The original documents are located in Box 1, folder “Administrative Matters” of the Charles E. Goodell Papers at the Gerald R. Ford Presidential Library.

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MEMORANDUM FOR: PAUL O'NEILL, DEPUTY DIRECTOR
OFFICE OF MANAGEMENT & BUDGET

FROM: CHARLES E. GOODELL
CHAIRMAN

SUBJECT: CLEAKEYT BOARD OPERATIONS

Pursuant to your memo of July 3, requesting certain additional statistics on the operation of the Presidential Clemency Board, let me submit the following information, current as of COB July 10th:

| 1. Total applications logged | 17,324 |
| 2. Total current caseload | 16,186 |
| 3. Case summaries dispatched for Board review | 9,210 |
| 4. Cases completed by the Board | 8,517 |
| 5. Cases forwarded to the White House for Presidential signature | 652 |
| 6. Total warrants signed by the President | 572 |

Footnotes:

1. This number will increase only slightly as we continue to receive information perfecting applications filed before March 31.

2. The difference between applications logged and the current caseload reflects the number of ineligible applications we have thusfar identified after logging.

3. The number of cases prepared by attorneys is 11,499. The difference of 2,686 represents cases awaiting typing, duplication, etc.

4. Some cases decided by board Panels are held for reconsideration prior to being sent to the President for approval.

5. Under Board rules, each applicant has 30 days from the time of the mailing of his case summary to respond with corrections. The great bulk of cases was not decided until the beginning of the first week of June and the summaries were mailed contemporaneous with board consideration. Approximately 1600 will be forwarded for signature late this week.

6. The last transmission of 280 recommendations was sent on 27 June, 1975.
The Presidential Clemency Board staff has had a management information system operating for some time. I respect the oversight in not sending you information of this nature in the past. Should you or your staff wish a more comprehensive analysis of the Clemency Board production, I will be glad to have them give a briefing to you.

The Clemency board has had a docketing system in place and operating as of the time the Board began meeting on a daily basis beginning the first of June. This system has been working well and has insured that the Board has had docketed and available for consideration 1300 to 1500 cases each week. I anticipate no difficulty in the staff's continuing to have prepared the requisite number of cases each week in time for the bulk of the cases to have been reviewed by our scheduled goal of mid-August. I do anticipate, however, a small number of extremely difficult cases for which we have been unable to receive adequate records and which will necessitate fairly extensive staff investigative efforts to obtain information sufficient for board deliberation.

The Presidential Clemency Board staff is now preparing a plan for the carry-over work that may exist after September 15. A report on this plan is being prepared for Mr. Peale and will be delivered shortly. While it is possible at this point to predict the nature of the work that will exist after September 15, the volumes is subject to a number of variables which we cannot predict with any degree of assurance at this time. It will involve such variables as the number of appeals taken from Presidential decisions and Clemency Board rulings, the number of cases received from the Board's responsibility under the Executive Order for certifying satisfactory completion of alternative service. This latter is an especially difficult problem since the bulk of alternative service required of applicants will obviously be completed after September 15.

The Board's staff has had continuing discussions with archives as to the nature of the requirements of disposal of the Board's records. We are still awaiting a report from them as to their requirements. With respect to records received from other agencies, we have decided not to begin sending these records back until late in August with some few exceptions, because of the possibility that we will have to refer to these cases again in the intervening period.

I hope this information is helpful to you and I will continue to supply the figures on a regular basis heretofore.
PCB Mail System

Mail is picked up on the front curb of 2033 M Street at 10:20AM, 12:20PM and 2:20PM. Mail is received from and delivered to the OEOB each morning and afternoon. It is opened, sorted into appropriate slots, and ready for pick-up at the mail counter on the 5th floor at 11:00AM, 1:00PM AND 3:00PM.

Each floor and New Hampshire Avenue have people designated to pick up the mail. Please see the attached list of Mail Personnel.

