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E. FREDERIC MORROW
1270 Fifth Avenue
New York, New York
10029

[Sept. 1975?]

To The Editor:

The September 20th issue of the Times contained a major story with the headline: "Clemency Board Minority Finds Program Distorted by Majority." The body of the story proceeded to accuse the chairman, Charles E. Goodell, and his staff of misinterpreting, circumventing and violating at least the spirit of the Presidential order establishing the amnesty program for Vietnam war resisters. It also suggested that when the Board was expanded in May from nine to eighteen members, Senator Goodell "stacked" the panel so that it became "a more amnesty-oriented, Goodell-influenced group."

Most of the members of the Board had never met Senator Goodell, and were appointed by the President for reasons he considered pertinent. It is therefore presumptuous for anyone to accuse Senator Goodell of "stacking" the President's Board.

The cloak-and-dagger tactics of the "minority four" in preparing their report would shame the C.I.A. No other Board members were ever permitted to see the report, and these four members — all military men — were afflicted with an anti-clemency attitude that was hard to comprehend. They were never able to rise above their mistaken convictions of why they were there or the reason for the creation of the Board.

No American has a monopoly on patriotism — no matter what his rank, position or economic status. And I am certain the "majority members" of the Board resent bitterly the impugning of their motives, their acts, and veiled assertions of disloyalty to the President and our country.

The sincerity of the "minority" report is suspect. It would have been much more convincing if these disenchanted members had resigned in protest against the "incompetence" of the majority early in the Board's deliberations. But they chose to hang on, basking in the glory of a Presidential appointment and offering only negative assistance.

(continued...)



Anyone can function one hundred percent as a critic. What the Clemency Board needed this past hot summer in Washington was not inside critics, but dedicated, sincere workers offering solutions to difficult problems.



E. Frederic Morrow
Member,
President's Clemency Board
New York, New York

September 26, 1975



[Sept. 1975?]

THE WHITE HOUSE
WASHINGTON

Fordby



PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

Memorandum For: Philip Buchen
From: General Lewis W. Walt
Subject: Applicants with felony convictions who have been recommended for a Presidential Pardon by the PCB

Attached is a summary of 100 cases who have been convicted of a felony and either have been or will be submitted to the President. This represents approximately 5% of the applicants who have a felony conviction on their record. The following represents the recommendations of the PCB for these cases:

- 2 - No Clemency
- 26 - Full and Unconditional Pardon
- 8 - Pardon after 3 months Alternative Service
- 1 - Pardon after 4 months Alternative Service
- 2 - Pardon after 5 months Alternative Service
- 26 - Pardon after 6 months Alternative Service
- 2 - Pardon after 7 months Alternative Service
- 20 - Pardon after 9 months Alternative Service
- 1 - Pardon after 10 months Alternative Service
- 12 - Pardon after 12 months Alternative Service

I voted for No Clemency on all of these cases but was out-voted.

I recommend that the President disapprove the above recommendations of the PCB and that No Clemency be granted. Further, I recommend that all future recommendations of the PCB pertaining to applicants who have been convicted of a felony be properly identified in a separate packet to the President.



<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
634	6 months	8/13	Sale of Marijuana
1077	months	7/2	Burglary
1825	12 months	8/23	Transportation of Stolen Vehicle
2209	6 months	8/30	Carnal Knowledge of a female under 12
2253	6 months	8/24	Larceny & Forgery
2382	3 months	8/23	Stolen Vehicle
2415	6 months	7/2	Burglary
2698	9 months	6/26	Possession of Stolen Property
2888	10 months	8/7	2nd degree Burglary
2964	12 months	8/13	Unauthorized use of Automobile
3079	9 months	8/6	Burglary 2 counts
3091	5 months	9/4	Burglary Currently Confined
3148	6 months	8/20	Breaking and Entering, Possession of Drugs
3681	6 months	7/2	Theft, Burglary
3856	9 months	8/24	Unarmed Robbery
3914	9 months	6/25	Drugs
4384	12 months	6/5	Forgery



<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
4443	3 months	8/24	Bad Checks
4481	Pardon	8/6	False Statement to Secure Firearms
4640	3 months	8/24	House Burglary
4697	Pardon	8/24	Possession of Dangerous Drugs - 2nd degree Burglary
4912	12 months	8/22	Grand Larceny
4998	9 months	8/20	Attempted Escape & Auto Theft
5174	12 months	8/7	Larceny
5246	12 months	8/6	Breaking & Entering Unauthorized use of Motor Vehicle
5329	Pardon	8/7	Armed Robbery Currently Confined
5688	6 months	7/8	Burglary
5734	6 months	8/14	Involuntary Manslaughter Currently Confined
6076	Pardon	8/30	2nd degree Robbery Currently Confined
6440	9 Months	8/6	Attempted Burglary Currently Confined
6630	Pardon	8/23	Robbery Probation



<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
7082	3 months	6/23	Possession of Drugs On Probation
7599	Pardon	8/23	Bank Robbery On Parole
7940	6 months	6/17	Stolen Vehicle False Statement on Passport Currently Confined
10006	Pardon	7/2	Breaking & Entering Parole
10040	12 months	7/2	Accessory to Theft over 200.00 Currently Confined
10044	6 months	8/13	Firearms Violation Escape from Prison
10420	7 months	8/31	Dist. LSD
10462	No Clemency	6/4	Two Assault Charges
11942	Pardon	7/16	Forged Checks Currently Confined
11613	12 months	8/23	Breaking & Entering Currently Confined
16673	Pardon	8/22	Passing Counterfeit Money Currently Confined
8181	Pardon	8/6	Breaking & Entering
8194	Pardon	8/24	Breaking & Entering

<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
8295	6 months	8/30	5 felony Charges 2 counts Grand Larceny 2nd Degree Burglary
8704	Pardon	8/23	Grand Larceny Assault w/Intent to Murder
8711	Pardon	7/8	2nd Degree Forgery Currently Confined
8715	6 months	8/13	Sale & Possession of narcotics
8717	9 months	8/24	Interstate Transportation Motor Vehicle & Escape from Confinement
8843	5 months	8/3	Burglary
9246	9 months	8/6	Burglary, Larceny Auto Tampering Currently Confined
9399	Pardon	8/31	Theft of Mail
9411	6 months	8/24	Grand Larceny Auto
9538	Pardon	8/13	Assault & Battery Forgery
12121	No Clemency	6/26	Breaking & Entering Presently Confined
12162	Pardon	7/8	Burglary & Robbery
12240	Pardon	8/6	Unauthorized Use of Motor Vehicle

