

The original documents are located in Box 1, folder “Amnesty - Presidential Clemency Board Administration (2)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

GENERAL COUNSEL

JAN 2 1975

MEMORANDUM TO: John O. Marsh, Jr.
THRU: Stanley Ebner *SE*
FROM: Weldon H. Latham *WHL*
Subject: Budgetary Limitations and Funding Requirements of the Clemency Board

You have asked our opinion as to whether the Clemency Board ("Board") may continue to function until its appointed expiration date of December 31, 1976, absent an interim appropriations from the Congress. Based on a thorough analysis of the Board's current and projected operating expenses as well as the pertinent Presidential authorizations and Federal statutes, it is our opinion that the Board shall shortly exhaust all available operating funds. Furthermore, if funds were to become available, effective September 16, 1975 [1] utilization of such funds not specifically appropriated for the Board, would be inconsistent with the restrictions of the so-called "Russell Rider" (31 U.S.C. 696).

Background

On September 16, 1974, the President issued Proclamation No. 4314 [2] and Executive Order Nos. 11803 [3] and 11804 [4] which jointly instituted a "...Program for the Return of Vietnam Era Draft Evaders and Military Deserters" (i.e., commonly referred to as the "Clemency Program") of which the Board was a part. These documents define three categories of persons eligible for clemency

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- [3] E.O. No. 11803 established the Clemency Board, delineated its responsibilities and authority for operation and funding.
- [4] E.O. No. 11804 empowered the Director of the Selective Service to promulgate regulations and administer the Program of alternate service once persons were referred to him by the Justice Department or the Military Departments (including DOT in the case of the Coast Guard).



which simply stated include: (1) unconvicted alleged draft evaders, [1] (2) unconvicted persons administratively classified as military deserters, [2] and (3) convicted draft evaders and military deserters, all of which are alleged to have committed the offenses in question, between August 4, 1964 and March 28, 1973.[3]

Ultimate responsibility for administration of Program categories (1) and (2) noted above, rests with the Attorney General (as implemented by the various district U. S. Attorneys) and the Secretary of the appropriate Military Department (the Secretary of the Department of Transportation in the case of the Coast Guard), respectively. Eligible persons are required to present themselves to the proper agency on or before January 31, 1975; execute an agreement of allegiance to the United States, pledging to fulfill a period of alternate service of twenty-four (24) months or less, (as determined by the Attorney General or appropriate Secretary) under the auspices of the Director of Selective Service; and must satisfactorily complete such service. In return for these acts, the Federal Government shall dismiss pending criminal charges for draft evasion or desertion and, in the case of a deserter, will upgrade an undesirable discharge to a clemency discharge upon completion of service.

The Board's function, as distinguished from the other agencies', is to administer Program category (3) by reviewing those individuals' records who apply for clemency and who:

- (i) were convicted of draft evasion,
- (ii) received punitive or undesirable discharges or are presently incarcerated for such offenses.

[1] Alleged violators of the Military Selective Service Act.

[2] Subject to prosecution under Articles 85, 86, and 87 of the Uniform Code of Military Justice (10 USC 801 et seq.) for unauthorized absence from military service. The vast majority of persons in categories (1) and (2) are fugitives from prosecution by Justice Department or their particular military department, respectively.

[3] Excluded from eligibility were aliens who fled the country to avoid the draft or United States citizens who fled and denounced their citizenship (8 USC 1182(a)(22)).



The Board must then recommend to the President whether clemency should be granted or denied in each case and if clemency is recommended the Board must also recommend the form it should take, including the possibility of clemency conditioned on alternate service. Individuals granted such conditional clemency, in the same manner as in categories (1) and (2), are referred to the Director of Selective Service for specific service assignments. Thus, notwithstanding the popular misconception that the Board administers the entire Clemency Program, in fact it is only concerned with one segment of that Program.

Current and Projected Funding Level and Sources for the Board

Section 6 of Executive Order No. 11803 provides that:

"Necessary expenses of the Board may be paid from the Unanticipated Personnel Needs Fund of the President or from such other funds as may be available."

Pursuant thereto, the Board has requested and received to date \$85,000 from the Unanticipated Personnel Needs Fund ("Unanticipated Fund"), and is currently awaiting approval of an additional \$30,000 request. The vast majority of the funds received to date have been utilized to compensate Board members, including the Chairman who has served from one-half to two-thirds time, at a rate of \$138 per day in addition to authorized expenses. Other expenses include general operating expenses, but exclude the potentially largest budget item, i.e., staff salaries. The current staff of 23 professionals and 14 support clericals are serving on a nonreimbursable detail basis from other agencies at no cost to the Board. These arrangements, however, will cease approximately March 31, 1975 in most cases.

As a contingency plan, OMB budget personnel, in conjunction with GSA and Board staff, have estimated the Board's future funding requirements. These estimates are the basis of appropriation requests, should they be necessary, prepared for the remainder of FY75, FY76, and the three month transitional fiscal period (July 1, 1976 to September 30, 1976). The FY75 request calls for \$456,000,



the FY76 request is seeking an additional \$998,000, and the fiscal period request is \$265,000. Assuming the Board's expiration date remains December 31, 1976, an additional appropriation would be required for FY77. The proposed FY75 funding level could not be satisfied from the Unanticipated Fund whose total FY75 appropriation of \$500,000 has already been subject to the Board's initial funding request. As well as other unanticipated expenditures, the Fund's current balance is \$354,500. Additionally, the FY76 Unanticipated Fund, and subsequent Unanticipated Funds regardless of amount, would not be available to the Board as it would no longer qualify as an "unanticipated" requirement.

It should be noted that Board staff have made maximum estimated funding requirements based on the assumption that their current caseload, of approximately one thousand cases, will continue at that level until the Board's scheduled demise. Since those estimates were calculated, however, Board staff claim the reduced flow of new applications suggests that unless the January 31, 1975 application deadline is extended or an overwhelmingly large number of new applications seeking to beat the deadline is received, the Board could complete its operation by June 30, 1975. The Board estimates the absolute minimum cost of such operations through June 1975 would approximate \$100,000, including the \$30,000 already requested (this figure excludes the cost of paid staff). In any event, if the Board's maximum projected funding level were drastically reduced based on the present expiration date (which the Board's staff asserts is certainly possible depending on such key factors as the availability of detailees to fill staff positions and the level of new applications), it is still unlikely that the Unanticipated Fund could provide adequate monies to meet the Board's needs through June 30, 1975 and thereafter said Fund would cease to be available.

No other sources of direct funding are currently available within the FY75 appropriation for the Executive Office of the President. The Federal Energy Office, a similar unanticipated, emergency-type instrumentality, also created by Executive order, was funded in FY74 by the twice as large Presidential Emergency Fund, which Congress did not see fit to appropriate in FY75. Absent the Emergency Fund and given the aforementioned limitations of the Unanticipated Fund,



there appears to be no sources available to support the Board, which will probably exhaust its current funding by the end of January 1975 [1].