Distribution of the mail on each floor and New Hampshire Avenue will be the responsibility of the person on that list.
<table>
<thead>
<tr>
<th>Floor</th>
<th>Name</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Hampshire Building</td>
<td>Harold G. Long</td>
<td>634-4364</td>
</tr>
<tr>
<td>2nd Floor</td>
<td>Mia Nicholas</td>
<td>254-6947</td>
</tr>
<tr>
<td>3rd Floor</td>
<td>Jade Hall</td>
<td>634-4858</td>
</tr>
<tr>
<td>4th Floor</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>5th Floor</td>
<td>Mark Miller</td>
<td>254-7951</td>
</tr>
<tr>
<td>6th Floor</td>
<td>Ruth Hausman</td>
<td>634-4826</td>
</tr>
<tr>
<td>7th Floor</td>
<td>Mary Liekweg</td>
<td>254-6967</td>
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<tr>
<td>8th Floor</td>
<td>Eldora Robinson</td>
<td>254-6460</td>
</tr>
<tr>
<td>9th Floor</td>
<td>Mark Miller</td>
<td>254-7951</td>
</tr>
</tbody>
</table>
The Board may establish changes in individual sections as it deems necessary. The Board reserves continuing comment on problems which may arise in the implementation of the Board’s procedural changes, together with procedures and invites recommendations on how these procedures may be improved.

Several dozen technical changes have been made in these regulations in response to comments and suggestions which were presented to the Board. Some clarify significantly the rights and procedures available to applicants. The following is an explanation of these changes and how they seem to the Board to be most significant:

Section 102.1 has been added to incorporate the criteria for determining whether or not a person is eligible for consideration by the President Clemency Board. It restates the criteria established in Proclamation 3181 (Amendment to the President’s Proclamation for the Board of Vietnam Era Draft Waivers and Military Discharge, 1919) and repealed in Executive Order 11823 (Establishing a Clemency Board).

Remedies. Section 101.4 has been added to explain the remedies available to the President Clemency Board. It states the authority with which the Board has jurisdiction, which is limited to the execution of the President’s pardon. In this latter context, the Board’s jurisdiction is limited to hearing a case and making recommendations to the President Clemency Board.

A Presidential pardon restores these federal civil rights lost as a result of a felony conviction. State law recognizes Presidential pardons as a matter of fact, usually ensuring the right to vote in federal and state elections, to hold public office, and to obtain licenses for trades and professions from which convicted felons are barred under state law. These convictions by military courts-martial are treated as felony convictions by many states, and those who fail to satisfy the conditions of the pardon may be denied the benefits of a pardon because they may have convictions that are treated as felony convictions.

A Clemency Discharge neither entitles its recipient to veteran benefits nor bars his receiving those benefits to which he is otherwise entitled. The Veterans Administration and other agencies may extend veterans’ benefits to some holders of a Clemency Discharge, but it is contemplated that most will not receive veterans benefits.

Availability of files to applicants and their representatives. Section 101.1(c) clarifies which files an applicant and his representative have a right to see. At the offices of the Board, information collected by the Board independently of any other government agency is readily available to an applicant or his representative. All files obtained from other agencies are available to the extent not barred by the rules of the agency owning the file. For example, the Selective Service System file is available to him and his representative. Files from other agencies are cited in a summary which they are used as the basis of statements in that summary. Reason for refusal to access to any of these files is stated in writing upon request.

A request for access to a case summary, a supporting case summary, and the materials submitted by the applicant when his representative act as described in § 101.8(b) and 101.8(c), and together, were either nuclear or overtread. A completed case summary. The completed case summary consists of the case summary, amendments as described in the § 101.8(c) and (d), and the materials submitted by the applicant and his representative as described in § 101.8(b). Where, in the opinion of the Board, there is a conflict of fact, false statement, or omission material to the Board’s consideration of an aggravating or mitigating circumstance, as specified in §§ 101.3 and 101.4, the case is labelled. The action attorney is instructed to obtain additional facts.

In response to comments from the public, the Board is to consider an applicant’s petition for reconsideration. In the proposed regulations, consideration of such petition by the Board was a matter of discretion. This amendment limits the circumstances under which reconsideration will be granted, but provides that when an application shows that any of these circumstances are present, reconsideration will be granted as a matter of right.

Announcing a Program for Clemency Discharge, Section 101.12 provides that grants of immediate pardon by the President are transmitted formally to other government agencies, as appropriate. Pending completion of the alternative service requirement, grants of conditional clemency are communicated to another federal agency only to the extent this information is necessary for the agency to perform its functions under the clemency program or for other necessary action respecting the applicant. Upon completion of alternative service, notification of the pardon is forwarded to all appropriate agencies. Denial of Clemency by the President is held confidential.