<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
12255	6 months	8/23	Possession of Marijuana
12780	Pardon	8/23	Burglary & Possession of Marijuana
12988	9 months	8/13	House Breaking
13007	4 months	8/23	Attempted Burglary
13032	9 months	8/30	Burglary 2 Convictions
13057	6 months	8/13	Larceny of Weapon and Cash
13159	Pardon	7/25	Aggravated Assault
13267	7 months	8/20	Possession of Heroin
13593	3 months	7/8	Possession of Controled Substance Currently Confined
13722	Pardon	8/21	Fraud, Impersonating a Naval Officer
13747	9 months	8/23	Controled Substance Violation Currently Confined
14043	9 months	8/31	Possession of Stolen Mail & Treasury Checks Currently Confined
14464	3 months	7/9	Grand Theft Auto Possession of Dangerous Drugs
14531	6 months	8/31	Involuntary Manslaughter

<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
14551	3 months	8/23	Delevery of Heroin Currently Confined
14623	3 months	8/13	Possession of Stolen Goods Breaking & Entering of Automobile
	Pardon	8/13	1st Degree Manslaughter
14938	9 months	8/13	Burglary Currently Confined
14950	6 months	8/21	Burglary
14951	Pardon	8/14	Burglary, Possession of Marijuana Currently Confined
14992	12 months	8/13	Armed Robbery Currently Confined
15293	6 months	8/20	Armed Robbery Presently Confined
15305	Pardon	8/23	Grand Larceny
15343	Tabled	8/30	Possession of Dangerous drugs w/intent to sell Drawing weapon on officer
15359	6 months	8/23	Violation of Control Substance Act (Heroin) Presently Confined
15368	6 months	8/13	Distribution of Narcotics Presently Confined
15381	6 months	8/13	Uttering Forged Instruments Presently Confined



<u>Case Number</u>	<u>Decision</u>	<u>Date of Decision</u>	<u>Felony</u>
15400	Pardon	8/24	Statutory Rape Presently Confined
15477	9 months	8/24	Burglary Presently Confined
15487	6 months	8/13	Forgery - failure to support minor children NCG Homicide
15518	Pardon	8/13	Possession of Stolen Money Orders, Escape federal custody Presently confined
15539	9 months	8/23	Theft, forgery and Possession of U.S. Treasury check. Presently Confined.
15926	Pardon	8/23	Attempted Murder Shot up a Bar Gunfight with Police
17063	6 months	9/4	writing Bad Checks Presently Confined



MEMORANDUM

THE WHITE HOUSE

WASHINGTON

September 2, 1975

MEMORANDUM FOR:

PHIL BUCHEN

FROM:

DON RUMSFELD

Subject: Clemency Board Proposal

We visited this morning on the subject. It is my understanding that the Counsel's office is reviewing each one of the Clemency Board's recommended actions and that thus far you have concurred with each decision of the Clemency Board. Is that correct? I assume you are taking a good hard look at what is being proposed by way of specific actions both with respect to individuals and recommendations. In any event, that's the President's desire.



THE WHITE HOUSE
WASHINGTON

9/3

Mr. Buchen

General Walt has
given permission for you
to mention Walt's
meeting with you and
Jack Marsh, and to
refer to the attached
letter which was called
to your attention.

Jay



PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

June 4, 1975

Mr. L. T. McKnelly
College Coordinator
United States Penitentiary
P.O. Box 1000
Leavenworth, Kansas 66048

Dear Mr. McKnelly:

As we discussed in our telephone conversation today I am enclosing 75 Presidential Clemency Board application kits for use by potential applicants currently incarcerated in the penitentiary at Leavenworth. These should be completed as fully as possible and returned to us no later than June 15 for processing.

Due to our previous error and the consequent delay, we would appreciate your sending all the completed applications in one return package.

Once again, I want to offer my sincere apologies for the mix-up. Please be assured that these applications will receive our fullest attention.

Sincerely,



Carolyn J. Swanson
Staff Assistant



THE WHITE HOUSE

WASHINGTON

September 12, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM TO: PHIL BUCHEN
JACK MARSH
JIM CONNOR
DICK CHENEY

FROM: RUSS ROURKE **R**

General Walt called me again this morning to make one final comment with regard to the wrap-up of the Clemency Board.

He has agreed to cancel the press conference he had scheduled for today and to reject the invitation he had to be a guest on "Meet the Press". He has, however, met with a number of veterans organizations and newspaper and magazine reporters concerning what he feels are the "excesses" of the Board. In brief, it is General Walt's view that the majority of the Board is committed to a program of general amnesty and that the actions of the Board, thus far, have been an effective precursor to that end.

In the best interests of the President, General Walt simply suggests that the President do nothing and say nothing that would be interpreted as an endorsement of the actions taken by the Board. Walt is convinced that a number of reporters, having been briefed by him and others, are prepared to pounce on the Board, once its final report is made public. If the President endorses the actions of the Board, they will turn on him with equal vigor.

General Walt is interested in seeing to it that the President does not place himself in a vulnerable position.

For the above reasons, it is suggested that no statement be released by the President, or in his behalf, at the conclusion of the Board's work. Secondly, General Walt advises against the scheduling of any reception for the members of the Board and the detailees who worked with the Board.

He agreed that a meeting with the President for a small representative group from the Board was a practical, if not unavoidable, necessity.

Clemency

THE WHITE HOUSE

WASHINGTON

September 12, 1975

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MEMORANDUM TO: PHIL BUCHEN
JACK MARSH
JIM CONNOR
DICK CHENEY

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15 September 1975

9/17/75

given to
Russ Rourke
at Col. Benson's
request.

MEMORANDUM

TO: Chairman Charles Goodall

FROM: General Walt
Mr. Dougovito

SUBJECT: Upgrade Cases, Recommendation
Concerning

To date there have been 25 cases tentatively recommended for upgrade. There are still over 200 cases which have not been considered and due to the Board's termination date of 15 September 1975, they cannot be considered. It was the consensus of the Full Board and the strong position of the Department of Defense that all the upgrade cases should be considered at one time. We also believe that each case must have a careful final check to make sure that all facts presented in the brief are accurate and that the applicant is not now in trouble with the law. We, therefore, are definitely opposed to approving only the 25 cases which have been tentatively acted on by the Upgrade Panel.