Additional Prohibitions re: Continued Funding of the Board Beyond September 16, 1975

Assuming that funds could be made available there would still remain statutory prohibitions against utilizing those funds, on or after September 16, 1975 (the Board's first anniversary). As noted above, the Russell Rider probably would prohibit such action. Specifically, the Rider (31 USC 696) bars the funding of any agency or instrumentality, including those established by Executive order, after such agency or instrumentality has been in existence for more than one year, unless the Congress shall have specifically provided funds for it. Certainly, there may be some extraordinary circumstances that would exempt an agency from this restriction; however, as of this writing, none is apparent as relates to the Board. Thus, in the most unlikely event that funds were made available for the Board, it would almost certainly be a violation of the law to utilize those funds beyond September 16, 1975, without Congressional approval.

Available Options

1. Given the unavailability of adequate funding and the statutory restrictions on the use of funds, one course of action would be to abandon the Board's segment of the Clemency Program. This could be accomplished by allowing it to "die a natural death" lacking operating funds or by an Executive order prematurely ending its existence. This most extreme alternative would probably be viewed as a "sell-out" of the entire Program, without attempting to obtain Congressional aid and it would probably be politically unpalatable.

2. Since the Board only represents that part of the Clemency Program concerned with convicted draft evaders and military deserters, category (3) as noted hereinabove, it may be possible to transfer the Board's functions to those agencies having similar responsibilities for categories (1) and (2) (Justice, the Military Departments, and DOT). No final legal determination has been made



[1] A detailed analysis of the Board's projected funding requirements is currently being prepared by Board staff for submission by the Chairman to the Director, OMB. Said analysis fully considers the viables likely to enable it to reduce its estimated budgetary requirements.

whether this, in fact, is a viable alternative, because doubts were expressed that this approach would also be considered a "sell-out", since the public views the Board as the essence of the Clemency Program. Furthermore, one specific reason for creating the Board was to enhance the credibility of the Program by taking, at least, part of it away from those agencies most concerned with the prosecution of offenders. Nevertheless, should this approach be determined worthy of additional consideration, it could rapidly be determined whether there exists any insurmountable legal and/or budgetary obstacles to its implementation. Certainly, it would, at a minimum, present a myriad of technicalities to overcome.

3. Based on the Board's staff analysis, a decision could be made to attempt to complete the Board's functions by June 30, 1975. The major problem with this approach is that it is subject to significant contingencies. First, it would have to be decided that no extension of the January 31, 1975 application deadline would be allowed. This decision could prove difficult to enforce, since the proposal to extend the deadline is already circulating in Congress and in the press. If it became clear that the objectives of the Program could not be met without extending the deadline, failure to do so could result in another blow to the Program's already damaged credibility. Additionally, the Board staff admits that the Chairman has not yet decided, but is seriously considering, a recommendation that the President extend that deadline. Second, it is unlikely that \$100,000 would be sufficient or that it should be available from the Unanticipated Fund, although sufficient funds are available at this time. Third, there is no way to predict whether the level of new applications will remain constant or will dramatically increase just prior to the deadline. Should it increase sufficiently to make completion of the Board's activities by June 30, 1975 impossible, where then could funds be obtained? At that point, the decision would again be whether to seek a Congressional appropriation and the problems of doing so then would be greatly increased.



THE WHITE HOUSE
WASHINGTON

① Advise Bill
Nicholson

* The program has been
a success — and that's
itⁿ.

4. Lastly, if we accept the OMB/GSA/Board maximum estimate of funding [1] as being required for the Board to satisfactorily complete its mission over the original term, it appears that the only means to accomplish the goals expressed in Proclamation No. 4314 is to seek an appropriation. This alternative, however, does not guarantee success. Some obvious pitfalls are: (1) Congress may not see fit to appropriate any funds for the Board; (2) If Congress does appropriate funds, it would not be able to do so before February at the earliest, and then only if it considered the appropriation immediately upon convening the 94th Congress; (3) How will the Board operate once it has exhausted its current funding, if Congress has not at that point appropriated funds? and (4) Congress could revamp the Program in a manner which would be totally inconsistent with how the President envisioned it, prior to determining whether to appropriate any funds.

Summary

There are numerous variables and contingencies to be considered; however, two facts are certain. First, there are inadequate funds in the Unanticipated Fund to sustain the Board through the end of FY75 at its current level of operation and no Unanticipated Fund money shall be available in FY76 or beyond. Second, even if an available source of funds were identified, use of those funds on or after September 16, 1975, without Congressional approval would almost certainly be inconsistent with the provisions of 31 USC 696.

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not necessarily - approx. 500,000 left in fund. W. Scott checking w/ Rumsfeld re introligation of 100K out of this fund to wrap program up by June 30. Also that event there will be a fund request for the program for fiscal '76. Wally believes this would suit the purposes of his discussions with the President.





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GENERAL COUNSEL

JAN 2 1975

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January 8, 1975

MEMORANDUM FOR:

JOHN O. MARSH, JR

THROUGH:

PHILIP W. BUCHEN

FROM:

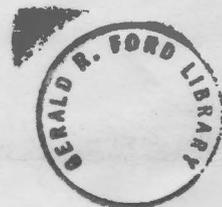
JAY FRENCH

There are two problems which have arisen regarding the Presidential Clemency Board. First, Chairman Goodell has indicated a desire to extend the final date for making application to the Board beyond January 31, 1975. Second, the Office of Management and Budget indicates that funds in the "Unanticipated Personnel Needs Fund," which have been used to support the Board, are insufficient to keep the Board in existence beyond January 1975. Following is a discussion of solutions to these problems and a recommended course of action.

- A. Extension of the time for filing applications or termination of the time for filing as announced.

Dr. Ted Marrs and I are in agreement and recommend no extension. An extension would be viewed as an admission that the program was a failure because large numbers did not apply for clemency. In fact, this was the first conditional amnesty which required a term of service [Andrew Johnson, for example, in 1868 granted unconditional amnesty] and this was the first amnesty ever to require a person to make application [Truman's Board, for example, automatically reviewed each record]. Actually, the program has been a success by reason of the high percentage of applicants who have been granted clemency. The Truman Board granted clemency to only 10% of the cases it considered. The present earned return program has granted clemency to 99% of its cases.

It should also be pointed out that if the final application date is extended, it will be necessary to extend the other parts of the program handled by the Department of Justice and the



Department of Defense. Neither Department has expressed an interest in such extension.

Finally, extension of the entire program would certainly require congressional appropriations. If the program terminates on schedule, it is possible that no congressional funding will be required.

