It says "Last year, she was detailed to NPR in Washington and wrote the "Letter writing" guidance now on the NPR plain language web site at www. . . .



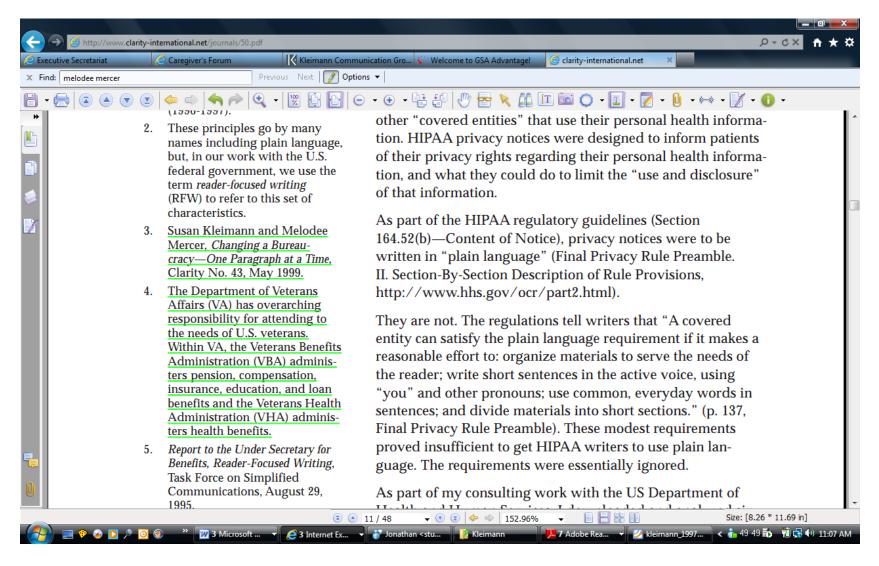
I do not know if the consultant who aided Mercer on this project was, in fact, Kleimann.



In Journal 50 on Clarity-international.net's website (http://www.clarity-international.net/journals/50.pdf), there appears an article (*Is Plain Language Appropriate for well-educated and politically important people?*) co-authored by Kleimann and her business partner, Barbra Enlow who received an award from NPR. Both Kleimann and Barbra Enlow benefitted from the Ross, Killefer, Cheek, Mercer, Killefer relationship.



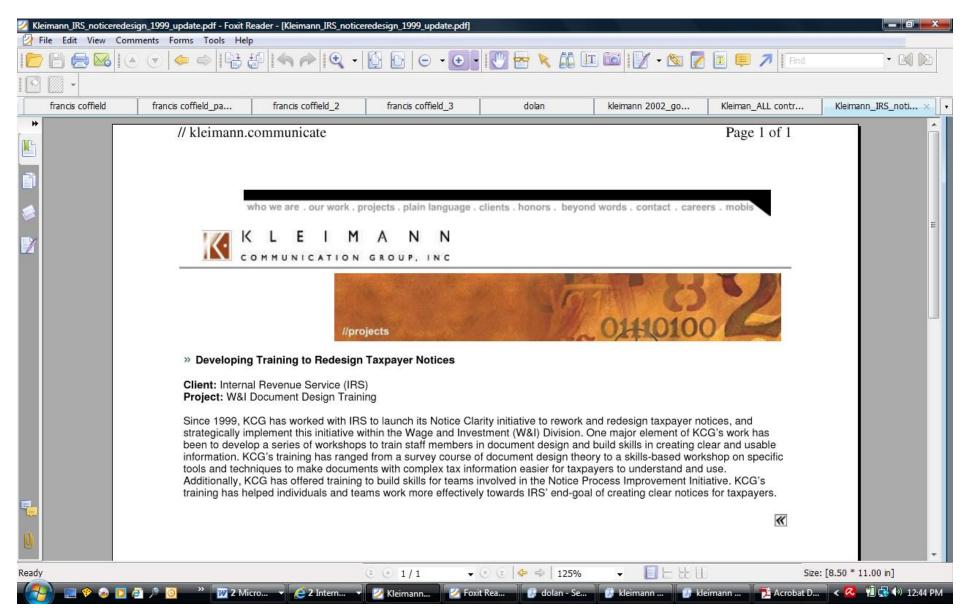
A footnote in this same publication also confirms that Kleimann and Mercer co-authored an article titled Changing a Bureaucracy One Paragraph at a Time.



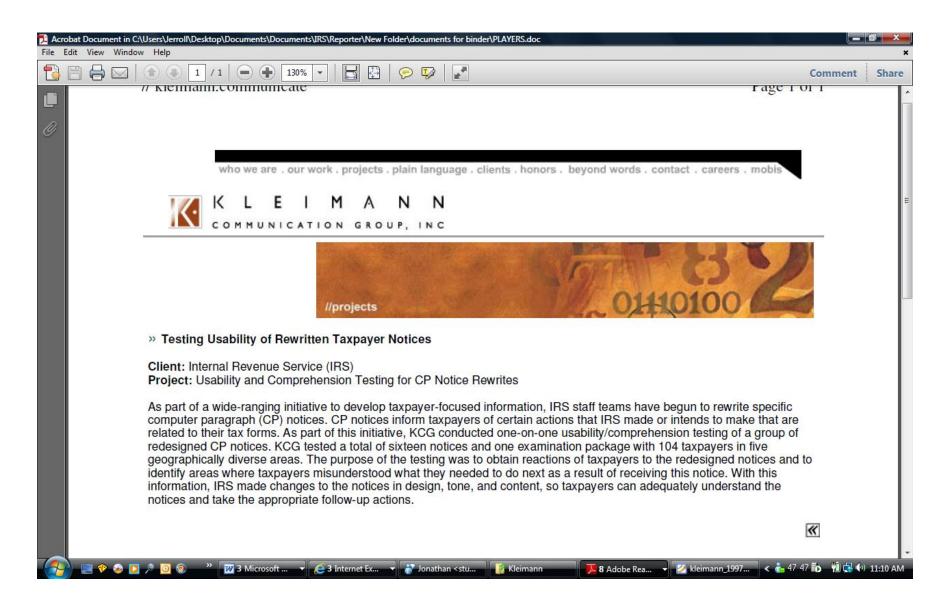
About Susan Kleimann and Barbra Enlow—Kleimann Communications Group (KCG)

As the above documentation reveals, Susan Kleimann and her partner, Barbra Enlow, were associated with NPR. Kleimann wrote articles on behalf of NPR (Rapport) and Barbra Enlow won an award from NPR. Kleimann and Enlow formed Kleimann Communications in November 1997—a few weeks after one of IRS's top officials awarded TWC the Notice Redesign Contract. Over the course of a year, TWC wrote over 116 notices and revamped almost 1000 penalty, interest and math-error codes in record time despite repeated schedule disruptions by Treasury to allow for the inclusion of NPR and other vendors in its writing and graphic redesign process. A binder TWC assembled contains documented proof of Treasury's repeated efforts to sabotage TWC's efforts. For example, IRS and Treasury documents—including a congressional report—credits NPR with TWC's rewrite and redesign innovations while drastically understating TWC's performance. On February 24, 1999, IRS terminated TWC's contract for convenience of the government. Soon after, IRS issued an RFQ for the exact same services. Two firms responded—TWC and another firm. IRS began discussions with TWC as a successful proposer. Without explanation, IRS terminated the RFQ and it disappeared from the landscape. TWC repeatedly asked IRS what had become of the IRS Notice Redesign contract via FOIA and other requests. Senators and Congressmen asked the same. But no one would reveal the status of the work. In 2008, TWC discovered informally that KCG was performing notice redesign effort.

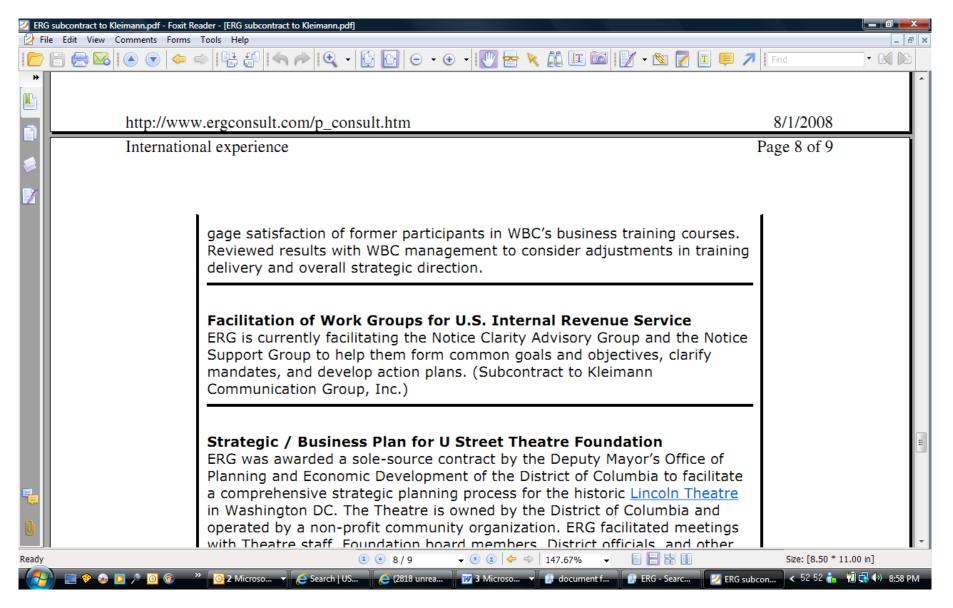
Kleimann Communications' prior website reveals the firm began working on the notice redesign contract the year IRS terminated TWC's contract.



The following indicates KCG also had a contract to test the usability of the redesign notices. TWC's contract called for TWC to perform this same task before IRS terminated the contract.



The following indicates KCG performed notice redesign services as a subcontractor of ERG Consulting.