We recommend that the upgrade program of the Clemency Board be abandoned and that the 25 tentatively above cases and the 207 cases not yet acted on by the Upgrade Panel be turned over to the Review Boards of the Defense Department for special consideration. We are still firm in our belief that there are many deserving applicants in this group who should be given the veteran's benefits.



Louis W. Walt
Board Member

James P. Dougovito
Board Member

THE WHITE HOUSE
WASHINGTON

10/20

Mr. Buchen:

Marty Hoffmann's
office asks that we
ignore this letter; no
response is necessary.

DOD has directed
already that these 200
cases be processed.

Day



For Jay to review
& provide me with
advise.



check Tray be -
are there other
department involved



SECRETARY OF THE ARMY
WASHINGTON

Clemency

11 OCT 1975

The Honorable Philip W. Buchen
Counsel to the President
The White House
Washington, D.C. 20500

Dear Phil:

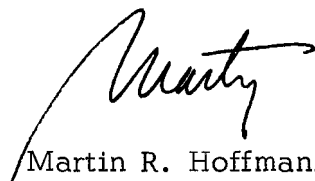
The Department of the Army has been asked by the Presidential Clemency Board, through the Office of the Secretary of Defense, to process certain individuals for executive clemency under the provisions of Presidential Proclamation 4313. Essentially, the cases all involve deserters-at-large who contacted the Presidential Clemency Board prior to March 31, 1975, and indicated their desire to participate in the program of presidential clemency. As a result of administrative neglect at the Presidential Clemency Board, it was not discovered until after the expiration of the period of eligibility that these individuals were properly subject to military jurisdiction, and thus, not within the authority of the Board.

Department of the Army believes that individuals in this situation are entitled to consideration of some kind. Their failure to return to military control and be processed under the procedures established for the program of presidential clemency was due to no fault of their own. When the program originally expired on March 31, 1975, there were 51 individuals who, again through no fault of their own, were physically unable to return to military control for processing under the program, e.g. jail, hospital, etc. We determined at that time to treat prior expressions of interest as a "constructive reporting" for purposes of the program. Indications are that there are approximately 200 individuals who have applied to and been overlooked by the Board.



Unless you have some objection, we plan to treat the previous attempt of these individuals to report to the Presidential Clemency Board as a "constructive reporting" and process them for executive clemency under the same rules that obtained with respect to the military deserter part of the President's Clemency Program.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marty", written in black ink.

/Martin R. Hoffmann



PRESIDENTIAL CLEMENCY BOARD
THE WHITE HOUSE
WASHINGTON, D.C. 20500

October 20, 1975

MEMORANDUM TO:

PHIL BUCHEN

Charles E. Goodell

FROM

:

CHARLES E. GOODELL

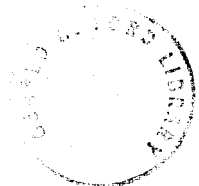
SUBJECT

:

DISPOSITION OF PERSONAL PAPERS OF
BOARD MEMBERS

With the completion of the work of the Presidential Clemency Board, a number of Board Members have expressed their intention to retain their personal copies of the materials generated during the year. One member is now using her papers as part of a course in government at the Kennedy School of Government. Father Hesburgh will be depositing his papers at the University of Notre Dame where his Civil Rights Commission papers are now located. The University wishes to have them conveniently available for research purposes and is already planning an initial research project. I will probably deposit my own papers with the New York Public Library where my Congressional papers are located or with Father Hesburgh's at his University. .

The Board developed a wealth of information during the course of its work and it would be extremely worthwhile if this knowledge were made available for future scholarship. All of these materials are personal copies of Board Members. The originals are being submitted to the Archives for official retention. I see no problems in the planned disposition of the duplicates, and I am writing you this memo merely to inform you of these intentions. If you see any difficulties, I hope you will contact me promptly.



THE WHITE HOUSE
WASHINGTON

November 6, 1975

Dear Charlie:

Thank you for your recent memorandum concerning the disposition of the papers of former members of the Presidential Clemency Board. However, there are two problems that should be resolved prior to the disposition of these papers outside of Government control.

As I am sure you are aware, the question of ownership of Presidential papers is now in litigation. Enclosed are the guidelines used by the previous Administration which describe the categories of materials that staff members can take with them on departure. Inasmuch as the present litigation does not appear to affect these guidelines, we have continued to follow them in order to preserve the status quo. In view of the unique nature of the Board's functions, these guidelines should be applied in this instance.

The second problem relates to the confidentiality of the materials which the guidelines authorize to be taken on departure. Although the Board's papers are not now subject to the specific safeguards of the Privacy Act of 1974, P.L. 93-579, any disposition of these papers should also take into account the protection of individual privacy which the Act seeks to assure. In effect, the Board has already made this determination by its regulation guaranteeing the confidentiality of communications to the Board from applicants and potential applicants, 2 CFR 100.12(a).

In view of this regulation and in order to comply fully with the spirit of the Privacy Act, appropriate guidelines should be developed



prior to the disposition of any of these materials to points outside government control. My staff would be pleased to discuss further these matters with you at your convenience.

With best wishes,

Sincerely,

A handwritten signature in cursive script, appearing to read "Phil", written in dark ink.

Philip W. Buchen
Counsel to the President

The Honorable Charles E. Goodell
Hydeman, Mason & Goodell
1225 - 19th Street, N.W.
Washington, D.C. 20036



PRESIDENTIAL CLEMENCY BOARD
THE WHITE HOUSE
WASHINGTON, D.C. 20500

October 20, 1975

MEMORANDUM TO:

PHIL BUCHEN

Charles E. Goodell

FROM

:

CHARLES E. GOODELL

SUBJECT

:

DISPOSITION OF PERSONAL PAPERS OF
BOARD MEMBERS

With the completion of the work of the Presidential Clemency Board, a number of Board Members have expressed their intention to retain their personal copies of the materials generated during the year. One member is now using her papers as part of a course in government at the Kennedy School of Government. Father Hesburgh will be depositing his papers at the University of Notre Dame where his Civil Rights Commission papers are now located. The University wishes to have them conveniently available for research purposes and is already planning an initial research project. I will probably deposit my own papers with the New York Public Library where my Congressional papers are located or with Father Hesburgh's at his University.