- B. Regardless of whether the program is extended or not, there is a severe funding problem for the Board. Initial funds (\$100,000) from the Unanticipated Fund will be depleted at the end of January 1975. Two solutions are: Earmark another \$130,000 from the Unanticipated Fund or seek a congressional appropriation.

I recommend giving the Board \$130,000 from the Fund with the understanding that the Board terminate its assignment on June 30, 1975, and that there will be no additional funds. The sum of \$130,000 is available in the Fund as of the date of this memo.



January 28, 1975

MEMORANDUM TO: JACK MARSH
FROM: RUSS ROURKE

Weldon Lathan called Bob Horn today re: subject of your memo to the President on the Clemency Board funding. Horn acknowledges a current surplus of funds status, but suggests this is due to the following:

- 1) Clemency Board had one less meeting than planned
- 2) Public service campaign cost less than anticipated.
- 3) Furniture rental program was scrubbed.

Horn acknowledges that the above items occurred subsequent to the budgetary discussions with Lathan, and that "he didn't think" to call Latham regarding these revisions.

Both Latham and Horn agree that **all** of the above is pure hogwash.

Rick Tropp advised Jay French today that, from the date of the final cut off, it will take the Board two months to clear up **all** their cases, e. g., if the President extends the program to February 1, the Board's work can be completed by May 1.



[Feb. 1975]



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

GENERAL COUNSEL

MEMORANDUM TO: John O. Marsh, Jr.

THRU: William M. Nichols *W.M.N.*

FROM: Weldon H. Latham *WHL*

Subject: Clemency Board Funding Estimates

Mr. French of White House Counsel's Office has asked us to prepare preliminary estimates of the cost of operating the Presidential Clemency Board ("Board") based on the following assumptions that he presented. It should be noted that Board staff greatly differs with these assumptions and estimates that the increased staff requirement would be 280 and 105 for alternatives A and B, respectively. The Board staff also suggests an increase of 5 and 1 Board members for each assumption.

Alternative A: Assumptions:

- (1) Total number of cases will approximate 10,500 upon expiration of the program on March 1, 1975. To date 200 cases have been completed.
- (2) The Board drastically revises its current procedures* of reviewing cases in an attempt to conclude operations by June 30, 1975 (the end of the FY 75).
- (3) Forty (40) additional nonreimbursable detailees are provided (25 lawyers and 15 secretarial/clerical).
- (4) Board meetings are increased from twice a month to weekly meetings and case review is increased from 200 cases to 2,600 cases per month.

Estimated cost \$95,000. Source: Unanticipated Personnel Needs Fund.

*Abandons case-by-case approach -- staff suggests that some Board members would object to this approach as tantamount to blanket amnesty, others would object because it breaches due process.



Alternative B: Assumptions:

(1) Same as A above.

(2) The Board partially revises its current procedures of reviewing cases in an attempt to conclude operations by January 31, 1976. Detailees would continue and Unanticipated Funds would be utilized until June 30, 1975, the end of FY 75.

(3) Fifteen (15) additional nonreimbursable detailees would be provided immediately (10 lawyers and 5 secretarial/clerical) until the end of FY 75. FY 76 appropriations would be requested for the period from July 1, 1975 to January 31, 1976 to cover all costs associated with Board operation including reimbursement of detailee salaries and administrative expenses heretofore assumed by other agencies.

(4) Board meetings are increased from monthly meetings to weekly meetings and case review is increased from 200 cases to 950 cases per month.

Estimated cost \$95,000 remainder FY 75. Source: Unanticipated Fund.

\$1,000,000 July 1, 1975 to
January 31, 1976.



THE WHITE HOUSE
WASHINGTON

Mr. Marsh --

Background Materials for your
2:00 meeting re: Clemency Board.

Attendees:

Bruce Fein - Justice; Marty Hoffman;
Jay French; Charlie Goodell; Bill
Nickols (?) and Weldon Latham, OMB.
Lawrence Barker Goodell's of.

donna



THE WHITE HOUSE
WASHINGTON

Mr. Marsh -

Jay dropped off the attached memo
for your eyes only.

donna



THE WHITE HOUSE
WASHINGTON



Mr. Marsh :

Jay French called re Buchen's request
and a meeting is set up for Wed. at
2:00 in your office. Is there still a
need to send the memo?

Thanks.

*Can't do this
because
to day
of vote
M*
donna

FEB 15 1975

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE
WASHINGTON, D.C. 20500
February 14, 1975

MEMORANDUM FOR: Jack Marsh *7000 for CCB*
FROM: Charlie Goodell
SUBJECT: Staff Requirements for the Presidential
Clemency Board

Summary:

The purpose of this memo is to advise you of some of the implications of the Presidential Clemency Board's extremely large case-load. The Board, as of February 15th, has 8,000 cases. We can anticipate perhaps double that figure by March 1st. This means greatly increased staffing, budget, space and support beyond what we have assumed necessary until now.

Estimated Board Case-Load

In the four months between September 17th and mid-January, the Board received applications at a modest rate, never exceeding 80 per week. During this time, staffing was maintained at about 35 employees, of whom 22 were attorneys. With an application figure of 850 as of January 6th, we could have expected a January 31 figure of about 1,000. Since the Board is deciding cases at the rate of 200 per month, there would have been little difficulty in disposing of its work by mid-year.

As you know, the Board experienced a dramatic increase in applications in the last three weeks of January, raising the total to 5,000 by January 31st. In the first two weeks of February, the total reached 8,000. The rate during the last three weeks of January was 1,400 per week. Since February 1st, the rate has increased to 1,500 per week. We can, therefore, project a March 1 figure of at least 10,000. However, the Department of Defense has recently mailed information notices to 26,000 former servicemen. While the application response for this mailing is unpredictable, I anticipate that the Board case-load will be 15,000.



Staffing Estimates

This work-load will require substantial increases in the Board disposition rate beyond the present 200 per month. The Board members have under consideration various proposals to speed up their work. However, any increase in the Board disposition rate naturally requires support by staff attorneys. The exact staff level is primarily a function of the case-load and the time given to the Board to finish its work.

The Board staff has produced the following preliminary estimates of personnel requirements for various alternative termination dates. A more precise estimate awaits the assistance of an OMB expert who I understand has been assigned by Don Rumsfeld to help us. The following estimates assume that the rates can be met beginning March 1, and that all necessary personnel will have come on board and will have been trained by then.

STAFF REQUIREMENTS FOR 15,000 CASES

<u>Termination Date</u>	<u>Cases per month</u>	<u>Attorneys Needed</u>	<u>Total staff Needed</u>
June 30, 1975 (4 mos.)	4,000	300	500
Sept. 30, 1975 (7 mos.)	2,100	150	270
Dec. 31, 1975 (10 mos.)	1,500	120	180
Dec. 31, 1976 (22 mos.)	675	60	90



Even a December 31 deadline, which requires 1,500 dispositions a month, requires a seven-fold increase in case-flow, and consequently, an immediate and significant increase in personnel.