The intent of this section, adopted here to replace the requirement to states that a person who applies for clemency should notify the Board in his pursuit of other remedies through the military services’ discharge review processes or elsewhere.

Other remedies available to applicants. Section 101.13(b) requires that Board staff inform all applicants to the Board and persons who inquire about the clemency program, but are clearly not eligible under the Board’s jurisdiction, of the availability of other remedies under the military services’ discharge review processes or elsewhere. A federal order results in a denial of clemency.

The Federal Register, Vol. 40, No. 56—Friday, March 21, 1975
§ 101 Purpose and scope.

This part establishes the procedures of the Presidential Clemency Board. Certain other matters are also treated, such as the assistance to be given to individuals requesting determinations of jurisdiction, or requesting information respecting those parts of the Presidential Clemency Program which are administered by the Department of Justice under the Department of Justice regulations (39 FR 22297).

§ 101.6 Application form.

(a) In order to comply with the requirements of Executive Order 11803, an amended, an individual must make an initial filing to the Board not later than March 31, 1975. The Board considers sufficient as an initial filing any written communication postmarked not later than March 31, 1975, and received by the Board, the Department of Justice, the Department of Transportation, or the Selective Service System. In the communication an individual or his representative must request consideration of the individual's case or raise questions which evidence a serious interest in applying for the program. Oral applications made not later than March 31, 1975 are considered sufficient if reduced to writing and postmarked not later than May 31, 1975.

(b) If an initial filing is made by a representative, the case is not considered by the Board unless and until the applicant submits a written confirmation of his clemency application. This confirmation by the applicant may be sent either directly or through a representative, but it must be received not later than May 31, 1975. A statement by an attorney that he is acting on behalf of an applicant is insufficient. Applications by a representative on behalf of an applicant may be considered by the Board where good cause is shown why the applicant is unable to apply.

§ 101.6 Application form.

(a) Upon receipt of an initial filing, a member of the Board's staff makes a determination of probable jurisdiction. Persons who are clearly beyond the Board's jurisdiction are so notified in writing. A person who questions this determination should promptly write the General Counsel, Presidential Clemency Board, The White House, Washington, D.C. 20500, stating his reasons for questioning the determination. The General Counsel of the Board makes the final determination of probable jurisdiction.

(b) If the Board is empowered only to make recommendations to the President on clemency applications, the Board has no final authority of its own. The Board may recommend to the President that he take one or more of the following actions:

(1) Grant an unconditional pardon without a requirement of alternative service;

(2) Grant a conditional pardon upon the satisfactory completion of a specified period of alternative service not to exceed 12 months;

(3) Grant a clemency discharge in substitution for a Dishonorable, Bad Conduct, or Undesirable Discharge;

(4) Commute the sentence; or

(5) Deny clemency.

(c) In unusual circumstances and as authorized by Executive Order 11803, the Board may make other recommendations as to the form that clemency should take. This would only be done in order to give full effect to the intent and purposes of the Presidential Clemency program.
(a) Upon receipt by the Board of the completed application form or of information sufficient for the Board to request the records and files specified in paragraph (b) of this section, the application is reviewed for preliminary determination of the Board's jurisdiction. If it appears that the Board has jurisdiction over the case, a file is opened and a case number assigned. The Board will notify the federal government agency possessing the relevant records and files as to the filing of the application. Appellants and other parties have the right to request that the Board consider other pertinent files. The Board will attempt to complete its review within a reasonable time.

(b) In normal circumstances, the relevant records and files pertinent to the case are obtained from the Board, and records and files from other agencies are made available to the Board. The Board is not required to request additional information or files from the Board or other agencies. A person who requests a copy of the record or file to which he has a right under Federal law may obtain a copy of the record or file from the Board, in the discretion of the Board, and in the manner prescribed by the Board. Where necessary, the Board may make additional facts available to the Board. Where necessary, the Board may make additional facts available to the Board. The Board may require an applicant to submit additional sworn statements, if necessary, in order to make a proper determination.

(c) The Board shall not issue a final decision on an application unless it has considered all relevant information and made a determination. An applicant is entitled to request a hearing before the Board. The Board shall hold a hearing in accordance with the provisions of this subchapter. The Board shall issue a final decision on an application unless it has considered all relevant information and made a determination.