The Board developed a wealth of information during the course of its work and it would be extremely worthwhile if this knowledge were made available for future scholarship. All of these materials are personal copies of Board Members. The originals are being submitted to the Archives for official retention. I see no problems in the planned disposition of the duplicates, and I am writing you this memo merely to inform you of these intentions. If you see any difficulties, I hope you will contact me promptly.



(3) As to any person denied executive clemency, again not recommend the applicant for executive clemency.

§ 101.11 Referral to appropriate agencies.

After the expiration of the period allowed for petitions for reconsideration, the Chairman of the Board shall forward for further action to the Secretaries of the Army, Navy, and Air Force, the Secretary of the Department of Transportation, the Director of the Selective Service System, and the Attorney General, as appropriate, the President's determination as to each recipient of executive clemency.

§ 101.12 Confidentiality of communications.

(a) The Board has determined that it will take all steps possible to protect the privacy of applicants and potential applicants to the Presidential clemency program. No personal information concerning an applicant or potential applicant and related to the Presidential clemency program will be made known to any agency, organization, or individual, whether public or private, unless such disclosure is necessary for the normal and proper functioning of the Presidential Clemency Board. However, information which reveals the existence of a violation of law (other than an offense subject to the Presidential clemency program) will of necessity be forwarded to the appropriate authorities.

(b) In order to have his case considered by the Board, an applicant need submit only information sufficient for a determination of jurisdiction, and for the retrieval of necessary official records and files. The application form will therefore require the applicant's name; date of birth; selective service number; military service and service number, if applicable; information concerning the draft evasion offenses or absence-related military offenses and the disposition thereof; and the mailing address of either the applicant or his representative. If the applicant submits such information as part of his initial filing, the completion of the application form itself is not necessary.

§ 101.13 Representation before the Board.

(a) Although an applicant may bring his case before the Board without a representative or legal counsel, each ap-

plicant is entitled to representation and will be encouraged to seek legal counsel experienced in military or selective service law. Upon request, Board staff will attempt to refer an applicant to a skilled volunteer representative.

(b) An applicant who does not wish to file his application in person may have his representative do so on his behalf.

§ 101.14 Requests for information about the clemency program.

(a) Upon receipt by the Board of an oral or written request for information or consideration concerning an individual who is clearly beyond the jurisdiction of the Board, a member of the Board's staff shall inform the individual:

(1) That jurisdiction does not lie;

(2) Whether jurisdiction may lie within the Presidential clemency program, and if so, with which agency;

(3) That in the event the individual prefers not to contact personally such other agency that an Action Attorney will obtain from such other agency information concerning the individual's status with respect to the Presidential clemency program, and provide to the individual that information.

(b) The Action Attorney shall submit to the Executive Secretariat of the Presidential Clemency Board a summary of the communication with, and information provided to, such individuals.

APPENDIX A¹

APPENDIX B—INSTRUCTIONS FOR APPLICATION FOR CLEMENCY

On September 16, 1974, the President announced a program of clemency. Depending on your case, you may apply to the Presidential Clemency Board, the Department of Justice, or the Department of Defense.

You may be eligible for clemency by the Presidential Clemency Board if you have been convicted of a draft evasion offense such as failure to register or register on time; failure to keep the local board informed of current address; failure to report for or submit to pre-induction or induction examination; failure to report for or submit to or complete service, during the period from August 4, 1964 to March 28, 1973; or if you have received an undesirable, bad conduct, or dishonorable discharge for desertion, absence without leave, or missing movement, and for offenses directly related, between August 4, 1964 to March 28, 1973.

If you are now absent from military service or have a charge against you for a Selective Service violation and have not been convicted or received a discharge, you may still

¹ Filed as part of original document.



be eligible for clemency under another part of the President's program. If you have any questions, please contact the Board and we will try to answer your questions.

If you believe that you are eligible to be considered by the Presidential Clemency Board but are not sure, you should apply to the Board. If it turns out that you are not eligible for consideration by the Board, you may possibly qualify under another part of the clemency program. You do not have to identify your current location. We will then be able to notify you of the proper agency to contact. If you are appealing a conviction or a military discharge you may continue your appeal, and still apply to the Board at the same time.

I. The Board will not give its files to any other federal agency. It will keep any information you provide in strictest confidence, except evidence of a serious crime which is not covered in the Presidential Clemency program.

II. Although you may apply to the Board without attorney or any other representative if you wish, we encourage you to obtain the help of legal counsel. If you do not have a counsel but desire one, we will be glad to refer you to a lawyers' organization which will help you find one. These organizations will help you get legal assistance even if you cannot afford to pay.

III. To apply to the Board, you need only supply the information necessary to find your file from other departments. If you do not wish to file your application personally, you may select a representative of your own choice to do it for you, but you must tell us that he is authorized. The Board will maintain its own file on your case and that file will be available for examination by you or your own attorney.

IV. You are encouraged to submit evidence which you feel helps your case, and to submit letters from other people on your behalf. You may submit evidence in order to correct inaccurate, incomplete, or misleading information to the Board's file.

V. A personal appearance by you before the Board will not be necessary.

If you have any questions, please call or write the Presidential Clemency Board. The White House, Washington, D.C. 20500, (202-456-6476). If application is made by a representative on your behalf, it is not necessary that your home address and telephone number be included. Your representative should indicate his capacity (attorney, friend, etc.) and give us his address and telephone number.

Application for people not in custody should be completed and mailed to the Board no later than midnight, January 31, 1975. Special procedures will be established for persons incarcerated whether or not they have been released on furlough.

PART 102—SUBSTANTIVE STANDARDS OF THE PRESIDENTIAL CLEMENCY BOARD

Sec.

- 102.1 Purpose and scope.
- 102.2 Board decision on whether or not to recommend that the President grant executive clemency.
- 102.3 Aggravating circumstances.
- 102.4 Mitigating circumstances.
- 102.5 Calculation of length of alternative service.

AUTHORITY: E.O. 11803, 39 FR 33297.

SOURCE: 39 FR 41353, Nov. 27, 1974, unless otherwise noted. Correctly designated, 39 FR 44709, Dec. 27, 1974.

§ 102.1 Purpose and scope.

This part articulates the standards which the Presidential Clemency Board will employ in deciding whether to recommend that the President grant executive clemency to a particular applicant, and in then deciding whether that grant of clemency should be conditional, and, if so, upon what specified period of alternative service.

§ 102.2 Board decision on whether or not to recommend that the President grant executive clemency.