Board Composition and Procedures

A second and equally important issue is the Board's ability to decide cases at the same pace the staff is able to prepare them for review. Up to now, the Board has been meeting regularly twice a month, spending three days each meeting deciding cases at about 35 per day.

The following chart assumes that the Board would increase its decision-rate to 50 cases a day.

BOARD REQUIREMENTS FOR 15,000 CASES

FULL BOARD

<u>Termination Date</u>	<u>Cases per Month</u>	<u>Number of meetings/month</u>
June 30, 1975(4 mos.)	4,000	80
Sept. 30, 1975 (7 mos.)	2,100	42
Dec. 31, 1975 (10 mos.)	1,500	30
Dec. 31, 1976(22 mos.)	600	12

The Board has under consideration dividing into panels of three. It is theoretically possible to triple the disposition rate each month if the Board acts by panels. However, as you know, the members have other commitments and it has become increasingly difficult to have full attendance at Board meetings. I do not think, therefore, that we may realistically expect to have more than two panels meeting on a regular basis.

PANELS OF THREE

<u>Termination Date</u>	<u>Cases per Month</u>	<u>Number of meetings per month (2 panels meeting simultaneously)</u>
June 30, 1975 (4 mos.)	4,000	40
Sept. 30, 1975(7 mos.)	2,000	20
Dec. 31, 1975(10 mos.)	1,500	15
Dec. 31, 1976(22 mos.)	680	7



Procedural Changes

The Board is reviewing various means to reduce the amount of attorney-time spent on each case. However, I do not expect that procedural changes will result in sizable savings for a number of reasons.

First, to meet the requirement of a case-by-case approach, adequate information must be obtained from the files on each applicant. This is time-consuming work. A mere summary procedure, or an automatic, quantitative approach calls into question the basic assumptions of the President's policy of conditional, earned clemency. The argument in favor of conditional clemency is that the government should make individualized judgments on each case. If the processing becomes automatic, the need for a Board making qualitative judgments disappears. This will be seen as proof of the failure of the President's approach to the amnesty-clemency issue. The Board has already established detailed procedures assuring procedural due process and rights for each applicant. Changing the procedures drastically into a summary process merely to save time would undermine the integrity of the Board and of the President's program.

Second, the Board members appreciate the need to streamline their decision-making process. But understandably they deem it improper to delegate responsibility to the staff such that, in effect, the staff attorneys and not they are deciding cases.

Conclusion

I believe we must meet promptly to decide what resources will be available to the Board and, consequently, what target date should be set for its work. Because it is clear that the Board work will extend into FY 1976, and at least to the end of Calendar 1975, we will also have to consider budgeting and other problems.

cc:
Phil Buchen





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

FEB 24 1975

INFORMATION

MEMORANDUM FOR: THE PRESIDENT
FROM: JAMES T. LYNN *J. Lynn*
SUBJECT: CONTINUED FUNDING FOR THE CLEMENCY BOARD

The current reassessment of the future of your Clemency Board should take into consideration certain questions concerning the legality of its funding beyond June 30, 1975.

The direct costs of the Board are presently funded from the Unanticipated Personnel Needs Fund, which has an appropriation of \$500,000 for the current fiscal year. Most of the Board's staff personnel are detailed from the Departments of Defense and Justice. The Unanticipated Personnel Needs balance is probably adequate to fund the Board at its current activity rate through June 30, 1975. The budget request for the Fund for Fiscal Year 1976 is \$1 million. However, there is a question whether the Fund will be available for Clemency Board activities in Fiscal Year 1976 since the Board was in existence when the 1976 Budget was prepared and its need for funds may not reasonably fall in the category of "unanticipated". The General Accounting Office has not had an occasion to render an opinion on this question.

A more serious problem is presented by Section 696 of Title 31, U.S. Code. That section provides that no appropriation may be used to fund any agency or instrumentality, including those established by Executive order, after such an entity has been in existence for more than one year if Congress has not appropriated money specifically for it or specifically authorized expenditures by it. The Clemency Board was established on September 16, 1974.

We do not believe that the Board can legally be funded after September 15, 1975 unless the Congress appropriates funds to it or authorizes expenditures by it.



PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE
WASHINGTON, D.C. 20500

February 24, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: CHARLES E. GOODELL
Charles E. Goodell
SUBJECT: CLEMENCY BOARD FUNDING ESTIMATES

The following are my estimates of what resources would be required for the Presidential Clemency Board to review 10,500 to 12,000 cases by June 30, 1975 (Alternative A), December 31, 1975 (Alternative B), and September 30, 1975 (Alternative C). You will note that our resource estimates are seven times greater than the estimates made by your Counsel's office. You should also be aware that the Board has not yet approved any of the procedural alternatives mentioned below:

Alternative A: (Completion by June 30, 1975)

Assumptions:

- (1) The total number of cases will be between 10,500 and 12,000 by March 1, 1975. (This is a minimum figure. Actual applications could amount to as many as 12,000).
- (2) The Board drastically revised its current procedures of reviewing cases. The drastic change means near abandonment of the case-by-case approach. Several Board Members would object to this blanket approach, and other Board Members might consider it an abridgment of due process.
- (3) Two hundred and eighty (280) additional unreimbursible detailees are provided, (185 professionals and 95 secretarial/clerical). Detailees would continue and unanticipated funds would be used until June 30, the end of FY 1975. After that date, non-reimbursible detailees would be provided immediately. Appropriations for FY 76 would be requested from the Congress.
- (4) Five additional Board Members are named.
- (5) Board Member-days per month are increased to 90, and case review is increased to 3,500 cases per month by April 1.



Estimated Cost: \$95,000 + (Extra detailees may involve additional overhead.)

Sources: Unanticipated personnel needs fund.

Alternative B: (Completion by December 31, 1975)

Assumptions:

- (1) Same as A above (10,500 to 12,000 cases).
- (2) The Board partially revises its current procedures of reviewing cases.
- (3) One hundred and five (105) additional paid staff are provided (70 professionals and 35 secretarial/clerical).
- (4) One new Board member is named.
- (5) Board member-days per month are increased to 55, and case review is increased to 1100 cases per month by April 1.

Estimated Cost: \$1,365,000

Sources: \$95,000 for the remainder of FY 1975 from unanticipated personnel needs fund, plus \$1,270,000 from Congress for FY 1976.

Alternative C: (Completion by September 30, 1975)

Assumptions:

- (1) Same as A above (10,500 to 12,000 cases).
- (2) Same as B above (partial revision of current Board procedures).
- (3) One hundred-eighty (180) additional paid staff are provided (120 professionals and 60 clerical).
- (4) Five additional Board members are named.
- (5) Board member-days per month are increased to 90, and case review is increased to 1800 per month by April 1.