(d) An applicant who requests a hearing before the Board shall be entitled to present evidence in support of his application and to be heard by the Board in accordance with the provisions of this subchapter. The Board shall issue a final decision on an application unless it has considered all relevant information and made a determination.

(e) The Board shall not issue a final decision on an application unless it has considered all relevant information and made a determination.
(c) All a regularly scheduled Board meeting, a majority of the Board being present, will reconvene the applicant's case if the applicant's petition shows one or more of the following circumstances: (1) material, to the disposal of the case, which the Board shall deemed, provided that the applicant's case is made to the Board's knowledge why such facts were not submitted in the original application, for purposes of this section, considered material if they relate to presence or absence of propitious service upon occurrence of a remaining circumstance under § 101.4; or to calculation of length of alternative service under § 102.62.6.

(2) Material error in the complete case summary or other documentary evidence furnished by the Board that was material to the Board's disposition of the case and detrimental to him:

(c) (3) Procedural error that was material to the Board's disposition of the case and detrimental to him:

(c)(3) Leave unchanged its original recommendation;

(c)(3) Where executive clemency was not granted, recommended to the President that he grant it in accordance with such terms and conditions as may be appropriate;

(c)(3) Where executive clemency was granted, recommended that the President, if he wishes or if circumstances so dictate, increase the length of alternative service should he diminish the length of alternative service on which the grant of clemency was conditioned or immediately grant it a full and unconditional pardon.

(c)(3) Applicants requesting reconsideration in writing of the Board's decision, together with the reasons.

§ 101.12 Transmittal to other agencies.
(a) The Chairman of the Board may forward for further action to the appropriate department or agency of the United States government, the Secretary of Transportation, the Secretary of the Army, Navy, and Air Force, or the head of the Selective Service System, and the Attorney General, as he considers appropriate, only such information about the President's decision as is necessary for their judgment as to whether to perform its functions under the President's clemency program or for other necessary action respecting the applicant.

(b) On decision by the President to deny executive clemency to a person who has been discharged from obligations under the law for his offense is not transmitted by the Board to any other agency of the United States Government or to any other person, public or private, except the applicant or his representative.

§ 101.13 Confidentiality of information.
(a) 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 interpretation of necessary official records and files. The application form requires the disclosure of the name, address, service member, military branch and service number, military branch and service number, status of discharge, and the date of the discharge, and the mailing address and telephone number of either the applicant or his representative.

(b) The Board takes all steps in its power to protect the privacy of applicants and potential applicants to the President's program. The Board recommends that, if necessary, the personal information concerning an applicant or potential applicant is released under the applicable laws or disclosures necessary for the proper functioning of the Board (e.g., to the Selective Service System) so that alternative service may be performed or unless required by law.

(c) Information which reveals commission of a serious crime, unrelated to any offense subject to the jurisdiction of the President's clemency program is forwarded to the appropriate authorities.

(d) As required by law, the name (but only the name) of a recipient of clemency is released to the public.

(e) All personal information obtained by the Board in the course of reviewing an applicant's case, except information obtained from other agencies, is sealed by the Board. This happens when the applicant has received his pardon from the President or when the Board's operations terminate, whichever is later.

(f) Upon announcement of the President's decision of a case, the Board may publish a summary of that case and the removal of all information likely to identify the individual.

§ 101.14 Representation before the Board.
(a) Although an applicant may bring his case before the Board without a representative, each applicant is advised of his right to representation and encouraged to seek counsel experienced in matters of a selective service law. A representative need not be an attorney, although legal counsel is recommended to applicants. The Board staff advises interested applicants of the private sources which are available to provide counsel.

§ 101.15 Requests for information about the Clemency Program.
(a) Upon receipt by the Board of a request for information from an individual clearly not within the jurisdiction of the Board, the Board shall attempt to determine his eligibility for any other part of the President's clemency program. If requested, the Board attorney preserves the confidentiality of the individual's location.

(b) A member of the Board's staff also informs any individual of other resources available to him, including those from the Departments of Justice and Defense and through judicial procedures.

§ 101.16 Purposes of Board clemency, and of the start of alternative service.
(a) An applicant may request that the Board defer consideration of his case for a reasonable period of time. Such determinations are liberally granted provided that they do not result in an undue disruption of the Board's operations or delay the final termination of the Board's operations.