(a) The first decision which the Board will reach, with respect to an application before it, is whether or not it will recommend to the President that the applicant be granted executive clemency. In reaching that decision, the Board will take notice of the presence of any of the aggravating circumstances listed in § 102.3, and will further take notice of whether such aggravating circumstances are balanced by the presence of any of the mitigating circumstances listed in § 102.4.

(b) Unless there are aggravating circumstances not balanced by mitigating circumstances, the Board will recommend that the President grant executive clemency to each applicant.

§ 102.3 Aggravating circumstances.

(a) Presence of any of the aggravating circumstances listed herein either will disqualify an individual for executive clemency or may be considered by the Board as cause for recommending to the President executive clemency conditioned upon a length of alternative service exceeding the applicant's "baseline period of alternative service," as determined under § 102.5.



By custom and tradition, all White House Office papers are regarded as the personal property of the President and subject to such control and disposition as he may determine. At the close of the Administration, the entire collection of papers now being created may be expected to be deposited in a Presidential library similar to the libraries that preserve the papers of the last six Presidents. To provide the President with a complete and accurate record of his tenure in office, the White House staff must oversee the preservation of the papers it generates.

The procedures set forth in this document represent the collective thinking of many members of the staff as to how best to preserve papers and documents for the President. Compliance with these procedures is an expression of loyalty by the staff to the President. For these procedures to be effective, it will require cooperation and assistance of every staff member.

The security classification of each document prepared in the White House is determined by the individual staff member writing it in accordance with Executive Order 10501—or other applicable Executive Orders. He is responsible for insuring that the classification assigned to his work reflects the sensitivity of the material concerned, and also for making certain that this classification is not excessively restrictive.

White House Office Papers: Filing with Central Files

1. *It is requested that the maximum possible use be made of Central Files, and the procedures listed below be followed.* This will aid in the faster and more complete retrieval of current information, eliminate unnecessary duplication of files, prevent excessive xeroxing, and maximize preservation of White House papers.

2. *Each staff member shall maintain his personal files separate from any working files he may keep on official business and clearly designate them as such.* Personal files include correspondence unrelated to any official duties performed by the staff member; personal books, pamphlets and periodicals; daily appointment books or log books; folders

of newspapers or magazine clippings; and copies of records of a personnel nature relating to a person's employment or service. Personal files should not include any copies, drafts or working papers that relate to official business or any documents or records, whether or not adopted, made or received in the course of official business.

3. *Each staff office shall forward regularly to Central Files three copies of all outgoing official business consisting of correspondence and memoranda. One copy of all other outgoing related materials should also be filed.*

4. *Each staff office shall forward regularly to Central Files any incoming official business from sources other than White House staff offices after action, if any, has been taken. Each staff office, if it so desires, may keep a copy of such incoming official business for its own working files.*

5. *Each staff office shall forward regularly to Central Files any originals of incoming official business from other White House staff offices after action, if any, has been taken and if such originals were not intended to be returned to the sender. If desired, a copy may be kept for the staff's working files.*

6. *Each staff office shall forward to Central Files at such times as it determines to be appropriate all working files of official business which are inactive and no longer needed. These files will be stored by office as well as listed by subject matter. They will, of course, always be available for later reference.*

7. *Each staff office at its own discretion may segregate any materials that it believes to be particularly sensitive and which should not be filed by subject matter. Such sensitive materials should be forwarded to the Staff Secretary on the same basis as outlined in paragraphs 3 through 6 in an envelope marked SENSITIVE RECORDS FOR STORAGE with the office or individual from which they are sent marked on the outside and (as appropriate) a list of inventory in general terms attached. This list of inventory should also be sent to Central Files so that notations can be made in subject files that certain material is missing from the file. These materials will be filed in locked containers and will only be made available to the in-*



dividual or office from whom they were received.

8. *No defense material classified under Executive Order No. 10501 with a classification of TOP SECRET or Restricted Data under the Atomic Energy Act of 1954 should be forwarded to Central Files. All such material should be forwarded to the Staff Secretary for storage.*

9. *No exceptions to the above shall be made without the express consent of the Counsel to the President. Additional advice on the operation of Central Files may be obtained from Frank Matthews, Chief of Central Files (Ext. 2240).*

White House Office Papers: Disposition of Papers Upon Leaving Staff

1. *Upon termination of employment with the staff, each staff member will turn over his entire files to Central Files with the exception of any personal files he might have maintained.*

2. *Personal files include: correspondence unrelated to any official duties performed by the staff member; personal books, pamphlets and periodicals; daily appointment books or log books; folders of newspaper or magazine clippings; and copies of records of a personal nature relating to a person's employment or service. Personal files should not include any copies, drafts, or working papers that relate to official business; or any documents or records, whether or not adopted, made or received in the course of official business. The White House Office of Presidential Papers, staffed by representatives of the National Archives, is available to assist staff members in the determination of what are personal files. Any question in this regard should be resolved with their assistance by contacting John Nesbitt, supervisory archivist of the Office of Presidential Papers (Ext. 2545).*

3. *A staff member, upon termination of employment, may at his discretion make copies for his personal use of a carefully chosen selection of the following types of documents within his files:*

(A) *Documents which embody original intellectual thought contributed by the staff member, such as research work and draftsmanship of speeches and legislation.*

(B) *Documents which might be needed in future related work by the individual.*

4. *No staff members shall make copies as permitted in paragraph three of any documents which contain defense material classified as CONFIDENTIAL, SECRET OR TOP SECRET under Executive Order No. 10501, Restricted Data under the Atomic Energy Act of 1954, or information supplied to the government under statutes which make the disclosure of such information a crime.*

5. *Each staff member who decides to make copies of such documents described in paragraph three shall leave a list of all such documents copied with Central Files. This will enable retrieval of a document in the event that all other copies of it and the original should be later lost.*

6. *The discretionary authority granted in paragraph three is expected to be exercised sparingly and not abused. All White House Office papers, including copies thereof, are the personal property of the President and should be respected as such. Any copies retained by a staff member should be stored in a secure manner and maintained confidentially.*

7. *All confidential and sensitive materials will be protected from premature disclosure by specific provisions of the Presidential Libraries Act of 1955 (44 U.S.C. 2108).*



THE WHITE HOUSE

WASHINGTON

November 4, 1975

*Barry, Jr.
to his co.
Pewitt*

MEMORANDUM FOR: CHARLES GOODELL

FROM: PHILIP BUCHEN

SUBJECT: Disposition of the Personal
Papers of Clemency Board Members

Referencing your memorandum concerning the papers of persons who were previously members of the Presidential Clemency Board, there are at least two problems that must be resolved prior to the disposition of any of these papers outside Government control. Attached are the guidelines from the previous Administration describing the types of papers which White House staff members can take with them on departure. The current litigation concerning the ownership of the Presidential materials of the Nixon Administration does not appear in any way to affect the validity of these guidelines, but instead deals with ownership between a former President and the government. In order to preserve the status quo, these guidelines should be followed by former members of the Board as well as the staff.