Estimated Cost: \$170,000

Sources: Unanticipated personnel needs fund. (Technically, OMB counsel says that unanticipated reserve funds cannot be obligated beyond June 30; however, this alternative anticipates completion by June 30 with a spillover of three months).



Clemency Board Allocation

THE WHITE HOUSE
WASHINGTON



Jack—

I checked the attached
out of Jay French — he
had no problem w/ it.

We both agreed,
however, that the
language used in the
last ~~is~~ sentence of
the last page is a
bit heavy — perhaps
necessary to meet the
requirements of dipping
into the "Unanticipated
Personnel Needs" fund.

R.

Date: March 5, 1975

Time: 9:00 a.m.

FOR ACTION: Jack Marsh
Ken Lazarus
Max Friedersdorf
Paul Theis

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: March 5

Time: 4:00 p.m

SUBJECT:

Additional Allocation for the
Presidential Clemency Board

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

oh!
gm

Sent to
Judy
3/6



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren H. Hendriks
For the President



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 3, 1975

SIGNATURE

MEMORANDUM FOR: THE PRESIDENT
FROM: JAMES A. LYNN
SUBJECT: ADDITIONAL ALLOCATION FOR THE
PRESIDENTIAL CLEMENCY BOARD

Attached for your consideration is an additional allocation in the amount of \$100,000 from the appropriation "Unanticipated Personnel Needs" to the Presidential Clemency Board. This amount will supplement the \$85,000 approved on September 26, 1974, to provide funds for the Board to operate during fiscal year 1975. The total allocation to the Board is now estimated to be \$185,000.

The increased allocation will provide for additional Board meetings necessary to speed up the review of applications. It will also provide sufficient funds for the Board to operate through fiscal year 1975.

RECOMMENDATION

That you sign the attached allocation of funds.

Attachment



THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR CHARLES E. GOODELL
Chairman, Presidential Clemency Board

SUBJECT: Additional Allocation for the Presidential
Clemency Board

Pursuant to the authority in the Treasury, Postal Service,
and General Government Appropriation Act, 1975 (Public Law
No. 93-381), I hereby allocate from the Appropriation
"Unanticipated Personnel Needs":

<u>To</u>	<u>Amount</u>
Presidential Clemency Board	\$100,000

for additional necessary expenses for operation and adminis-
trative costs of the Presidential Clemency Board established
under the authority of Executive Order No. 11803.

This additional allocation increases the total amount to the
Presidential Clemency Board to \$185,000 which should be suf-
ficient for the Board to operate through fiscal year 1975.

I hereby determine that this allocation is to meet unanticipated
personnel needs for an emergency affecting the national interest.



Clemency
Board

3/17

Goodell:

J
Get 10 members.

(1) 300-400 staff.

(2) Expand Board 12 to 18

July/Aug big load.

Clemency Board pick.

Finish off. get 10 new.

↓

Goodell ~~both~~ space to him.

Wants MARRS



BIOGRAPHICAL DATA

FRED J. AGNICH

II

BUSINESS ADDRESS: Suite 830 Park Central, 7540 LBJ Freeway, Dallas, Texas 75240

BUSINESS PHONE: 214-387-2588 and 214-387-2570

HOME ADDRESS: 5206 Kelsey Road, Dallas, Texas 75229, PHONE 214-368-6867

JUSTIN ADDRESS: House of Representatives, Room 411C, P.O. Box 2910, Austin, 78766

JUSTIN PHONE: 512-475-2636

AGE: 61 (Born July 19, 1913, Eveleth, Minnesota, Came to Texas in 1937)

FAMILY: wife, Ruth Welton Agnich, and sons William, Richard, James

DEGREE: Bachelor of Arts in Geology, University of Minnesota, 1937
Recipient of University of Minnesota Alumni Association
"Outstanding Achievement Award" - June 1972

BUSINESS ACTIVITIES: Previous - Geophysical Service, Inc., division of
Texas Instruments, President and Chairman of the Board;
Texas Instruments, Inc., Director

Present: Member of Texas House of Representatives;
Caddo Creek Ranch, owner and operator

ACTIVITIES:

Society of Exploration Geophysicists
Dallas Geological Society
Dallas Geophysical Society
American Geophysical Society
Patron of Science of Graduate Research Center for the Southwest,
Founding member
Greenhill School, Past Director, and Donor of Agnich Hall of Science
Dallas Historical Society
Dallas Petroleum Club
Dallas Wildcat Committee, Former Chairman
Circle Ten Council, Boy Scouts of America
National Advisory Board - Sports Fisheries and Wildlife
U.S. Department of the Interior, 1971, 1972
Dallas Crossroad Bond Program, Steering Committee
National Wildlife Federation
Izaak Walton League
Sierra Club
Ducks Unlimited



Republican National Committeeman - 1972, 1973, 1974, 1975
Republican Party of Dallas County - Chairman, 1967-69
Republican Party State Executive Committee - 1969-72

Elected 1970 Texas House of Representatives:

First Term Committees: Vice-Chairman Interim Committee for
Rules Reform
Member - Urban Affairs, Business and
Marketing, Common Carriers, Mental Health
and Mental Retardation, Parks and Wildlife
Charter Member - Dirty 30

Elected 1972 Texas House of Representatives:

Second Term Committees: Appropriations
Elections
Environmental Affairs, Chairman Subcommitt
on Wildlife

Elected 1974 Texas House of Representatives:

Third Term Committees: Appropriations
Environmental Affairs, Chairman Subcommitt
on Wildlife



PERSONAL HISTORY
OF
HARRY RIGGS
1211 Wayland St., Plainview, Texas

Age: 56 years
Born: Amarillo, Texas

Education: Graduated from Amarillo High School and graduate of Amarillo Junior College; Infantry School, Ft. Benning, Georgia, Officers Communications Course; Command and General Staff School, Leavenworth, Kansas; OPD Staff Officers School, Pentagon; Participation in Reserve Officers Training Program.

Military Record: Enlisted Private November 1, 1934; served as Corporal, Sergeant, Staff Sergeant, Technical Sergeant and Master Sergeant through November 24, 1940; commissioned Second Lieutenant November 25, 1940; discharged from active duty June 3, 1949 with rank of Major; July 1, 1953 joined U.S. Army Reserves with Selective Service; promoted November 24, 1956 Lt. Colonel; promoted November 23, 1964 Colonel; present rank Colonel. While on active duty, served 34 months European, African Middle and Eastern Theatres. Served through the North African and Italian Campaigns. October, November, December 1974 served full-time in Amnesty Section of National Headquarters of Selective Service, Washington, D.C.

Decorations: The Bronze Star, Cavaliere Crown of Italy; EAME Campaign Medal with 4 Bronze Service Stars; Selective Service Meritorious Service Award.

