

Randy Chapel
December 8, 2015

<p>The Honorable Elizabeth Warren 317 Hart Senate Office Building Washington, DC 20510</p> <p>The Honorable Richard Blumenthal 706 Hart Senate Office Bldg. Washington, DC, 20510</p> <p>The Honorable Richard Durbin 711 Hart Senate Building Washington, D.C. 20510</p>	<p>In addition:</p>
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Re: Response to the November 30, 2015 letter by Senators Elizabeth Warren, Richard Blumenthal and Richard Durbin to Arne Duncan and Loretta Lynch

I have included three previously written letters for review.

1. September 5, 2015 letter to Navient Solutions, Barack Obama, Loretta Lynch, Arne Duncan, each member of Senate H.E.L.P., Margaret Spelling, Western Seminary et al, FBI/James Comey, Leslie Caldwell, Sally Yates, Valerie Jarrett, each accreditor and many others.
2. The October 29, 2015 letter to David Berger, Barack Obama, Loretta Lynch, James Comey, Arne Duncan, Susan Allister, etc.
3. The November 14, 2015 letter to David Berger, Barack Obama, Loretta Lynch, James Comey, Arne Duncan, James Cole, Jr., Sally Yates, Leslie Caldwell, Herman Bounds Jr., Valerie Jarrett and Susan Allister

It would be normal for anyone in the U.S. Congress to be outraged at this point after reading these letters and what my family and I have been subjected to by the Obama Administration.

Surely, millions of your constituents will be outraged when they learn that their tax money has been used to defend and cover for what you have read and will be published in *Government Corruption and Educational Fraud: The Toxic Legacy of the Obama Administration*. Early indications by people reading the pre-released manuscript voiced outrage. In fact, it is reasonable to assume it would be rather troubling to your constituency if they found out you weren't outraged by any of this.

You are likely to recall the Minerals Management Service (MMS) scandal. It is equally likely that you will recall the Inspector General of the Interior Department's report in September 2008 implicating over a dozen officials of the MMS for unethical and criminal conduct in the performance of their duties. You might even recall the New York Times' summary of the report as depicting the MMS as "a dysfunctional organization that has been riddled with conflicts of interest, unprofessional behavior and a free-for-all atmosphere for much of the Bush administration's watch"¹

Well now you know what was going on in the U.S. Department of Education at the same time and with the knowledge of Margaret Spellings and has been defended by Arne Duncan. So dysfunctional and evil is the U.S. Department of Education, that once Margaret Spellings left, the Obama Administration took up the torch and nearly killed me, and has most certainly destroyed my family and future. Perhaps you can understand, why the only thing left is to retaliate.

¹ Charlie Savage. *Sex, Drug Use and Graft Cited in Interior Department*. The New Your Times. September 10, 2008. Retrieved Aug 30, 2015. www.nytimes.com/2008/09/11/washington/11royalty.html

Consider the implications of students and families taking matters into their own hands and what we will do to schools and administrators who have wronged us, while profiting at the cost to our lives and families? Justified retaliation is a “backward-looking approach [that] looks to what has already happened: it justifies retaliation purely in terms of the justice of meting out punishment to one who has deliberately caused harm to others. This rationale, which philosophers call deontological (from the Greek word for necessity), is often linked with the popularly expressed goals of retribution, revenge, vengeance, an eye for an eye. The idea is that one who does harm deserves to suffer, that punishment is just and even necessary to “right the wrong” and restore the moral balance. The terrorists, like other criminals, must be brought to justice; justice must be brought to the terrorists.”²

“To describe this approach as backward-looking is not to criticize it. It is only to recognize that what justifies retribution is not any supposed good consequences, such as deterring similar acts in the future, but simply that the guilty party has done wrong and deserves to pay. From the point of view of retribution, it doesn’t matter if any further good comes of punishment; punishing the guilty is inherently right and just, and that’s all it needs to be.”