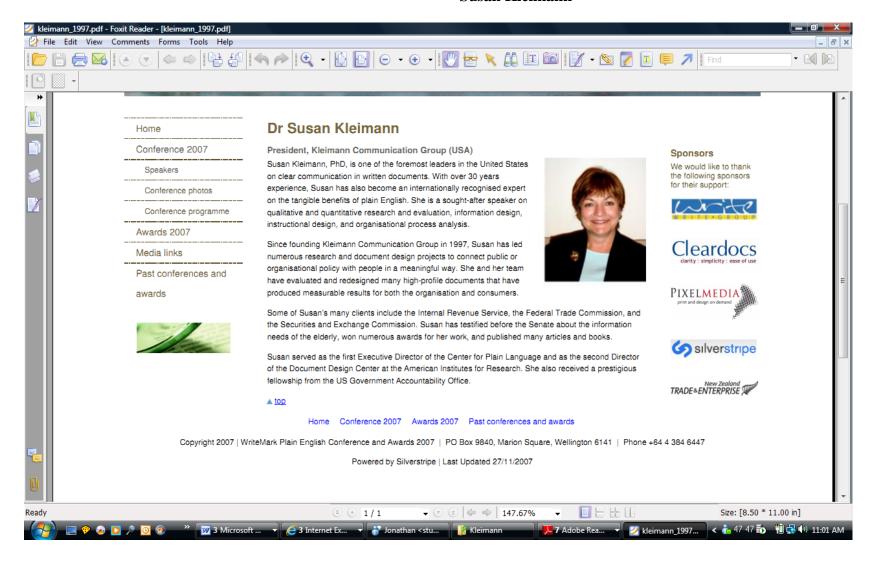


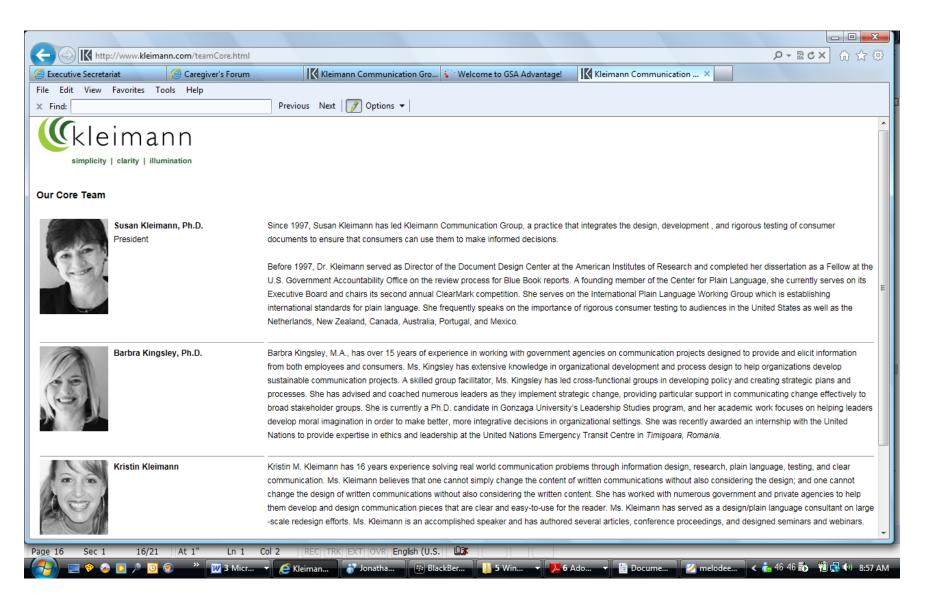
ERG was on the GSA Schedule, as evidenced by a page from ERG's former website. The firm has since changed hands. Because ERG was on the GSA Schedule, IRS and Treasury could award work to ERG without competition. ERG could then subcontract the work to Kleimann Communications Group (KCG).



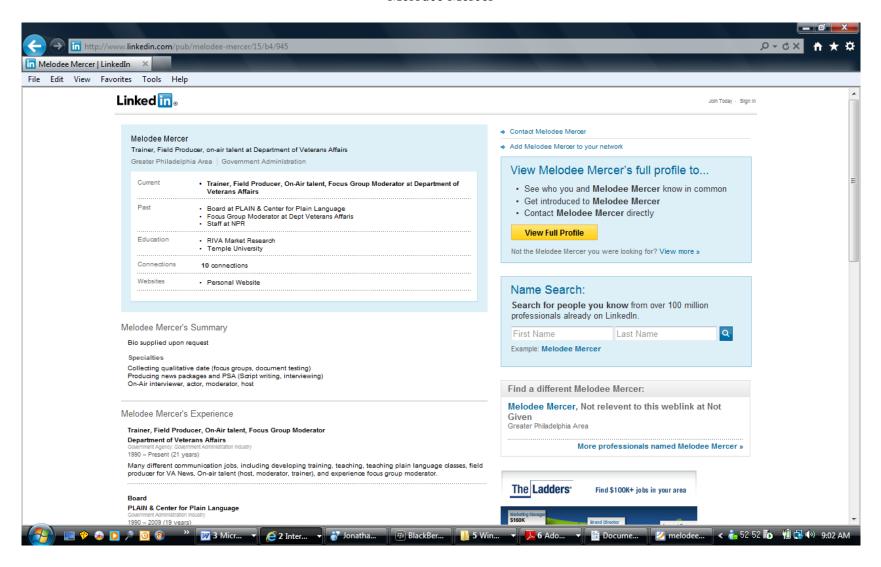
Mercer, Cheek and Kleimann were all founding members/board members of the non-profit Center for Plain Language and they all were involved in NPR writing efforts.

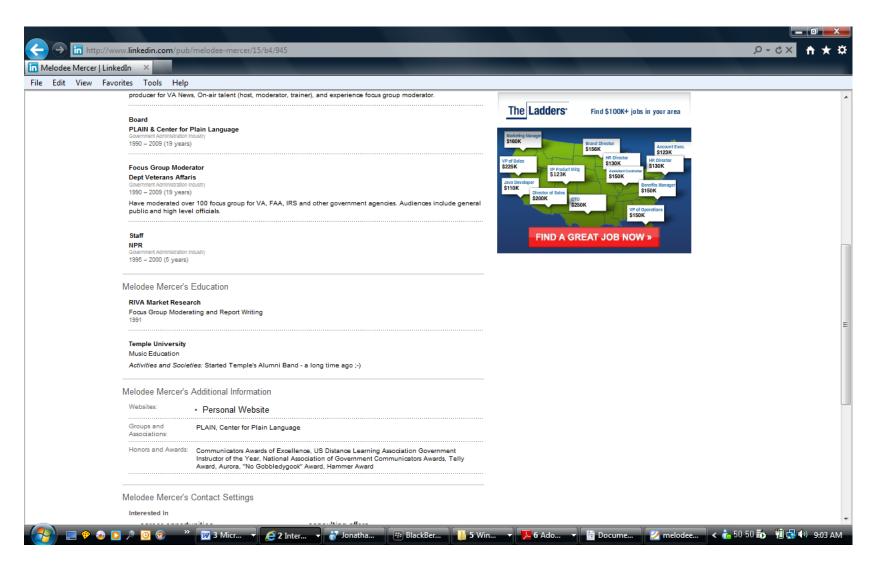
Susan Kleimann





Melodee Mercer









New Zealand's plain English standard

What is the WriteMark? What is plain English?

Plain English resources

How do you get a WriteMark?

Who's behind the WriteMark?

Who's got the WriteMark? Plain English Network Trust

Contact us

WriteMark Conference and Awards

WriteMark Conference and Awards 2006

News and photos from 2006 conference

Presentations and workshops about plain English 2006 Details of 6 October 2006





Melodee Mercer, MusB

Plain language instructor, Department of Veterans' Affairs, USA

Melodee Mercer is a board member of the US-based Center for Plain Language and the Plain Language Action and Information Network. She was the Special Events Coordinator for the 2005 Plain Language Association INternational conference in Washington, DC. She has also moderated several plain language conferences. Melodee co-hosts an internet radio show featuring the Center for Plain Language.



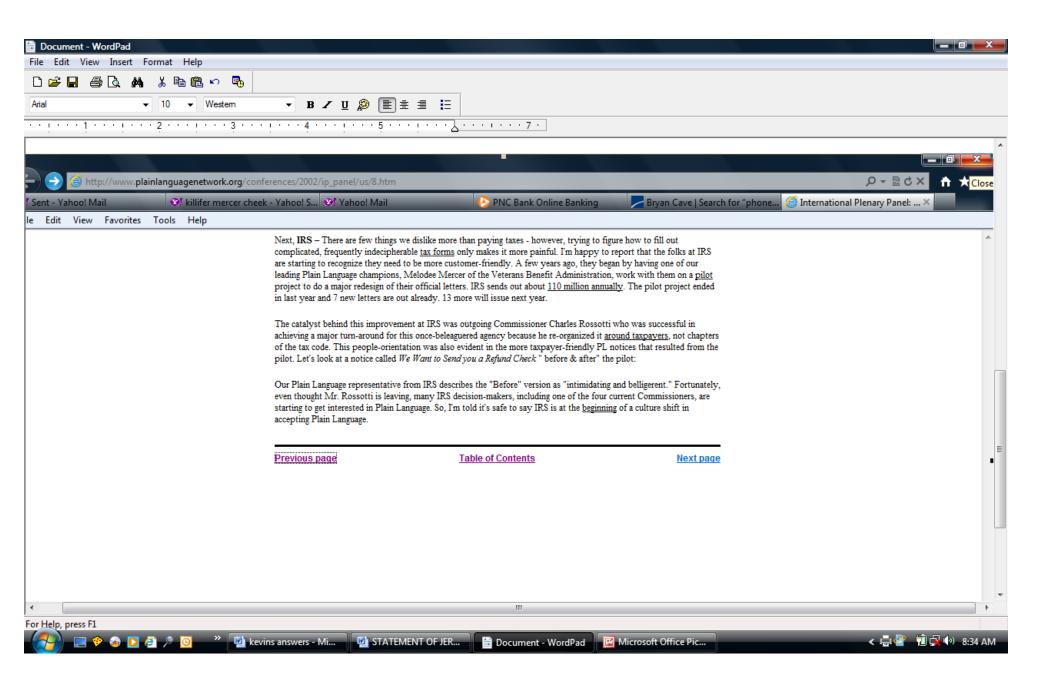
Melodee is best known as Plain Language Instructor for the US Department of Veterans Affairs (VA). Melodee's award-winning satellite course, Reader-Focused Writing (RFW), has trained thousands of employees to write in plain language. Melodee has received many awards for her plain language work, including the IRS Deputy Commissioner's Award, the US Distance Learning Association's Outstanding Instructor in Government Award, and the International Communicator's Crystal Award of Excellence.

Melodee is co-author of the 1999 article, 'Changing a bureaucracy one paragraph at a time', which was published in Clarity and the Michigan Bar Journal. The article documents the process VA went through to build and maintain their plain language programme.