Business Background: Amarillo Hardware Company from 1936 through 1948 as salesman, except for time in service; Tri State Notions Sales Company, owner and operator 1948-1952; Harvest Queen Mill & Elevator Company, Vice President in charge of sales and development 1952-1973.

Member of the following organizations: Chairman, Hale County Airport Board 1970-1975; Plainview Bicentennial Committee; Elks Lodge; Reserve Officers Association; 36th Division Association; VFW; American Legion, Commander Post 260, Commander 19th District; Member of the National Advisory Board of the American Security Council.

Family:

Wife - Marian, age 53 years; married for 25 years and have 4 children.



References: Congressman George Mahon, 19th Congressional District of Texas; Mayor John Stoneham, Plainview, Texas; County Judge, Henry Heck, Plainview, Hale County, Texas.

Member of Bar:

District of Columbia
Virginia
US Court of Claims
US Court of Military Appeals
US Supreme Court

Member and/or officer:

Reserve Officers Association
Air Force Association
American Legion
Toastmasters
Delta Theta Phi Law Fraternity
Judge Advocates Association
Southeastern U Alumni Association
Federal Executive Institute Alumni Association
Federal Bar Association
DC Integrated Bar
Virginia Integrated Bar
AF Nurse Corps Foundation

Honors and awards:

Secretary of AF Exceptional Civilian Service Decoration
Secretary of AF Award of Special Recognition
Air Force Reserve Outstanding Service Award
Air National Guard Meritorious Service Award
Reserve Officers Association Brigade of Volunteers Plaque
New York City "JAGAR" Award
"Generals Legal Advisor" Plaque
Personnel Plans Commendation Plaque
Honorary Flight Nurse
Numerous lesser awards and commendations

Personal Information:

Marital: Formerly married; three adult sons
Religion: Presbyterian
Political Affiliation: Democrat (conservative)
Health: Good
Financial: Small holdings in 3 mutual funds; small savings in 3 accounts; residential property owned in Maryland and Spain.
Hobbies and activities: golf, bowling, spectator sports, public speaking, writing, performing arts, civic service.



31 BANK OF AMERICA

E. FREDERIC MORROW
VICE PRESIDENT

BIOGRAPHICAL SKETCH

NOW PRINCETON - URBAN EDUCATION PROGRAM

E. Frederic Morrow was born in Hackensack, New Jersey, the son of the late Reverend and Mrs. J. Eugene Morrow. He was educated in the Hackensack public schools, Bowdoin College, Brunswick, Maine and Rutgers University Law School (LLB and Juris Doctor), and received an LLD from Bowdoin College.

Prior to World War II he was, for five years, field secretary for the National Association for the Advancement of Colored People. He served in the Army during World War II, entering as a private in 1942 and discharged as a major of artillery in 1946.

After his stint in the Service, Mr. Morrow became a member of the public affairs staff of the Columbia Broadcasting System. He remained in that position for four years and then, in the fall of 1952, joined General Dwight D. Eisenhower's Campaign Train as an advisor and administrative assistant to the General.

In September, 1953 he became administrative assistant to the Secretary of Commerce and then, in July of 1955, went to the White House to become administrative assistant to President Eisenhower. Mr. Morrow was the first Negro in history to serve as executive assistant to the President of the United States.

Mr. Morrow served in the White House until January 20, 1961.

Leaving the White House, he became vice president of the African-American Institute, New York, a private foundation dedicated to the development of better cultural and educational relationships between the people of Africa and the United States.

41 BROAD STREET, NEW YORK, N.Y. 10004



In July, 1964 Mr. Morrow joined the Bank of America as an assistant vice president. He was promoted to a full vice-presidency in June, 1967.

He is a member of the National Advisory Committee of Jobs for Veterans; the Department of State's Advisory Council on African Affairs; the U.S. Marine Corps Advisory Committee for Minority Affairs; the Empire State College Council; the board of trustees of Huston-Tillotson College, Austin, Texas, and the board of directors of the United States Committee for Refugees.

He was twice decorated by the President of Liberia for befriending that country while serving on the White House staff (Knight Grand Commander of the Humane Order of African Redemption, and the Star of Africa).

Mr. Morrow is married to the former Catherine Gordon, of Chicago.

He is author of the books, "Black Man in the White House" and "Way Down South Up North."

* * *



R E S U M E

W. ANTOINETTE FORD

ADDRESS: 2909 Park Drive, S.E., TELEPHONE: (202) 583-7669 - Home
Washington, D. C. 20020 (202) 296-5511 - Office

EDUCATION:
Little Flower High School - Philadelphia, Pa. - 1959
Laval University - Quebec, Canada - 1960
B. S. Biology - Chestnut Hill College - 1963
M. S. Zoology (Teaching Fellowship) - American University - 1966
Oceanography Fellowship - Stanford University - 1967
Oceanography Certification - Department of Navy - 1968

CAREER OBJECTIVE:

My combined preparation and professional experience provides substantial expertise in the area of government and public affairs as applied to environmental issues.

My objective is to become a Washington representative for government and public affairs for a major corporation. Such a position must be challenging and hopefully would take maximum advantage of my training and experience.

EXPERIENCE:

1975 KAHL ASSOCIATES - Washington, D. C.
to Position: Research Consultant, Government and Public Affairs
Present Duties:
Research and develop government and public affairs programs for clients. Advise clients of the most viable approach for program implementation. Current emphasis, in the area of environmental issues, includes comparative analysis of existing and proposed regulatory legislation and their impact on company policy and programs. Attend conferences held by executive and legislative branches of government, and others sponsored by public interest groups.

1973 DISTRICT OF COLUMBIA
to Position: Councilmember (Presidential appointment)
1975 Duties:
Prescribe municipal and other regulations having the force and effect of law. Met regularly with members of business community, public interest groups, labor organizations, congressional and other government officials. Presented written and/or oral testimony before congressional committees. Officially served in the Council of Governments, the Research Advisory Council of the Washington Technical Institute, and the Community Advisory Group on Pennsylvania Avenue Development.



Significant Accomplishments:

- Chaired the Commercial and Economic Development Committee having oversight authority concerning budgets and contracting procedures for four major city government agencies.
- Established a Council committee to study the potential impact of cable television in the District and to draft possible legislation.

1973
to
1975

U.S. DEPARTMENT OF COMMERCE

Position: Marketing Specialist

Duties:

Functioned as a public liaison person; represented Director at meetings; prepared and delivered speeches. Met with and maintained regular contact with representatives of government agencies and private industries, to encourage the utilization of minority business services.

Significant Accomplishments:

- Developed marketing seminars for minority businessmen.

1972
to
1973

INSTITUTE FOR SERVICES TO EDUCATION

Position: Director of Development

Duties:

Acted as liaison for the President in interfacing with the government and business communities.

Significant Accomplishments:

- Successfully negotiated sizeable contracts for the Institute that were geared toward developing scientific research programs in conjunction with schools, colleges and universities.
- Developed a government and public affairs program for the Institute.