To the extent that these guidelines permit the taking of some materials, the confidentiality of these files must be considered. The Department of Justice has concluded that the papers of the Pardon Attorney at the Department of Justice are Presidential papers because they relate to a function which only the President can exercise. As such, they are outside the scope of the Privacy Act of 1974, P.L. 93-579. For the same reasons, OLC believes that the papers of the Board are not subject to the specific safeguards imposed by the Act for the protection of information relating to identifiable individuals. Even so, any disposition of these papers should take into account the protection of individual privacy which the Act seeks to assure. This point is all the more important in that the Board's own regulations provide for the confidentiality of communications to the Board from applicants and potential applicants. Subsection (a) of 2 CFR 100.12 states in part that:



"The Board has determined that it will take all steps possible to protect the privacy of applicants and potential applicants to the Presidential clemency program. No personal information concerning an applicant or potential applicant and related to the Presidential clemency program will be made known to any agency, organization, or individual, whether public or private, unless such disclosure is necessary for the normal and proper functioning of the Presidential Clemency Board."

In view of this Regulation, and in order to comply with the spirit of the Privacy Act, appropriate guidelines for the protection and use of such materials must be developed prior to the disposition of any of these materials to points outside government control. My staff would be pleased to discuss these matters with you at your convenience.

THE WHITE HOUSE


WASHINGTON

April 9, 1976

MEMORANDUM FOR

THE SECRETARY OF THE ARMY

This is to formally approve the recommendation contained in your memorandum of March 17, 1976, regarding proposed procedures for review of future requests for reduction of alternate service on a limited basis at the secretariat level in accordance with the Presidential Clemency Program.

A handwritten signature in dark ink, reading "Philip W. Buchen". The signature is fluid and cursive, with the first name "Philip" being the most prominent.

Philip W. Buchen
Counsel to the President



THE WHITE HOUSE
WASHINGTON

April 9, 1976

MEMORANDUM FOR: PHIL BUCHEN
FROM: KEN LAZARUS *KL*
SUBJECT: Request of the Secretary of the Army/
Appeal of Alternate Service

Attached at Tab A is a memorandum to you from the Secretary of the Army, Martin Hoffmann, requesting your approval of his plan to establish procedures for review of future requests for reduction of alternate service on a limited basis at the Secretariat level in accordance with the Presidential Clemency Program.

Attached at Tab B is a memorandum to me from the Pardon Attorney indicating his approval of the Army recommendation.

Attached at Tab C is a memorandum to Martin Hoffmann from you formally approving his recommendation.

Recommendation:

That you sign the memo at Tab C.





SECRETARY OF THE ARMY
WASHINGTON

17 MAR 1976

MEMORANDUM FOR PHILIP W. BUCHEN
COUNSEL TO THE PRESIDENT

SUBJECT: Appeal of Alternate Service

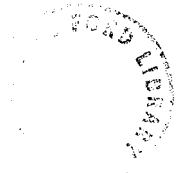
Phil.

The Department of the Army has received a number of requests from individuals processed under the DoD portion of the Presidential Clemency Program, to have their length of Alternate Service reduced. We have not established procedures for this type review since each applicant had an opportunity to request reconsideration of his case file by the Joint Alternate Service Board (JASB) prior to executing the agreement to perform the prescribed period of Alternate Service. In this regard, the Department of Defense has opined that determination of the period of Alternate Service may not be reviewed by the Boards for the Correction of Military/Naval records.

Department of the Army believes that individuals with bona fide hardships and other mitigating factors, which may have arisen since entering the program, should have the opportunity to appeal the length of alternate service on a case by case basis. Indications are that of the 1002 DoD applicants currently working at alternate service jobs only a few would qualify for favorable consideration, but we want to be responsive in bona fide cases.

Unless you have objection to such action, we plan to establish procedures for review of future requests for reduction of alternate service on a limited basis at the secretariat level. Only appeals containing evidence of economic hardship, medical, or mitigating factors which have arisen since the individual case was decided by the JASB will be considered. To be eligible, the individual must, at time of the appeal, be performing Alternate Service. The other Services are agreeable to this course of action.


Martin R. Hoffmann



United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

April 7, 1976

MEMORANDUM TO: Kenneth A. Lazarus
Associate Counsel to
the President

SUBJECT: Appeal of Alternative Service

I have reviewed the memorandum from Secretary of the Army Hoffman to Mr. Buchen dated March 17, 1976 concerning the Army's plan to establish procedures to review appeals on the length of alternative service. The Army's proposed procedures appear to conform to the President's proclamation No. 4313 dated September 16, 1974 and are similar to procedures adopted by the Department of Justice.

The Department of Justice has been considering appeals to the length of alternative service and in appropriate cases the length of service has been reduced. We have been considering the same factors as suggested in Secretary Hoffman's memorandum, namely, economic hardship, medical or mitigating factors which have arisen since the case was originally decided. We have not required an applicant to be performing alternative service before considering his appeal.

After an appeal decision we notify Selective Service of the decision and then the applicant must conform to their rules covering the performance of alternative service. This procedure appears to work well and no problems have surfaced.

I recommend that the Army procedures be approved which would then bring all appeal procedures into substantial conformity.

Lawrence M. Traylor

Lawrence M. Traylor
Pardon Attorney



THE WHITE HOUSE

WASHINGTON

April 15, 1976

MEMORANDUM TO: JACK MARSH

FROM: RUSS ROURKE *Russ*

Jack, I would recommend continued opposition to the Attorney General's position re the 950 known felons.

Lazarus should continue to work with Traylor on a conditional amnesty proposal and the A/G should be advised of strong White House feeling on this issue.

MEMORANDUM TO: PHIL BUCHEN

FROM: JACK MARSH *Jack*

Phil, I concur with Russ' views.



THE WHITE HOUSE
WASHINGTON

April 6, 1976

MEMORANDUM FOR:

JACK MARSH ✓
TED MARRS

FROM:

PHIL BUCHEN T.