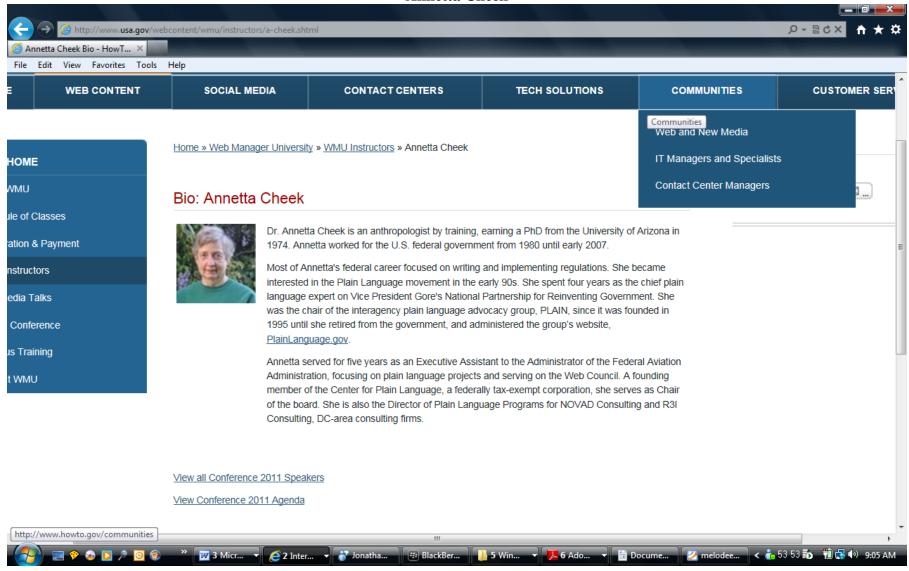
List of speakers
Conference programme
Keynote addresses
Workshop details

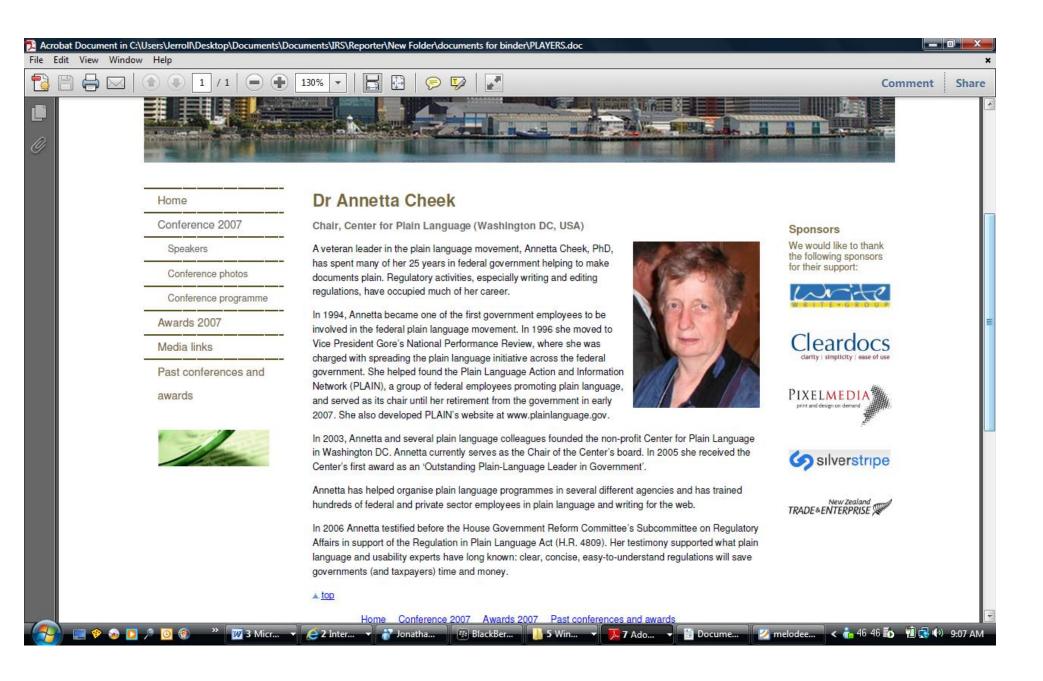
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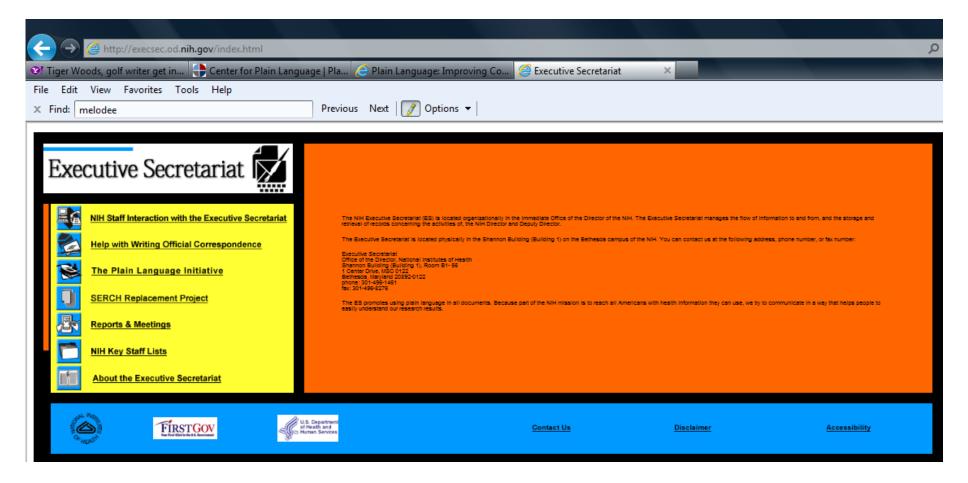


Annetta Cheek

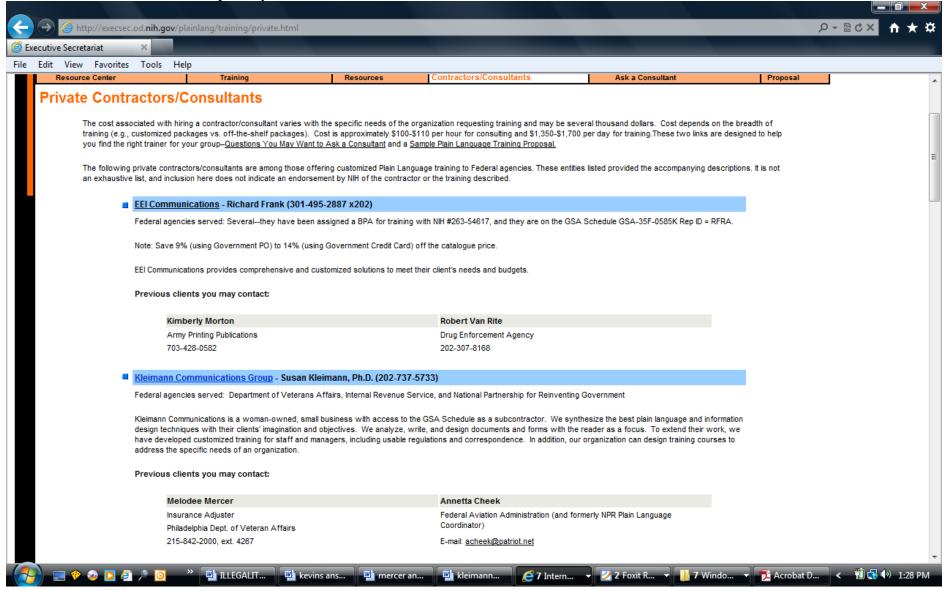




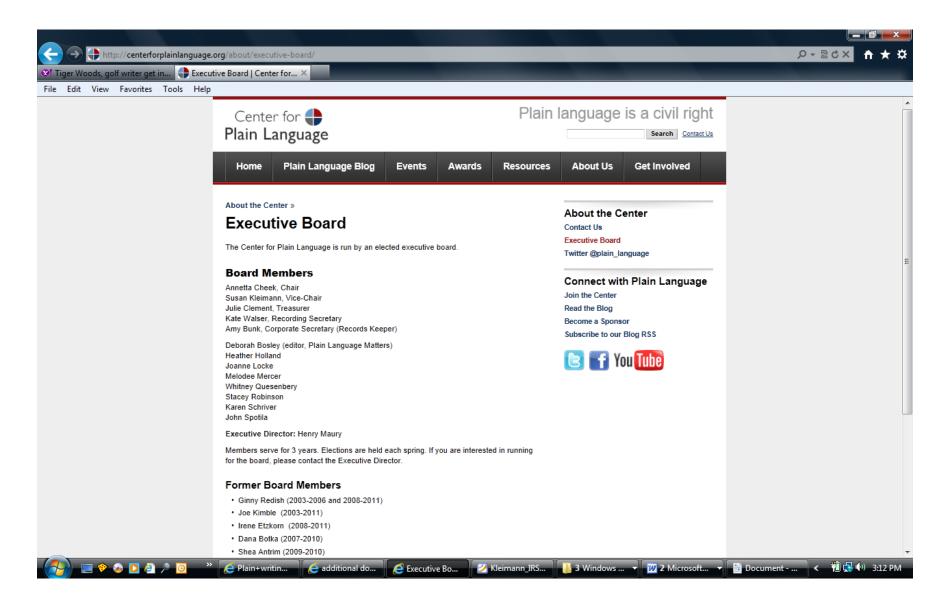
On the following page of the Executive Secretariat, National Institutes of Health website, Kleimann lists Cheek and Mercer as primary references.



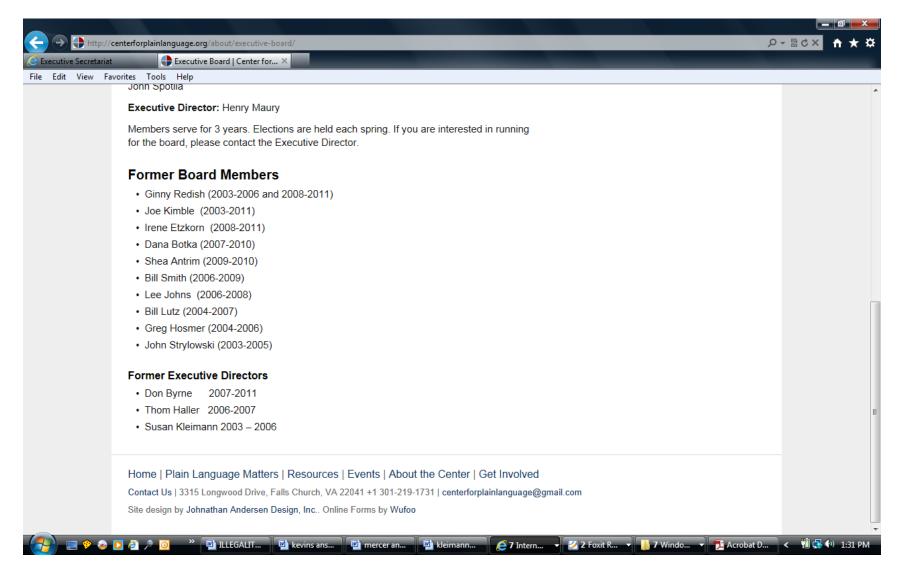
Kleimann lists Mercer and Cheek as primary references.