(b) An applicant who has been granted executive clemency condition upon a period of alternative service may ask for the postponement of the beginning of his period of alternative service for a reasonable period of time. The reasons for which a postponement may be granted include personal hardship and compelling obligations. The Board makes every effort, consistent with its own authority and that of the Selective Service System, to accommodate postponement requests.

2. Full 102 is added to read as follows:

PART 102-SUBSTANTIVE STANDARDS
Sec. 102. Purpose and scope...

102.3 Board recommendations.

102.4 Mitigating circumstances.

102.5 Calculation of length of alternative service.

§ 102.1 Purpose and scope.

This section sets the standards which the Board employs in deciding whether or not to recommend that the President grant executive clemency, whether or not clemency should be conditioned upon satisfactory completion of a period of alternative service, and, if so, the length of this alternative service.

§ 102.2 Board recommendations.

In each case the Board decides first whether or not it will recommend to the President that the applicant be granted executive clemency. In reaching the decision, the Board considers the aggravating circumstances in § 102.3 and the mitigating circumstances in § 102.4.

§ 102.3 Aggravating circumstances.
(a) Presence of any of the aggravating circumstances listed below may either disqualify an individual for executive clemency or cause the Board to recommend to the President a period of alternative service exceeding the applicant's "baseline period of alternative service," as determined under § 102.5.

(b) Aggravating circumstances of which the Board takes notice are:

(1) Other adult criminal convictions;

(2) False statement by applicant to the President's Clemency Board;

(3) Use of force by applicant collateral to AWOL, desertion, or missing movement or draft evasion offenses;

(4) Desertion during combat;

(5) Being in a draft board failing to give false information on draft registration;
§ 102.5 Mitigating circumstances.

(a) Presence of any of the mitigating circumstances listed below or of any other appropriate mitigating circumstance is considered as cause for recommending that the President grant executive clemency to an applicant, and as cause for reducing the applicant's alternative service below the baseline period, as determined under § 102.5.

(b) Mitigating circumstances of which the Board takes notice are:

(1) Lack of sufficient education or ability to understand obligations or remedies available under the law;

(2) Personal and family problems either at the time of offense or if applicant were to perform alternative service;

(3) Mental or physical condition;

(4) Employment and other activities of service to the public;

(5) Service-connected disability, wounds in combat or decorations for valor in combat;

(6) Period of creditable military service;

(7) Tour of service in the war zone;

(8) Substantial evidence of personal or cultural unfairness;

(9) Denial of conscientious objector status of other claim for Selective Service exemption or deferment, or of a claim for a hardship discharge, compassionate reassignment, emergency leave, or other removal available under military law, on procedural, technical, or improper grounds, or on grounds which have subsequently been held unlawful by the judiciary;

(10) Evidence that an applicant acted for conscientious, not manipulative or selfish reasons;

(11) Voluntary submission to authorities by applicant;

(12) Behavior which reflects mental stress caused by combat;

(13) Volunteering for combat, or extension of service while in combat;

(14) Above average military conduct and proficiency; and

(15) Personal decorations for valor.

An applicant may bring to the Board's attention any other factor which he believes should be considered.

§ 102.5 Calculation of length of alternative service.

(a) Having reached a decision to recommend that the President grant executive clemency to a particular applicant, the Board will then decide whether or not clemency should be conditioned upon a specified period of alternative service and, if so, what length that period should be.

(b) The starting point for calculation of length of alternative service shall be three (3) months.

(c) The starting point will be reduced by three times the amount of prison time served.

(d) The starting point will be further reduced by the amount of prior alternative service performed, provided that the prescribed period of alternative service has been satisfactorily completed or is being satisfactorily performed.

(e) The Board may consider aggravating circumstances as cause for recommending clemency upon satisfactory completion of a period of alternative service that is less than the applicant's baseline period of alternative service, for recommending an immediate pardon.

(f) In no case will the baseline period of alternative service be less than three (3) months.

(g) For applicants who have received an Undesirable Discharge from a military service, the baseline period of alternative service shall be three (3) months.

(h) The Board may consider aggravating circumstances as cause for recommending clemency upon satisfactory completion of a period of alternative service that is less than the applicant's baseline period of alternative service, for recommending an immediate pardon.