SUBJECT:

Presidential Clemency Board --
Recommendations Regarding Known
Felons

Attached is a memorandum to me from Ken Lazarus on the above subject.

As time is running out on this matter, I would appreciate your prompt response.

Attachment



File

Wednesday 4/21/76

4:30 I called Ken to see if he had called Traylor as you had requested.

1. He did speak to Traylor.
2. With respect to the convicted felons, there is no immediacy to the problem.
3. Traylor is going to get together with Levi's guys and outline the alternatives along the lines that you and Ken discussed this morning.

Ken will set up a meeting which will be compatible with your schedule some time within the next two weeks.

Concerning the drug abuse message, Ken is working on a compromise between Justice and the Domestic Council that will satisfy the concerns of the Attorney General.



THE WHITE HOUSE

WASHINGTON

April 2, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM: KEN LAZARUS *KL*

SUBJECT: Presidential Clemency Board
Recommendations Regarding Known Felons

You will recall that sometime back I sent you a copy of the attached memorandum from Larry Traylor (Tab A) which suggested that the recommendations of the Presidential Clemency Board regarding the 950 known felons in question should not be revised.

You also will recall that you were at that time concerned with the symbolism which might attach to an approval of Traylor's recommendation. Therefore, you instructed me to work with Traylor toward a form of conditional amnesty which would not offend the more conservative followers of the Board.

Traylor and I had all but agreed to a solution of this problem when I was alerted to the fact that the Attorney General feels strongly that the Department's earlier recommendation should be followed. His views in this regard are reflected in the memorandum attached at Tab B.

May I have your guidance.

Attachments



United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

January 23, 1976

MEMORANDUM TO:

MR. KENNETH A. LAZARUS
Associate Counsel to the President

SUBJECT: Felons

The Presidential Clemency Board recommended clemency be offered to about 950 people who committed felonies subsequent to the military-related offenses for which they are now seeking a pardon. The Department of Justice has been asked to consider whether the Board's recommendations in these cases are appropriate.

The Department has run FBI name checks on the cases in question. In general, the name checks have not furnished reliable information not previously available to the Board. Much of the new information obtained in the name checks is incomplete. Resources not now available to those administering the continued program would be required to develop this information further and its added value in final form is questionable.

It is the view of the Department of Justice that the recommendations of the Board regarding the 950 known felons in question should not be revised. Although the clemency program offers pardons only for Vietnam era military absence offenses, we understand the Board did consider an applicants' other criminal record and generally recommended no clemency in those cases in which it considered the other offenses most serious. In the cases in which clemency was recommended for known felons, the existence of other offenses caused the term of alternative service to be longer than it

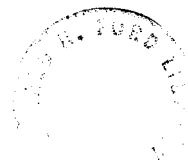


would otherwise have been. Since even those now incarcerated will be required to complete the prescribed alternative service to obtain a pardon, it is likely that the most serious offenders offered an opportunity for clemency will not satisfy the conditions required to actually receive a pardon. As the program only offers and implies pardon for military-related offenses and those with the most serious other offenses have either been denied clemency or are unlikely to be able to meet the conditions for receiving it, the Department believes the Board's recommendations regarding known felons are reasonable and need not be revised.

However, there are at least two other options for dealing with these cases. Clemency could be denied to all those with other known felonies. This, however, seems inconsistent with the limited, but compassionate nature of the program. Alternatively, the Department could expand the Board's policy of denying clemency to some known felons and recommend that clemency not be granted to the most serious felons favorably considered by the Board. This might amount to 25 percent of the cases in question and would entail a case-by-case review requiring about 5 attorneys not now available for about 2 months. The Department would need additional resources for this purpose. This process, however, seems unlikely to produce a final result significantly different than that which will be obtained by relying on the alternative service requirement.

Lawrence M. Traylor

Lawrence M. Traylor
Pardon Attorney



UNITED STATES GOVERNMENT

Memorandum

TO : Kenneth A. Lazarus
Associate Counsel to the President

FROM : Mark L. Wolf, Special Assistant
to the Attorney General *HLW*

SUBJECT: Presidential Clemency Board
Recommendations Regarding Known Felons.

DATE: March 16, 1976

As we discussed last week, it is the Attorney General's personal view that the Presidential Clemency Board's policy regarding clemency for known felons was reasonable and that its recommendations concerning them should not be revised.

As you know, although the Board requested only information regarding military-related offenses within its jurisdiction, it did in making its recommendations take into account other offenses of which it was aware. In many cases these other offenses substantially contributed to the Board's decision to recommend denial of clemency and in the remainder it caused the recommended term of alternate service to be longer than it otherwise would have been. In our view, this approach was both realistic and compatible with the purpose and spirit of the President's program. We believe that to deny clemency to applicants solely because they are known to have committed other felonies would be inconsistent with the limited nature of the program and unduly arbitrary, since it is only by chance that we know that some of the applicants have committed other offenses.

While we do believe the Board's policy was appropriate, the Attorney General suggests that the Department of Justice might review the most serious known felony cases in which the Board recommended clemency to determine whether the Board gave these offenses sufficient weight in reaching its decision. I understand that about 25% of the approximately 800 cases in question would be reviewed by the Department if this approach is adopted.

As you know, the Department has been hoping to substantially complete this month the work inherited from the Board. Thus, it is particularly desirable that these questions be resolved as soon as possible. We appreciate your continued interest and assistance in obtaining a decision.



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



THE WHITE HOUSE
WASHINGTON

Ken said he agrees with them.
Doesn't think it's anything
worth fighting about.



THE WHITE HOUSE
WASHINGTON

Eva:

Ken says he doesn't need this -- he
needs a decision from Buchen.

dm



THE WHITE HOUSE

WASHINGTON

April 15, 1976

MEMORANDUM TO: JACK MARSH

FROM: RUSS ROURKE *Russ*

Jack, I would recommend continued opposition to the Attorney General's position re the 950 known felons.

Lazarus should continue to work with Traylor on a conditional amnesty proposal and the A/G should be advised of strong White House feeling on this issue.

MEMORANDUM TO: PHIL BUCHEN

FROM: JACK MARSH *Jack*

Phil, I concur with Russ' views.