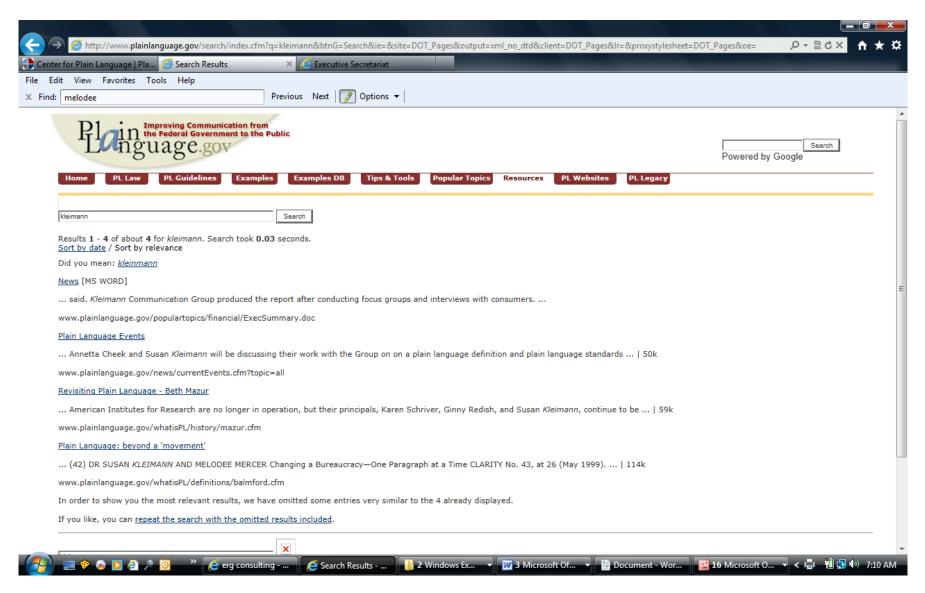
Kleimann, Cheek and Mercer continue to serve on the Board of the Center for Plain Language where they were founding members. Cheek is the Board Chair at the Center for Plain Language:



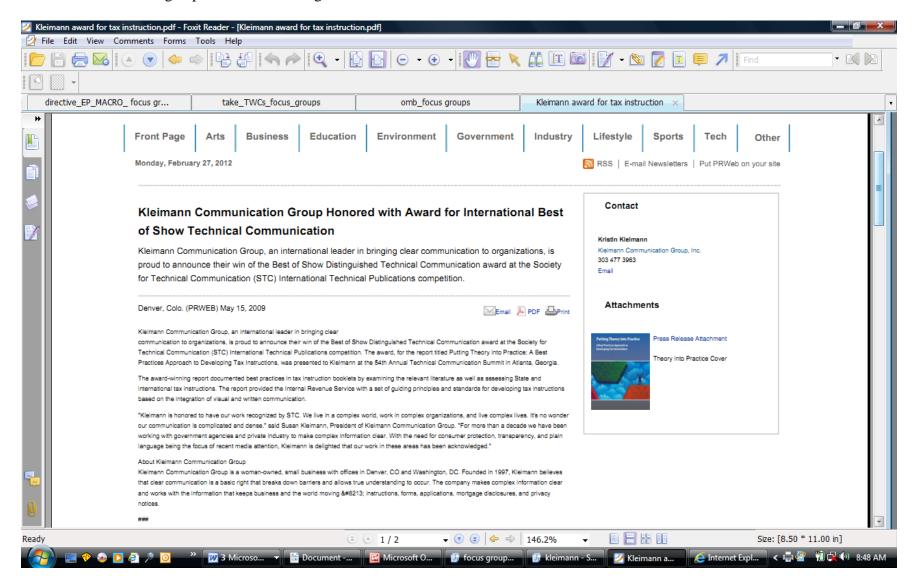
Kleimann is former chair of the Board at the Center for Plain Language:



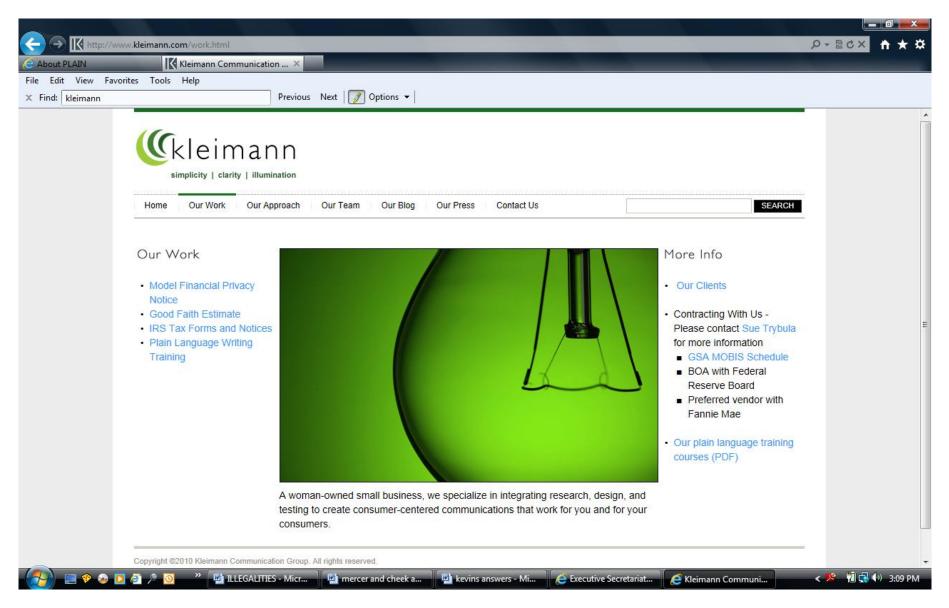
Kleimann and Cheek and Mercer and Kleimann acted in concert when writing articles and during speaking engagements as evidenced by the following government website.



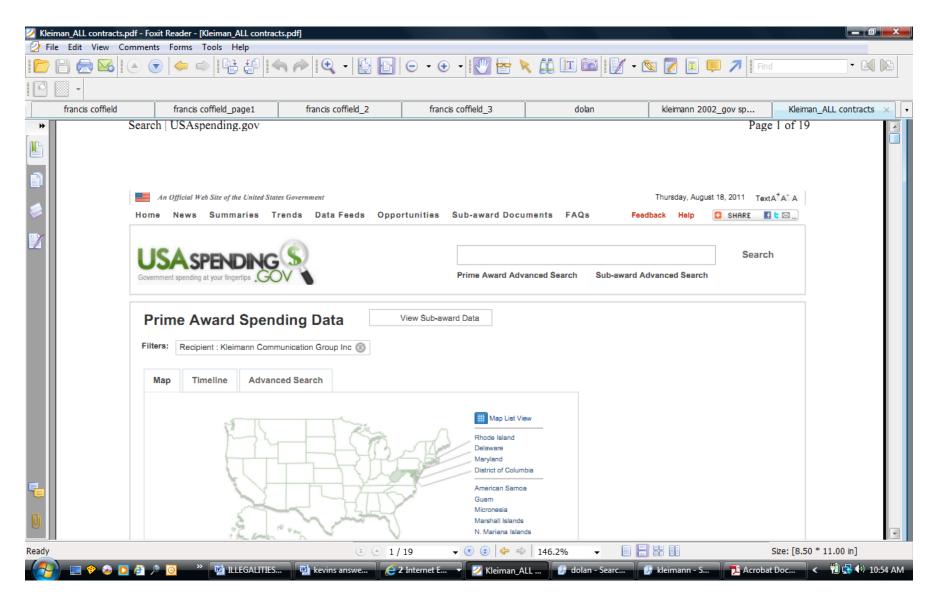
Kleimann, Mercer, Cheek relationships benefitted the group greatly financially in the form of past performance, speaking engagements, contracts, and helped establish them as writing experts. The following is an award Kleimann received for tax instruction:

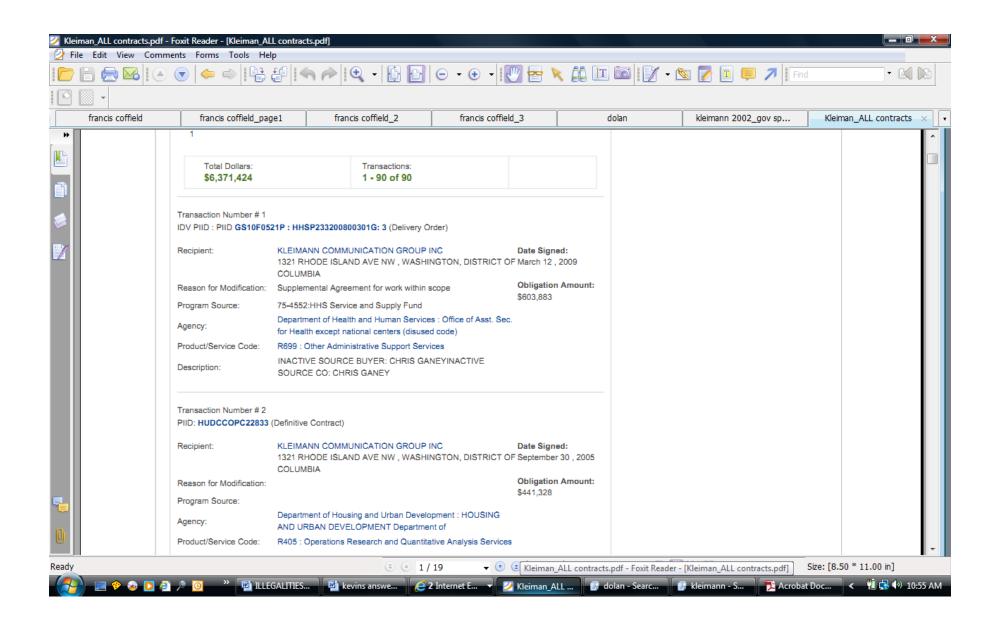


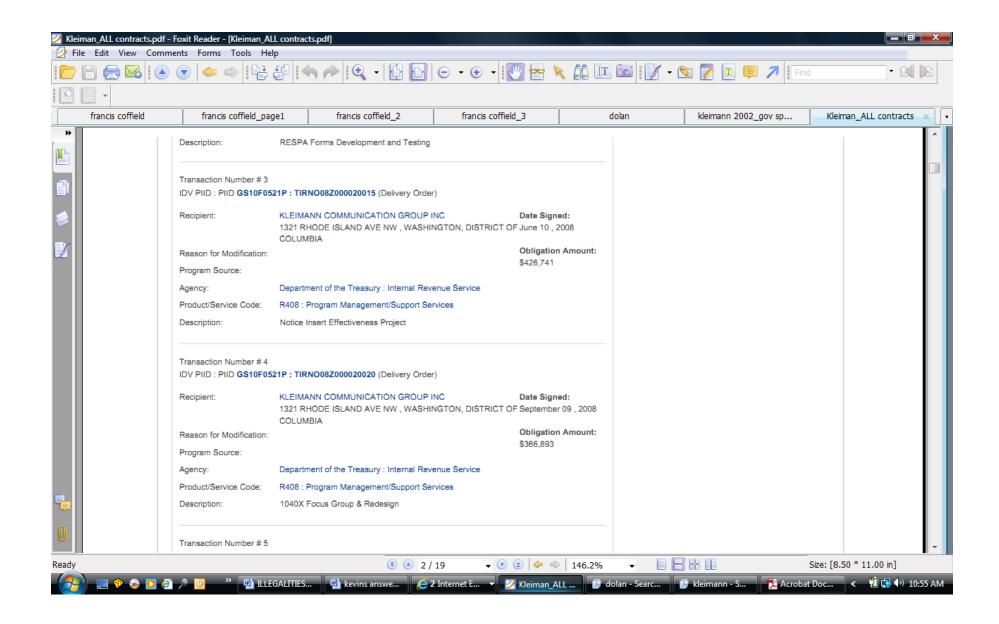
Kleimann cites IRS notice redesign as past performance on its website.



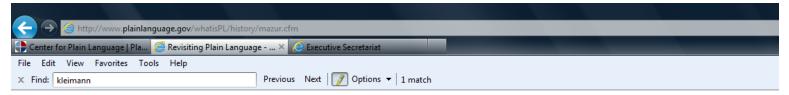
Kleimann and Enlow benefitted substantially, financially, from their relationship with Mercer and Cheek:







With Mercer and Cheek's help, Kleimann positioned herself as one of the government's leading consultants on plain language.



Plain language is about inviolate rules.

The last criticism I'll address is the rules versus guidelines issue. With the exception of some older plain language resources such as Flesch (1979) and Mellinkoff (1982), many plain language proponents point out that guidelines are not rules; their observance requires judgment:

- "I say quidelines, not rules" (Cutts 1995, p. 2).
- "Don't make Plain Language guidelines into rules" (Baldwin 1999, p. 19).
- "As with all the advice in this handbook, feel free to tailor these tips to your schedule, your document, and your budget.... Pick and choose the
 ones that work for you." (SEC 1998).

Redish and Rosen provide an interesting discussion on guidelines. First, they begin with a definition: "A guideline is a suggestion that helps writers achieve the goal of communicating clearly with their readers." They also note that "guidelines are a necessary part of any heuristic" and argue that many writers have essentially internalized guidelines that are used as they write.

The authors interviewed 30 people to find out whether they used guidelines in their writing. Those who were professional writers said that they did not use guidelines at this stage in their career (although many had used them earlier). Those who were recent graduates of technical writing programs had "mixed feelings" about guidelines. Some thought they were useful reminders, while others thought this was information they had already learned in school. The last group consisted of professionals in fields other than writing. For this group, 9 of 10 "reported that they rely on guidelines in their writing" (Redish and Rosen 1991).

The important point here is that guidelines are useful tools for those who write as a secondary activity rather than as their primary profession. And this is exactly the audience for whom plain-language guidelines are usually written.

<u>TOP</u>

CONCLUSION

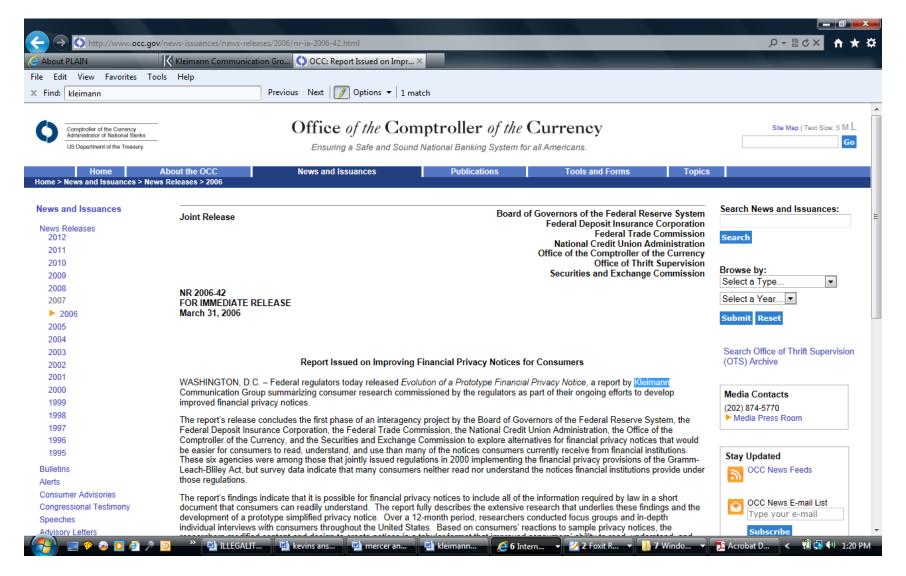
Plain language today has been and is being informed by the work of information and document designers. Of the resources I reviewed, I would recommend the SEC's Plain English handbook, Asprey's Plain language for lawyers, and Cutts' Plain English guide as worthwhile resources (Guidelines for document designers is no longer in print). Baldwin's Plain language and the document revolution also deserves a look. It takes plain language to a new playing field, some of which is intriguing and some of which is curious. For example, although it provides a lengthy discussion of information displays that hold considerable promise for future documents, it lacks all but a cursory discussion of actual usability testing.

Today's plain language proponents clearly need more contributions from the academic and research organizations that provided much of its foundation. Both the Communications Design Center at Carnegie Mellon University and the Information Design Center (and its predecessor, the Document Design Center) at the American Institutes for Research are no longer in operation, but their principals, Karen Schriver, Ginny Redish, and Susan Kleimann, continue to be very active in both information design and plain language.

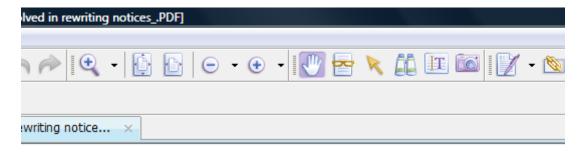
What is necessary for plain language to succeed? Redish (1985, p. 136) suggests that we need to:

- · Increase awareness of the problems that traditional documents cause.
- · Understand what causes the problems.
- · Develop ways to solve the problems.
- · Apply the solutions.
- · Teach others how to apply the solutions.

IRS Notice Redesign positioned Kleimann for other Treasury contracts.



NPR claimed credit for TWC's work in the 2010 Taxpayer Advocate Report—Pages 12 and 13. The innovations referenced were introduced by TWC, as confirmed by TWC's final report issued in August 1999 when completed notices were delivered. TWC actually revamped 116 notices, not six.



Product Improvements: Notices

- · Began testing of six redesigned notices.
- · Revised notices to taxpayers to add a paragraph on appeal rights.
- Redesigned Return Delinquency notices to make them more understandable.
- Added "Frequently Asked Questions" section to "Notices Page" on the Web.
- Rewrote the Understanding Your Notice section of the public web site in plain language. This section explains why the taxpayer received a particular notice, what it means, and what the taxpayer should do next.

Training

- Implemented the National Partnership for Reinventing Government and the Vice President's Plain Language Team's Reader Focused Writing approach for rewriting IRS notices.
- · Trained employees in listening, speaking and writing skills.
- Trained both national office and field employees in letter writing techniques. These individuals will act as resource and reference persons to ensure all correspondence meets Service guidelines.
- Established a Taxpayer Correspondence and Notice Improvement Intranet Web page to provide employees with access to writing and plain language tools.

FISCAL YEAR 2001 PLANS:

- · Redesign 11 more notices.
- Adapt the Reader Focused Writing techniques and the Collaborative Writing process used by the Veterans Benefit Administration (VBA), with the help of the National Partnership for Reinventing Government (NPR).
- · Continue to eliminate notices where appropriate.
- Institute on-line notice review and correction capability in order to detect and correct sooner any errors on notices.



PROBLEMS

LONG-RANGE PLANS:

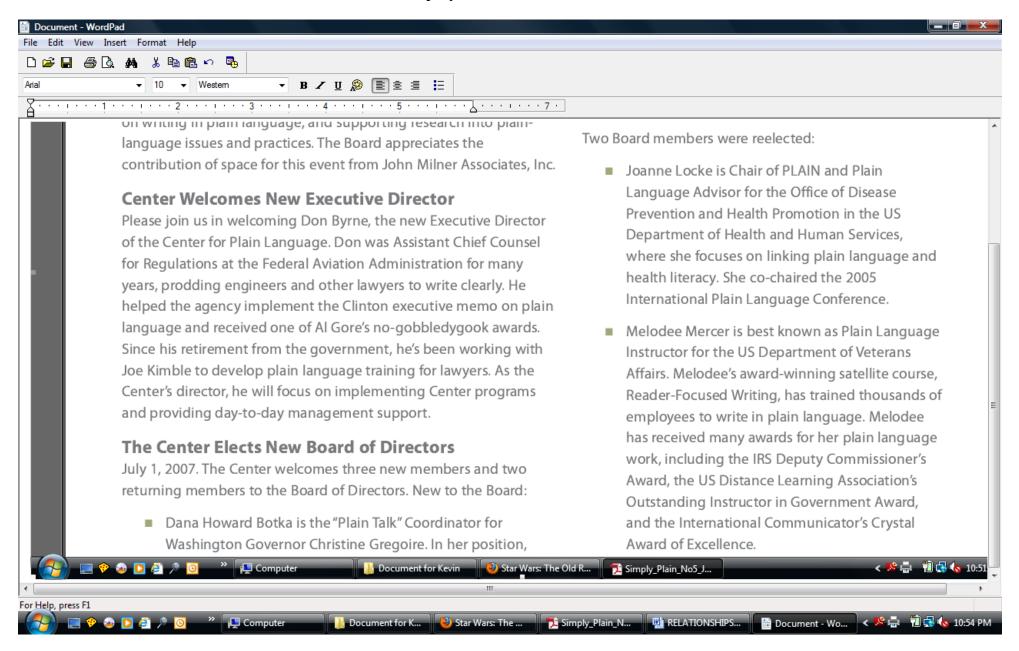
- · Continue to redesign the remaining notices.
- Begin working on the hundreds of pre-printed and computer generated letters that currently exist with ultimate goal to rewrite and redesign all correspondence.
- Ensure Customer Service Representatives will be able to view the taxpayer's notice on-line when the taxpayer inquires. We are migrating the Notice Viewing Project to the Integrated Case Processing (ICP) platform, to integrate this application with the other tools used by Customer Service Representatives.
- Decrease the number of incorrect notices sent to taxpayers by shortening the account update cycle.
- Speed up the issuance of notices and incorporate all processing issues into one notice.