Clearly, the U.S. Department of Education has been going light on schools and corrupt administrators, while burdening students and families to the point of complete destruction. Take the points made by Senator Elizabeth Warren (Mass.) and others to now former Secretary Arne Duncan concerning Education Management Corp., the for-profit college chain state and federal prosecutors accused of systematically defrauding taxpayers out of at least \$11 billion. On November 30th lawmakers led by Warren, reasoned that the government turned its back on former EDMC students encumbered with debt as a result of EDMC's fraud. "*EDMC cannot be guilty of lying to federal officials about recruiting students unlawfully unless EDMC actually recruited students unlawfully,*"³ Warren and Sens. Dick Durbin (D-Ill.) and Richard Blumenthal (D-Conn.) said in their letter. "*EDMC did not lie to the government in a vacuum -- it lied in the context of covering up a 'recruitment mill' that was specifically designed to enroll students using any means necessary and saddling them with debt.*"⁴

Yet in this case, the Department led by Duncan, with the involvement of two accreditors, a school, various attorneys and insurance companies, psychologically torture and emotionally water board a person to the point of irreparable damage -- for no valid reason. Striped a person of his fatherhood, his husbandhood, his education, all his property, his health, his 2nd amendment rights and everything else Americans take for granted. Consider the full force and implications of Senator Warren’s statements:

We are also highly troubled by additional terms of the deal. No executive will go to jail, none will be sanctioned, and the settlement does not even contain an admission of wrong doing by the company. This is inexplicable and it runs counter to a highly-touted new DOJ policy on “Individual Accountability for Corporate Wrongdoing” that was announced on September 16, 2015.

This policy was put in place specifically because, as DOJ noted, “One of the most effective ways to combat corporation misconduct is by seeking accountability from the individuals who perpetrated the wrongdoing,” and because “only by seeking to hold individuals accountable... can the Department ensure that it is doing everything in its power to minimize corporate fraud, and, over the course of time, minimize losses to the public fisc through fraud.” But a mere two months after announcing this policy, when settling a case that recovered less than one percent of funds that were illegally gained by EDMC, DOJ garnered no admission of wrongdoing and held no individual accountable for the actions that significantly harmed students and taxpayers.

Let’s be clear. Killing school administrators in their own driveway, blowing their cars up, burning their houses down, going on a rampage killing anyone at the school is clearly illegal. However, what are American students and families to do? “*Move on*” as James A. Scharf stated acting in his official capacity as attorney for the government toward me?

In this case alone, you have the government enmeshed with outright corrupt actors within the school, accreditation groups, law firms and insurance companies and defending all of them with public money. The

² <http://journals.gmu.edu/PPPQ/article/viewFile/366/294>

³ http://www.warren.senate.gov/files/documents/2015-11-30_Letter_to_Depts_of_Edu_and_Justice_re_EDMC_Settlement.pdf

⁴ Ibid.

apparent only future path for justice for students and families appears to take matters into their own hands. Will the public become outraged? Likely not. “Most people find the retributivist argument compelling: they think that it’s inherently wrong for people to get away with murder and that we must serve justice by giving people what they deserve.”⁵

In this case, the Obama Administration will twist the situation even further, regardless who or what is damaged to meet its political agenda. Indeed, the U.S. Department of Education has published statements misrepresenting the compliance of both The Association of Theological Schools in the United States and Canada and The Northwest Commission on Colleges and Universities regarding 34 C.F.R. Part 602 for years. If the Department will do this and fight to cover up ongoing failures within higher education and accreditation, why would the Department change or officials come clean? It doesn’t seem to matter that the Secretary of Education is to publish which accreditors are actually “reliable authorities as to the quality of education.”⁶

There is a cost associated with screwing students and families over. If students and families are not protected, it should not surprise anyone what will happen next.

Randal.

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⁵ <http://journals.gmu.edu/PPPQ/article/viewFile/366/294>

⁶ On October 24, 2008, Cheryl Oldham wrote a misleading letter to Congresswoman (now Senator) Mazie Hirono. At the time it was written and under the direction of Margaret Spellings, Ms. Oldham was intentionally misleading the member of Congress as to the full nature of what was going on. It should not surprise anyone that Ms. Oldham is directly linked to the ongoing activities of Margaret Spellings, both at the now defunct Margaret Spellings and Company as well as the lobbyist group, U.S. Chamber of Commerce. In spite of Arne Duncan and others currently in the Administration knowing the intentional misrepresentations being publically disseminated and defended by the Department, this letter, and the letters from 1) Nancy C. Regan letter dated August 29, 2008 to Daniel Aleshire; 2) Nancy C. Regan letter dated September 29, 2008 to John Hannon; 3) Nancy C. Regan letter dated August 29, 2008 to Sandra Elman remain.