THE WHITE HOUSE
WASHINGTON

APR 7 1976

*Comments
due: AS+P*

April 6, 1976

MEMORANDUM FOR:

JACK MARSH ✓
TED MARRS

FROM:

PHIL BUCHEN *P.*

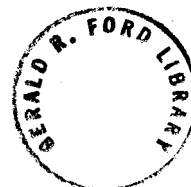
SUBJECT:

Presidential Clemency Board --
Recommendations Regarding Known
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TO : Kenneth A. Lazarus
Associate Counsel to the President

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As you know, the Department has been hoping to substantially complete this month the work inherited from the Board. Thus, it is particularly desirable that these questions be resolved as soon as possible. We appreciate your continued interest and assistance in obtaining a decision.



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

January 23, 1976

MEMORANDUM TO:

MR. KENNETH A. LAZARUS
Associate Counsel to the President

SUBJECT: Felons

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The Department has run FBI name checks on the cases in question. In general, the name checks have not furnished reliable information not previously available to the Board. Much of the new information obtained in the name checks is incomplete. Resources not now available to those administering the continued program would be required to develop this information further and its added value in final form is questionable.

It is the view of the Department of Justice that the recommendations of the Board regarding the 950 known felons in question should not be revised. Although the clemency program offers pardons only for Vietnam era military absence offenses, we understand the Board did consider an applicants' other criminal record and generally recommended no clemency in those cases in which it considered the other offenses most serious. In the cases in which clemency was recommended for known felons, the existence of other offenses caused the term of alternative service to be longer than it



would otherwise have been. Since even those now incarcerated will be required to complete the prescribed alternative service to obtain a pardon, it is likely that the most serious offenders offered an opportunity for clemency will not satisfy the conditions required to actually receive a pardon. As the program only offers and implies pardon for military-related offenses and those with the most serious other offenses have either been denied clemency or are unlikely to be able to meet the conditions for receiving it, the Department believes the Board's recommendations regarding known felons are reasonable and need not be revised.

However, there are at least two other options for dealing with these cases. Clemency could be denied to all those with other known felonies. This, however, seems inconsistent with the limited, but compassionate nature of the program. Alternatively, the Department could expand the Board's policy of denying clemency to some known felons and recommend that clemency not be granted to the most serious felons favorably considered by the Board. This might amount to 25 percent of the cases in question and would entail a case-by-case review requiring about 5 attorneys not now available for about 2 months. The Department would need additional resources for this purpose. This process, however, seems unlikely to produce a final result significantly different than that which will be obtained by relying on the alternative service requirement.

Lawrence M. Traylor

Lawrence M. Traylor
Pardon Attorney



THE WHITE HOUSE

WASHINGTON

April 2, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM: KEN LAZARUS *KL*

SUBJECT: Presidential Clemency Board
Recommendations Regarding Known Felons

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Traylor and I had all but agreed to a solution of this problem when I was alerted to the fact that the Attorney General feels strongly that the Department's earlier recommendation should be followed. His views in this regard are reflected in the memorandum attached at Tab B.

May I have your guidance.

Attachments



THE WHITE HOUSE
WASHINGTON

4.15.76

TO: Phil Buchan

For Your Information: _____

For Appropriate Handling: ✓


RLZ
Robert D. Linder

THE WHITE HOUSE
WASHINGTON

Hold file

April 6, 1976

MEMORANDUM FOR: JACK MARSH
TED MARRS

FROM: PHIL BUCHEN *T.*

SUBJECT: Presidential Clemency Board --
Recommendations Regarding Known
Felons

Attached is a memorandum to me from Ken Lazarus on the above subject.

As time is running out on this matter, I would appreciate your prompt response.

Attachment





Office of the Attorney General
Washington, D. C. 20530

April 14, 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Termination of the
Clemency Office

On September 16, 1975, pursuant to Executive Order 11878, the Department of Justice assumed responsibility for concluding the unfinished business of the Presidential Clemency Board. The Clemency Office, a temporary unit operating under the direction of the Pardon Attorney, was assigned the task of carrying out this responsibility. The Clemency Office adopted the policies, guidelines, rules and procedures of the Presidential Clemency Board, as described in its final report. The Clemency Office has substantially completed its work and closed on March 31, 1976 as contemplated by the Executive Order. The remaining Presidential Clemency Board responsibilities will be discharged by the regular staff of the Office of the Pardon Attorney.

The Department of Justice has made recommendations in 1,680 individual cases. These include the initial consideration of 1,325 applications for clemency which had not been processed by the Presidential Clemency Board, 265 appeals and 90 requests to reconsider the Board's recommendations. In addition, the Department of Justice considered and developed a recommendation for the disposition of approximately 800 cases in which the Presidential Clemency Board had recommended clemency for individuals known to have committed felonies in addition to the offense which brought them within the jurisdiction of the Board; disposition of these cases is now awaiting decision of the common question they raise.


In addition to developing proposed recommendations to the President, the Clemency Office performed administrative tasks concerning cases acted upon by the Presidential Clemency Board prior to September 16, 1975. The Clemency Office notified more than 12,200 applicants of the actions taken on their cases and furnished 5,950 individual warrants of pardon. The Clemency Office also requested that the Department of Defense issue more than 6,000 clemency discharges and that Selective Service enroll more than 6,700

applicants who were required to perform alternative service. In cases involving offenses committed by civilians, the Clemency Office advised the Federal Bureau of Investigation of each grant of pardon for its records and advised the United States Probation Service of actions affecting probation status.

On September 16, 1975, the staff of the Clemency Office consisted of 161 individuals on detail from various Government agencies. As the workload was reduced, the staff was correspondingly diminished. When it closed March 31, 1976, the Clemency Office consisted of 29 individuals on detail from the Departments of Justice and Defense. In addition to personnel contributions, the Clemency Office was financed by contributions of \$125,000 from the Department of Defense and \$25,000 from the Department of Justice.

The remaining Presidential Clemency Board responsibilities to be discharged by the Department of Justice include continued consideration of about 100 cases in which information is incomplete, administrative handling of approximately 400 cases being prepared for or awaiting Presidential action, implementation of the pending policy decision regarding cases involving known felons, disposition of future appeals and requests for reconsideration, final certification of performance of alternative service in cases within the jurisdiction of the Department of Justice, and all related administrative tasks. We expect that the majority of this work will be complete in three months and the balance, consisting primarily of determining whether prescribed alternative service has been performed and issuing appropriate documents, should be complete within 24 months.

Respectfully,


Edward H. Levi
Attorney General



Office of the Attorney General
Washington, D.C. 20530

The President
The White House
Washington, D. C.