Taxpayer Advocate Service Comments Written communication is a problem that we expect will remain near the top of the list for several more years. Comments from some members of the practitioner community express an appreciation for the improvements to computer-generated correspondence. However, little progress has been made in the redesign of notices. Only six notices have been revised, 11 are scheduled to be revamped this year, while the redesign of the remaining notices has been relegated to Long Range Plans. A problem of this magnitude deserves more attention than it is getting. For millions of taxpayers the only contact they have with IRS is a notice or letter. This correspondence should be clear, to the point and not leave them confused and frustrated.

We realize this effort is hampered by the complexity of tax law, the legislated requirements to include certain information in correspondence, and information systems limitations. But, we know from the volume of calls received from perplexed taxpayers, it is time for IRS to make the commitment and dedicate the resources necessary to improve its written communications.

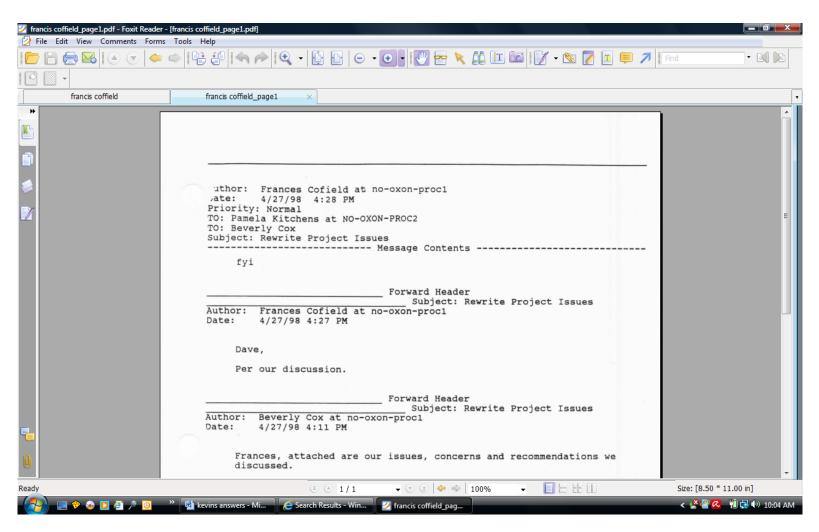


Mercer was awarded the IRS Deputy Commissioner's Award for work on IRS documents

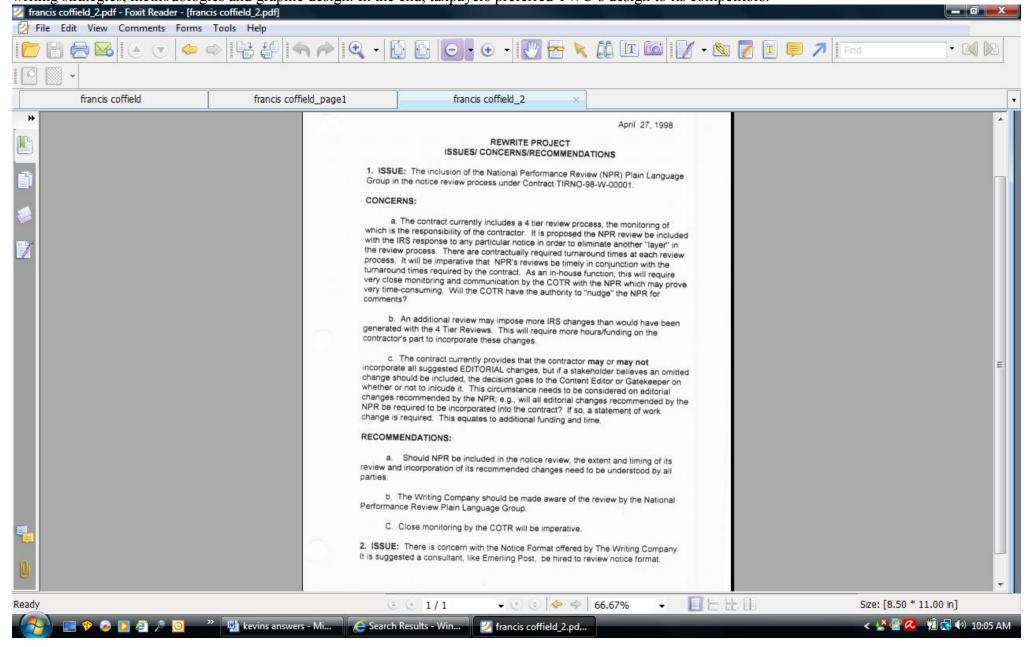


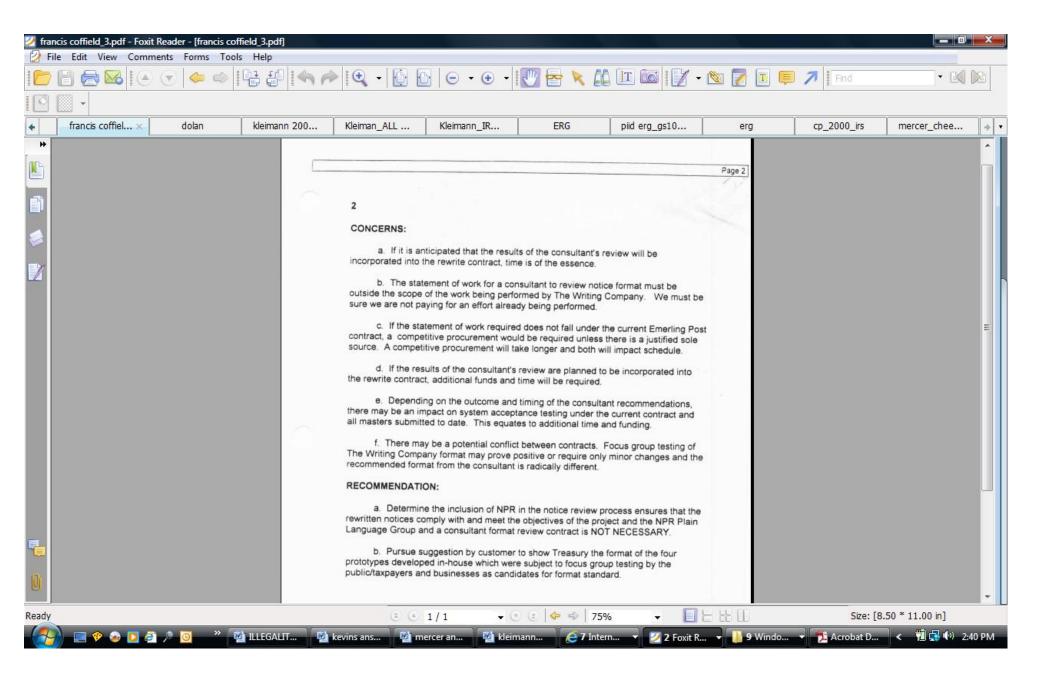
Treasury Executives Lisa Ross and Nancy Killefer's Connection to Mercer and Cheek

Nancy Killefer, Lisa Ross, David Williams who headed IRS Communications, Rob Wilkerson, Francis Coffield, Pamela Kitchens, Beverly Cox Ann Gelineau and several other individuals met in Nancy Killefer's office at U.S. Treasury to discuss Treasury's plan to give TWC's in-process notices to NPR and Emmerling Post—a company working for Treasury. Treasury's goal was to determine if NPR and EP could improve upon TWC's work. The proposal was of significant concern to certain contracting officers who evidenced throughout the contract a desire to comply with federal contracting statutes:

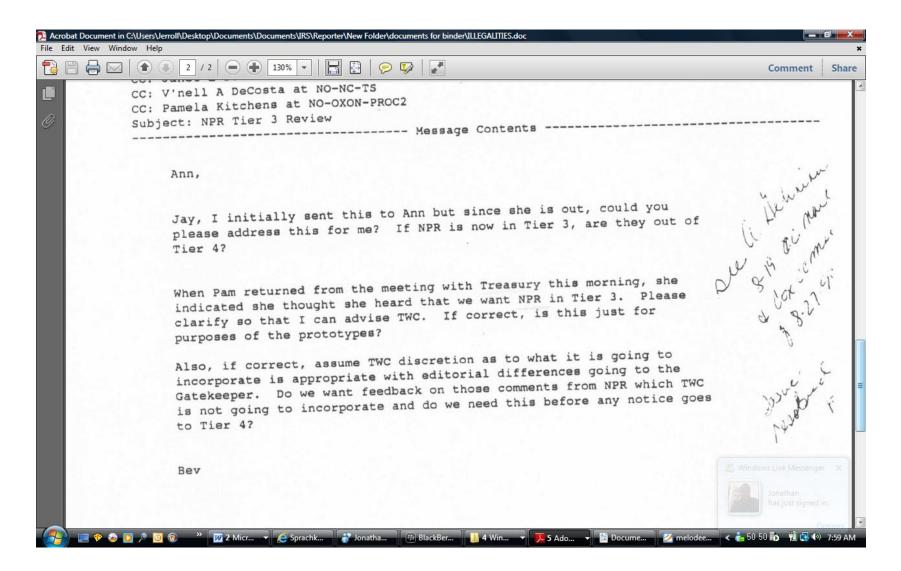


Supposedly, Treasury had a number of concerns about TWC's in-process notices. TWC had only begun working on the project and was formulating writing strategies, methodologies and graphic design. In the end, taxpayers preferred TWC's design to its competitors.