1971
to
1972

WHITE HOUSE

Position: White House Fellow

Duties:

Special Assistant to the Secretary of the Treasury

Significant Accomplishments:

- Instituted U.S. Treasury Department program establishing minority-owned concessions in U.S. Treasury buildings nationwide. First concession opened by Secretary George Schultz at Philadelphia Mint in August, 1972.
- Traveled to Sweden, East and West Africa for office of Vice President to determine feasibility of international trade between substantial minority-owned businesses and the countries visited.
- Served on Treasury Department task force responsible for increasing government deposits to minority-owned banks by \$81 million.

1969
to
1971

OGDEN CORPORATION - Washington, D.C.

Position: Program Coordinator

Duties:

Assisted in developing educational programs on oceanography and acted as the government and community liaison for such programs.

Significant Accomplishments:

- Coauthored a secondary textbook on oceanography.



Significant Accomplishments (cont'd)

- Developed the oceanography curriculum for an educational program that included training in water pollution control and ecology.
- Developed the government and public affairs approach for above projects to bring them to the attention of the community and to reinforce congressional committee support.

1968
to
1969

LIBRARY OF CONGRESS

Position: Science Reference Librarian

Duties:

Translated scientific articles from French to English.

Significant Accomplishments:

- Developed a thesaurus for use by the Pesticide Division.

1966
to
1968

NATIONAL OCEANOGRAPHIC DATA CENTER

Position: Oceanographer

Duties:

Scientist aboard survey cruises. Worked with the Department's Public Affairs Office in developing conferences and in speaking to local organizations, area schools and colleges.

Significant Accomplishments:

- Developed a thesaurus for biological computer system.
- Wrote and published several oceanographic articles.

OTHER ACTIVITIES AND TRAVELS:

- Consultant for "International Women's Year" planning committee.
- Hostess on regular radio program, "Public Hearing".
- Board of Trustees of Proctor Academy, New Hampshire.
- Member of several professional and business organizations.
- American Council of Young Political Leaders, Soviet Union - 1974.
- International Peace Academy Delegate, Finland - 1972.
- Children's International Summer Villages, Sweden - 1971
- Oceanography survey cruises, Mexico, Pacific Ocean, Central America - 1967-68
- White House Fellows, Asia, Africa, Europe - 1971-72.

HONORS AND RECOGNITIONS:

- White House Fellow - 1971
- National Science Foundation Fellow - 1967
- Outstanding Service Award, Presidential Classroom - 1972
- Most successful Under-30 Woman, New Woman Magazine - 1971
- Outstanding Service Award, Capitol City Republicans - 1975

Personal and work related references available on request.



NATIONAL ARCHIVES AND RECORDS SERVICE
WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
Resume	Resume for Timothy Lee Craig, 2 pgs.	N.D.	C

FILE LOCATION

Marsh Files, Box 1, "Amnesty-PCB Administration (Personnel & Funding)
(2)

RESTRICTION CODES

- (A) Closed by Executive Order 12356 governing access to national security information.
- (B) Closed by statute or by the agency which originated the document.
- (C) Closed in accordance with restrictions contained in the donor's deed of gift.

80 1/3/14

Lewis B. Puller, Jr.
1805 Windmill Lane
Alexandria, Virginia 22307
(703) 765-8860

Marital Status: Wife - Linda Todd Puller
Son - Lewis B. Puller, III (Age 6)
Dgtr.- Margaret T. Puller (Age 4)

Military: United States Marine Corps, November 1967 - September 1970
Physical disability retirement for wounds received in
Vietnam
Honorably discharged as First Lieutenant

Education:
High School: Christ Church School, Christ Church, Va.
College: College of William & Mary, Williamsburg, Va., A.B., 1967,
Major History, Minor English
Law School: Marshall-Wythe School of Law, College of William & Mary,
Williamsburg, Va., J.D., June 1974

Experience: June '73 - Aug. '73: Legal Intern, Veterans Administration,
Washington, D.C.
Sept. '74 - Dec. '74: Staff Attorney for General Counsel,
Veterans Administration, Washington, D.C.
Dec. '74 - Apr. '75: Staff Attorney, Presidential
Clemency Board

Personal: Member, Virginia State Bar
Judicial Council while in law school
Phi Alpha Delta Legal Fraternity
Decorations for Military Service:
Silver Star
2 Purple Hearts
Navy Commendation Medal with Combat "V"
Vietnamese Cross of Gallantry, etc.



JOAN VINSON
2607 Childs Lane
Alexandria, Virginia, 22308
(703) 780-4126 Home
(202) 634-1791 Office
-776

PROFESSIONAL BACKGROUND

Public Affairs Officer, American Revolution Bicentennial Administration,
1972-Present

National Coordinator, National League of Families of American POW/MIA,
1970-1972

Business Manager, American Oil School, Tripoli, Libya, 1960-1962

Teacher, Victorville, California, 1954-1957

Executive Secretary, Athletic Coaching Staff, University of Florida, 1951-1952

EDUCATION

Mississippi State College for Women, 1947-1948

University of Mississippi, 1948

University of Florida, 1948-1951, BSE

School of Fashion Design, Los Angeles, California, 1953-1954

School of Interior Design, Columbia, South Carolina, 1957-1958



PROFESSIONAL EXPERIENCE

Joan Vinson is currently a Public Information Officer for the American Revolution Bicentennial Administration (ARBA). She is responsible for developing public information programs for the ARBA. Her responsibilities include preparing news releases; disseminating news to the appropriate media; conducting news conferences, providing public information and news items for local and national publications and radio and television stations;

Page 2
RESUME
JOAN VINSON

and coordinating and disseminating news and information relating to the agency.

Prior to her present position, Mrs. Vinson was solely responsible for originating and organizing nationwide campaign which kept the issue of the war and prisoners of war and missing in action before the public through the political candidates in the 1972 presidential election year. She established and maintained active association with Republican and Democratic National Committees, State chairmen, national organizations, Congress, media, Defense Department and the White House.

From 1970 until 1972, Mrs. Vinson was the first National Coordinator of the National League of Families of American Prisoners and Missing in Southeast Asia. The problem of the American prisoners of War and Missing in Action in the Vietnam war was one of the most poignant our nation had faced. After years of frustration and lack of information on the more than 1600 servicemen missing in the Indochina conflict, the families of these men banded together to attempt to make their plight a national issue. Mrs. Vinson was elected as their first National Coordinator. This office was essentially that of President of a large organization with more than 2700 members with problems and programs of the greatest magnitude and international scope. Her duties included administration of a tax-exempt foundation with funding in the \$200,000.00 range; supervising the tasks and energies of approximately 100 full time and volunteer personnel; keeping abreast of all governmental, political and legislative action regarding the war and the POW/MIA problem; informing the public and appealing for support; traveling throughout the world; meeting with heads of state and top officials of other governments in an effort to gain their help; speaking to a variety of large groups and associations on this subject; and dealing with national and local media.