(i) In cases in which aggravating circumstances are present and are not, in the Board's judgment, balanced by mitigating circumstances, the Board may consider such aggravating circumstances as cause for recommending clemency upon satisfactory completion of a period of alternative service exceeding by three (3), six (6), or nine (9) additional months, the applicant's baseline period of alternative service. In extraordinary cases, as an alternative to denying clemency, the Board may increase the baseline period to a maximum of not more than 24 months.

PART 201—[REVOKED]

5. Part 201 is revoked.

PART 202—[REVOKED]

4. Part 202 is revoked.

IRP Dec.10-7966 Filed 3-30-79; R-64 am
MEMORANDUM FOR ALL STAFF PCB
FROM DARLENE BANKS, KEY OPERATOR
SUBJECT XEROXING

The purpose of this memo is to set forth the guidelines on the use of the xerox machines located in Room 605-A.

There are two machines located on the sixth floor in the above room. I (Darlene Banks) will be the "key operator" for both machines. The first machine will be for everyone in the PCB Program and the second is for large projects only (100 or more copies) which I will do myself.

The hours the xerox machine's being used is 9:00 a.m. to 5:30 p.m., and no one is to use the machine before 9:00 a.m.

Anyone working late and think that they will be needing me to do some xeroxing or need the machine please notify me before 5:30 p.m.

Everyone's cooperation in this matter will be greatly appreciated.
MEMORANDUM FOR: ALL HANDS
FROM: LAWRENCE M. BASKIR
SUBJECT: Reorganization of PCB Staff Channels

As most everyone knows, the PCB was examined closely last week by a team of experts selected from throughout the Executive Branch. The team was chosen by the Deputy Director of OMB at the direct request of the President.

I'm sure you've all felt some of the fall-out from this review. It will no doubt result in some amount of discomfort as we change our operation to respond to their suggestions. I hope the unsettling time will be short, and the result will be better work, done in a more organized fashion, and at a consistently high quality in line with our obligations to the President and to the individuals whose lives we are affecting.

As always, I rely on the staff not only to respond conscientiously to requirements, but also to assist me and the Chairman and the rest of the Board with ideas, criticisms, and suggestions. I hope that we will not sacrifice the collegial, informal and personal qualities that have been such a large element in our successes thus far. It is important not only that we finish by September 15, but that we can take pride in the quality of our accomplishment. The staff has performed above all reasonable demands the past few weeks and I thank you all for this. If the performance and enthusiasm is maintained for the next 4 months, I am confident about the results.

One important requirement is that we clarify organizational responsibilities throughout the staff. I have asked Bob Knisely, the Deputy General Counsel, to take responsibility for all aspects of the legal production and presentation of cases. Action Attorneys will report through their assistant team leaders and team leaders to John Foote and Ray Mitchell, who in turn will be responsible to Bob.

Similarly, Gretchen Handwerger, the PCB Chief Administrative Officer, will direct the administrative side of the operations, with budget, personnel, building services, files, record-keeping and the like under her responsibility.
Both Bob and Gretchen will report to me, and I will ask all others to clear matters with them so that they can be brought to my attention in an organized and coherent fashion.

I hope this will clarify some questions. If there are others, I hope each of you will see that they come to the attention of the proper person.

Thank you!
TO: Paul O'Neill
FROM: Charles Goodell

The appendix referred to in the memo will be forwarded under separate cover this afternoon.
Second, although we obviously are making every effort to adopt the suggestions of the team, I am concerned that these projections may not be valid. The Survey team’s calculations are based on assumptions which are untested by experience, and which may prove overly optimistic. My judgment that we need the additional complement of 100 interns is based on our experience to date with attorney production. This includes uncertainties in the assumption of the staff’s production in June under very different circumstances from the past, the difficult personal circumstances under which our attorneys are working, and the very real worry many of them have about the harmful effects of this detail on their career opportunities in their home agency.

In view of the fact that meeting the President’s goal is the most important element in our calculations, the 100 additional interns should not be a major matter in dispute. The additional interns will provide the margin of insurance for the PCB. Should the Survey team’s calculations prove to be incorrect, our options in mid-June will be seriously limited. On the other hand, if additional interns prove to be unnecessary, they will enable the Board to return less productive, full-time attorneys at about the GS 12 level to their agencies.