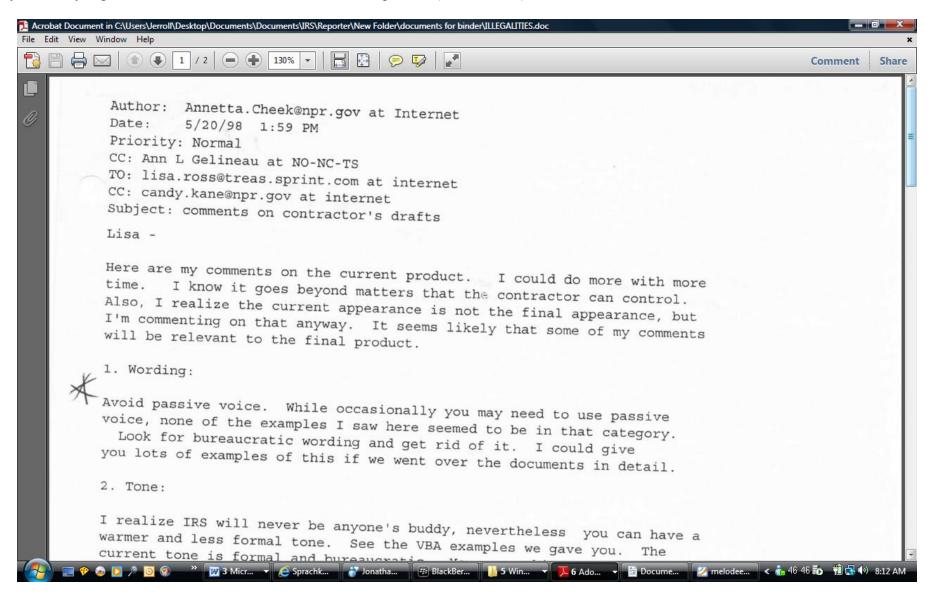




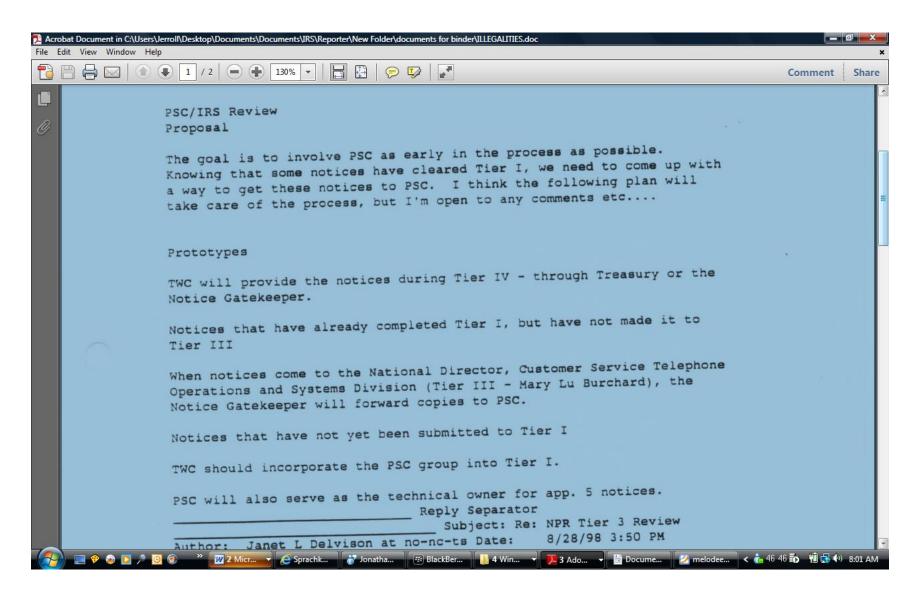
Treasury (Ross and Killefer) ignored contracting's concerns and instructed IRS to embed NPR permanently in TWC's contract to oversee TWC's writing efforts.



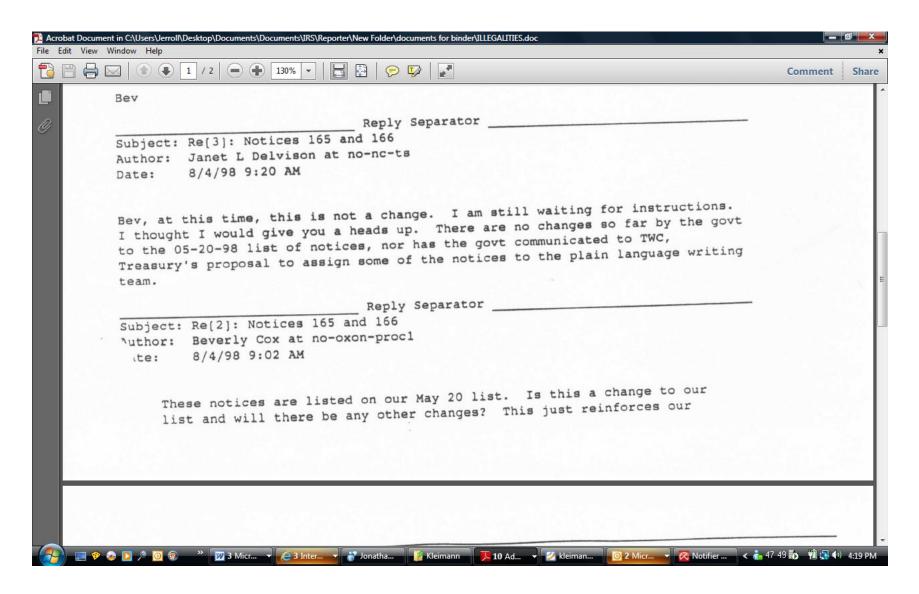
Annetta Cheek of NPR sends comments regarding TWC's notices to Lisa Ross. Ross continued to insist NPR evaluate TWC's work even though most taxpayers surveyed preferred TWC's notices to those of its competitors (NPR and EP).



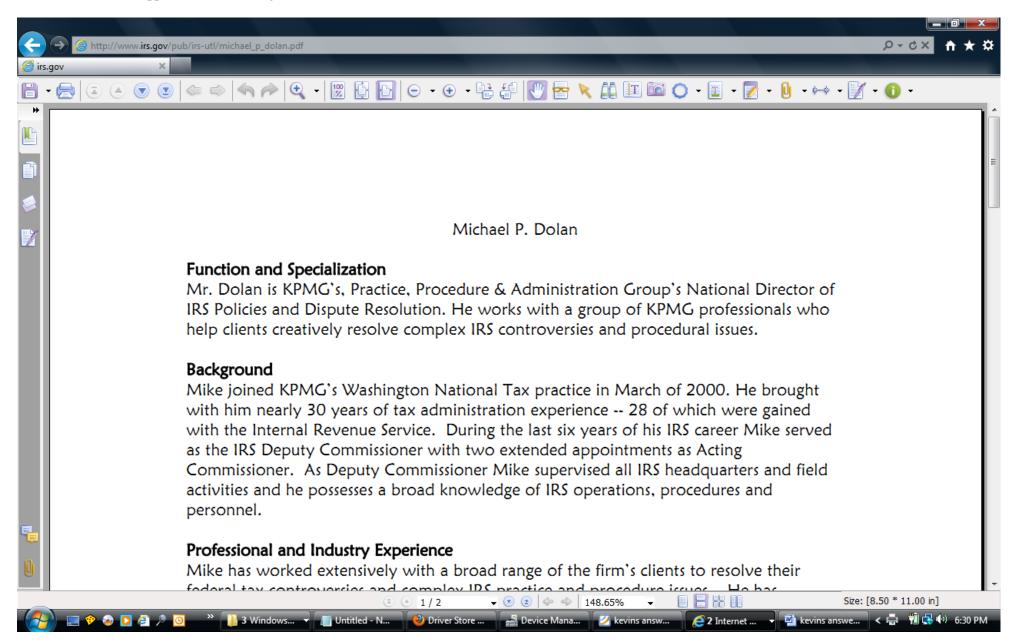
Treasury then directs IRS contracting to embed PSC (another name for NPR) in TWC's rewrite and redesign process as early in the process as possible. TWC's work is subject to NPR's approval and review.