Mrs. Vinson served as the Business Manager for the American Oil School in Tripoli, Libya, from 1960 until 1962. This school had an enrollment of approximately 500 students and was established and supported by American Oil companies for the education of employees' children. During that time, she was also the social/public affairs liaison between Wheelus Air Force Base and the government of King Idris.

Prior to this, she taught a variety of subjects including history, English and math to U. S. Airmen for a period of three years.

Other occupational experience include: executive secretary for the entire coaching staff at the University of Florida, fashion designer, and interior decorator.





MELVIN R. LAIRD
Senior Counsellor, National and International Affairs

September 26, 1974

Mrs. Joan Vinson
2607 Childs Lane
Alexandria, Virginia 22308

Dear ~~Mrs. Vinson:~~

General James did call me concerning your interest in a position on the Clemency Board. I believe you would make a valuable contribution and I will be pleased to make this recommendation to the White House.

With best wishes and kindest personal regards,
I am

Sincerely,

Melvin R. Laird



THE WHITE HOUSE
WASHINGTON

May 5, 1975

JACK:

I discussed the attached nominees with Ted Marrs. Obviously, Ted agrees with me that all nine should be conservatives. Under the circumstances, however, Ted also agrees that these nominees are about as good as we are going to do. I would, therefore, recommend your approval of the entire list.

^R
RUSS

rs



~~MAY~~ 2 1975

THE WHITE HOUSE
WASHINGTON

May 1, 1975

NOTE FOR JACK MARSH:

I would appreciate your review of the attached list of nominees. Please let me and Bill Walker know of your concurrence or of any problems you may have with the list.



Charles E. Goodell

Monsignor Lally's resume will be going to Bill Walker's office.



PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

May 1, 1975

CONFIDENTIAL

MEMORANDUM FOR: WILLIAM WALKER
FROM: *Charles E. Goodell*
CHARLES E. GOODELL
SUBJECT: Appointment by the President of Additional
Members of the Presidential Clemency Board

On behalf of the members of the Presidential Clemency Board, I submit to you and to the President the nine nominees for additional positions on the Board. The names are the product of extensive consultations with members of the Board, officials of the military and of veterans' organizations, and members of the White House staff. Each nominee has been very carefully checked with respect to the criteria explained below.

The list was drawn up on the basis of two critical presumptions: (1) The Board should remain, as it now is, ideologically balanced. Consequently, I am forwarding to you three nominees whom I expect to be liberal in granting clemency, three whom I expect to be moderate, and three whom I expect to be conservative. This composition of the list will facilitate the establishment of six three-person Board panels, with a liberal, a moderate, and a conservative on each panel. (2) The Board should be perceived to be, as well as actually being, ideologically balanced and therefore representative of the country. We have erred on the side of conservatism, since military backgrounds are heavily represented in the liberal and moderate contingent.

In selecting individuals, I have applied several further criteria: (1) availability for a minimum of four days per week between May 1 and September 15, with ability to free up extra time if necessary during the last two months of that period, (2) support of the President's clemency program, as opposed to either support of unconditional amnesty or opposition to any kind of clemency at all, and (3) prior knowledge of some of the problems associated with Selective Service law and military service.



The Board nominees are:

1. Joan Vinson: founding National Coordinator, National League of Families of American POWs/MIAs; Director of Public Affairs for the Board. Approximately fifty years old. Liberal.
2. Monsignor Francis J. Lally: Secretary of the Department of Social Development and World Peace. Early Fifties. Liberal. U.S. Catholic Conference.
3. Lewis Puller: Staff attorney with the Board, on loan from Office of the General Counsel, Veterans Administration. Lost both legs, and hands severely mangled, as a Marine Lieutenant in Vietnam. Son of Marine General "Chesty" Puller. Late twenties. Liberal.
4. Timothy L. Craig: President, National Association of Concerned Veterans (non-ideological Vietnam veterans' organization). Former Marine. Thirty-one. Moderate.
5. Antoinette Ford: Consultant; formerly White House Fellow in Office of the Secretary of the Treasury under George Schultz and John Connally; formerly member of Washington City Council, by Presidential appointment. Black. Early thirties. Moderate.
6. E. Frederic Morrow: Director, Institute for Urban and Minority Education, Educational Testing Service, Princeton; formerly Vice President, Bank of America; first black commissioned White House staff member, as Administrative Assistant to President Eisenhower. Fifties. Moderate.
7. John A. Everhard: Retired Air Force Colonel; formerly Chief, Administrative Law Division, Office of the Judge Advocate General, USAF. Active in Reserve Officers Association and Air Force Association. Fifty-six. Conservative.
8. Harry Riggs: Retired Army Colonel; long experience at national headquarters of the Selective Service System. Active in Reserve Officers Association, American Legion, and American Security Council. Vigorous personal recommendation by Congressman George Mahon. Fifty-six. Conservative.
9. Fred J. Agnich: Texas House of Representatives; Republican National Committeeman from Texas. Fifty-three. Conservative.

Attachments: Resumes of Nominees

cc.: PHILIP BUCHEN
JOHN O. MARSH



FOR IMMEDIATE RELEASE

MAY 7, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

EXECUTIVE ORDER

AMENDING EXECUTIVE ORDER NOS. 11803, 11837, AND 11842
TO PROVIDE AUTHORITY TO INCREASE THE NUMBER OF
MEMBERS OF THE PRESIDENTIAL CLEMENCY BOARD

By virtue of the authority vested in me as President of the United States by Section 2 of Article II of the Constitution of the United States, Section 1 of Executive Order No. 11803 of September 16, 1974, is hereby amended as follows:

By adding the following at the end of the last sentence, "The President may appoint such additional members to the board as he shall from time to time determine to be necessary to carry out its functions."

GERALD R. FORD

THE WHITE HOUSE,
MAY 7, 1975

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THE WHITE HOUSE

WASHINGTON

May 13, 1975

MEMORANDUM TO: JACK MARSH

FROM: RUSS ROURKE *R*

* Jack, Rick Tropp called to relay Charlie Goodell's request that the President have a formal swearing-in, picture-taking ceremony for the new members of the Clemency Board (to be followed by a press conference). I am advised that, even though the Members of the Board have been "informally" sworn-in by Charlie Goodell, it's felt that a Presidential ceremony would be of immense help in "energizing" the new and old Members of the Board.

There are eight new Members with two vacancies (a search is currently underway to locate a Conservative and Moderate-Conservative to fill the latter two billets). Goodell had indicated that, because of the heavy Presidential schedule last week, it was not possible to schedule a swearing-in ceremony.

* I have no
objection
in
15 May
RHR advised Tropp