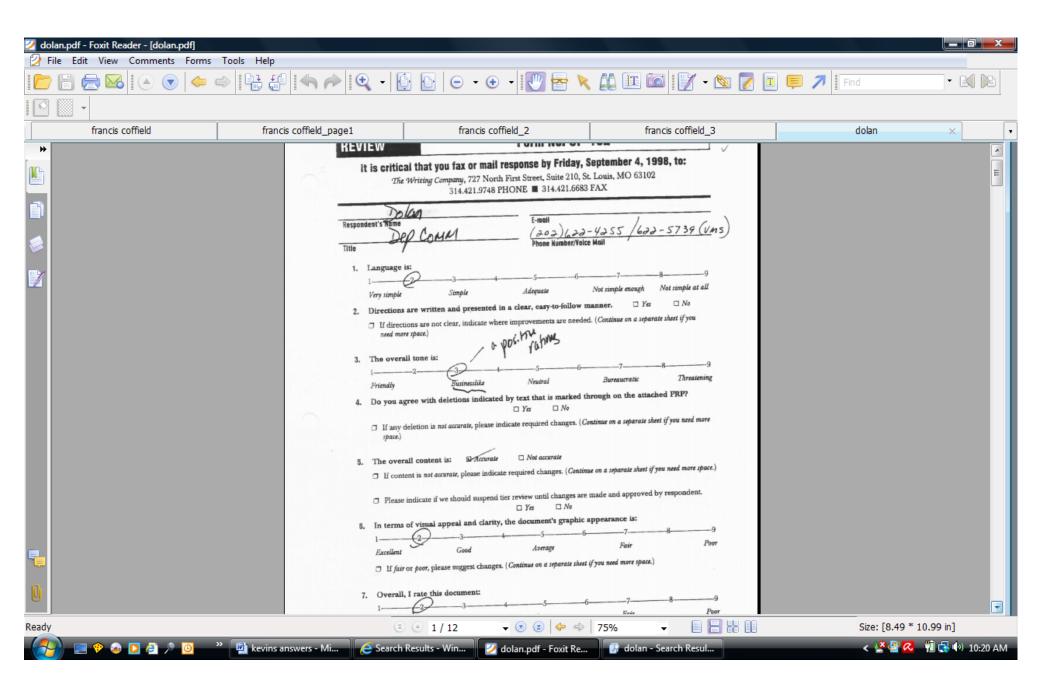


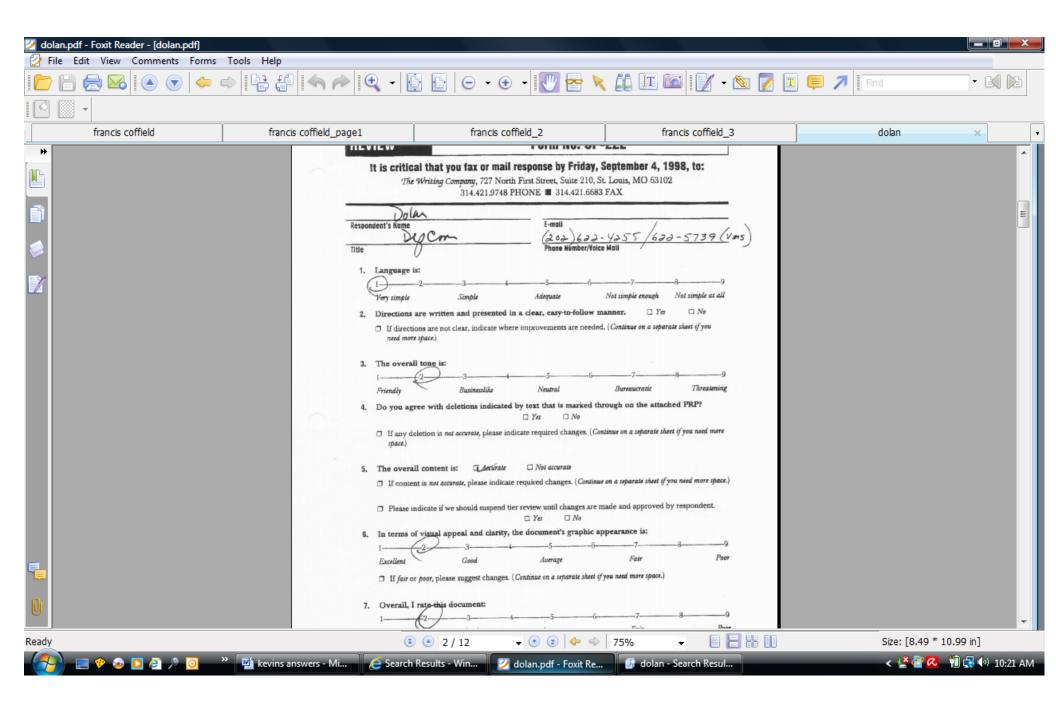
The following statement, "nor has the government communicated to TWC Treasury's proposal to assign some of the notices to the plain language writing team," indicates Treasury intent to divert some of TWC's work to NPR. TWC remained on-schedule despite repeated alterations of its critical timeline by Treasury.



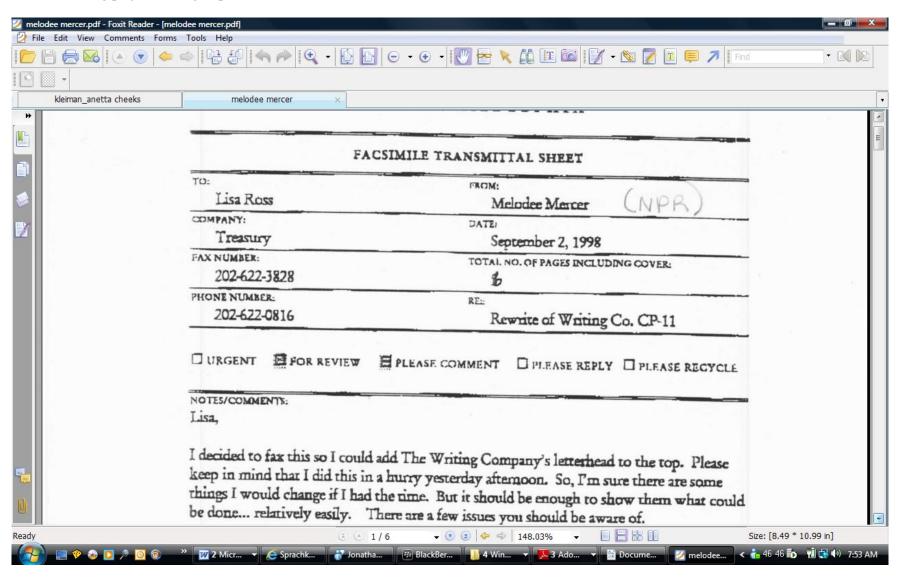
TWC also continued to receive excellent reviews from IRS stakeholders, including Michael P. Dolan who was Deputy Commissioner of IRS at the time. Dolan also served two extended appointments as acting IRS Commissioner.



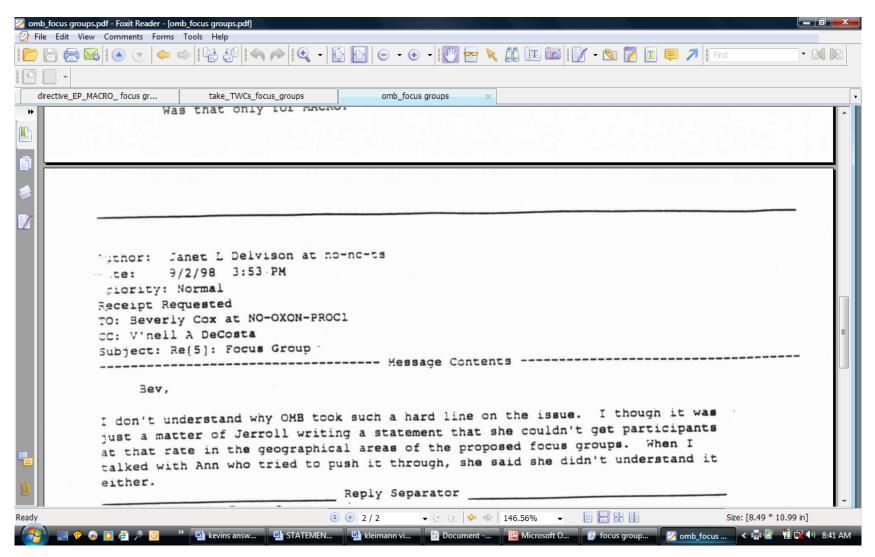




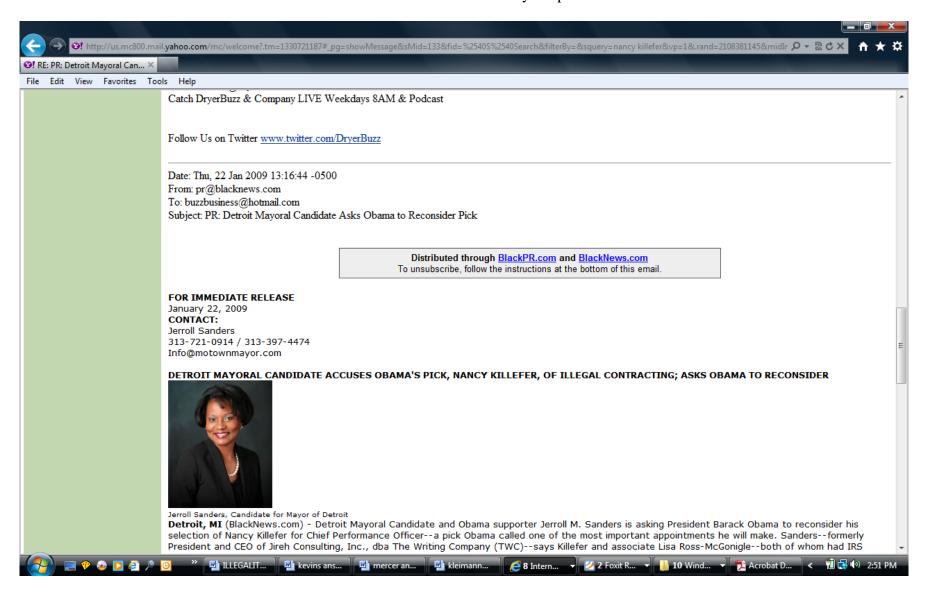
Lisa Ross and Melodee Mercer are communicating about TWC's work. When the three notices were tested nationwide, TWC—project management for the entire project—was not permitted to attend the focus groups even when we offered to pay our own travel and lodging. It is unorthodox for the project manager to be prohibited from attending project focus groups.



Only a few weeks earlier, OMB approved an industry standard honorarium for the vendor (MACRO International) Treasury selected to focus group test NPR's, TWC's and EP's taxpayer notices. Persons at IRS were perplexed when OMB refused to afford TWC the same honorarium for the exact same focus groups. TWC's focus group vendors cancelled all TWC's focus groups, complaining the honorarium was below standard—almost causing TWC to miss its delivery deadline. At the time, OMB reported to Killefer.



Jerroll Sanders of The Writing Company contacted Valerie Jarrett's secretary in January 2009, indicating her intent to challenge Killefer's appointment as President Obama's Chief Performance Officer. Sanders also disseminated nationally the press release shown below via BlackPR.com.



Day after the press release, Valerie Jarrett's secretary telephoned Sanders and advised Killefer had rescinded her acceptance of Obama's appointment. http://abcnews.go.com/blogs/politics/2009/02/another-tax-pro/ Executive Board | Center for Pl. Another Tax Problem for O... **Executive Secretariat** Obama performance czar to w File Edit View Favorites Tools Help × Find: killef POINTCAT COVETAGE AND INUSINGS ON POP CURINE HOM ADO KILLEFER News Senior White House Correspondent Jake Tapper and the ABC News White House team. ABC News Broadcasts Feb 3, 2009 10:28am Another Tax Problem for Obama Nominee GOOD MORNING AMERICA **NIGHTLINE** → 371 Text → 371 THIS WEEK The informal battle between members of the Obama Administration and the WHAT WOULD YOU DO Taxman resulted in a casualty Tuesday, with news that President Obama's WORLD NEWS nominee to be chief performance officer, Nancy Killefer, will withdraw her nomination following the revelation that she had a \$946.69 lien on her WORLD NEWS NOW property in 2005 for failure to pay taxes. WORLD NEWS WITH DIANE SAWYER Killefer, who was announced to much fanfare by President Obama on Jan. 7 to serve in the new position to make the U.S. government "more effective, more efficient, and more transparent," is the third high-level Obama Administration official whose failure to pay taxes in recent years was disclosed in the past month. A former officer with McKinsey & Company and the past assistant secretary for management, chief financial officer and chief operating officer at Treasury during the Clinton administration, Killefer joins the ranks of Treasury Secretary Tim Geithner, who failed to pay more than \$40,000 in payrolltaxes when he worked for the International Monetary Fund, and Secretary of Health and Human Services nominee Tom Daschle, who - as ABC News was first to report last Friday - on Jan. 2 filed more than \$140,000 in back taxes and interest, having failed to disclose more than \$300,000 in past income, including the use of a car and driver for three years. The Associated Press broke the story of Killefer's tax lien placed against Killefer's home in Washington, D.C., for failing to pay unemployment compensation taxes on household help. The issue was resolved five months after the D.C. government took action. When President Obama announced Killefer's new post, he called Killefer "an expert in streamlining processes and wringing out inefficiencies so that taxpayers and consumers get more for their money. And during her time at Treasury, she helped bring the department into the 21st century, modernizing 📆 📢 🕪 3:02 PM III EGALITIES - Micr... kleimann+treasury (... **8** Internet Explorer kevins answers - Mi... mercer and cheek a.