I want to express to you in the strongest terms my conviction that we cannot afford to cut things so close and unnecessarily risk additional problems.
MEMORANDUM

TO : Distribution List E

FROM : Robert A. Knisely
       Deputy General Counsel

SUBJECT: Workload

There is an ugly rumor floating around that we are almost out of cases and therefore almost out of work. As of May 30, 1975, there were about 9,400 records which had not been assigned. It is even more significant that President Ford had only been sent a total of 373 cases. (see attached pipeline chart) While the 9,400 figure may be a few thousand too high, it is quite obvious that until we have sent more than 2% of our caseload to the White House, we are hardly over the hump.

In the event that we do get ahead of schedule, detailees will go back to their agencies long before the first summer intern hits the street. It only makes sense: interns are less expensive. No one will be released from the Board’s staff unless and until there has been a lot of discussion and everyone’s free choice has been exercised to the point of exhaustion.

Please worry for a few more weeks about the unhappy consequences of our not finishing by mid September, before getting uptight about the unhappy consequences of finishing long before mid-September.

A more detailed explanation of where we stand will follow soon.

Attachment
MEMORANDUM FOR: DISTRIBUTION LIST B
FROM: BOB HORN
SUBJECT: AUDIT TRAIL OF PCB ACTIVITIES

Until fairly recently, my office was able to obtain copies of all internal information and memoranda which related to Presidential Clemency Board activities. This was being done so that we would have a regular and systematic record of board activities. After we moved to the "M" Street location, we stopped getting copies of many of these documents. I would appreciate your sending me copies of all your important memos. Even if there is some question as to the significance of a given piece of paper, please send it along and let me decide whether or not to include it in our files.
Since we have grown to over 600 employees, our previous way of keeping time and attendance no longer works. Starting with the week of June 5, each executive secretary must keep the time and attendance on all employees of the group in the manner described below.

Although most professionals who are permanent employees of their home agencies should still call in their own time, the PCB personnel office needs to have their time recorded in case their agency needs some back-up documentation.

When recording leave or overtime if it is part of a day, you must show from what-to-what time (see example 1 attached). The Request for Authorization of overtime work sheet has to be typed, signed and only one name to a sheet as these go to the employee's agency. (See example 2)

The Time and Attendance and Overtime sheets must be verified and signed by the supervisor and turned in to Jill Marshul, Room 501-F by 12 noon every Thursday. You will have to project the overtime hours for the weekend on the sheets also. If there are any adjustments, just record them on the following week's sheets.

These forms are available in the 2nd floor supply room, N Street building, or you may make your own copies.
<table>
<thead>
<tr>
<th>NAME</th>
<th>MONDAY</th>
<th>TUESDAY</th>
<th>WEDNESDAY</th>
<th>THURSDAY</th>
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<th>SATURDAY</th>
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<tr>
<td>Jimmy Jones</td>
<td>4 A/L</td>
<td>8</td>
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REQUEST FOR & AUTHORIZATION OF OVERTIME WORK

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APPROVED BY: JOHN DOE  
TITLE: TEAM LEADER  
DATE: 6/3/75
REQUEST FOR & AUTHORIZATION OF OVERTIME WORK

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APPROVED BY   TITLE   DATE
Mr. Charles E. Goodell  
Chairman  
Presidential Clemency Board  
2033 M Street, N. W.  
Washington, D. C. 20036  

Dear Mr. Goodell:

We appreciate the heavy workload of the Board and its staff, particularly since the recent acceleration and expansion of activities. However, those activities have also created a need for the Board to take three actions, which have been discussed with your staff, to assure continued compliance with the Federal Advisory Committee Act. Those actions are:

1. Request a determination by the Director of OMB that the next set of meetings scheduled by the Board shall not be open to the public. Such a determination has been made for the meetings scheduled through June 28, 1975. If meetings are scheduled beginning June 30, 1975, and running through July, the determination should be requested at once, to assure that it can be processed, and the 15 day prior notice of the meetings can be published in the Federal Register as required by the Act and OMB Circular No. A-63.

2. OMB is now reviewing a proposed determination naming a number of the Board's staff as alternate "designated Federal employees," to serve on the subgroups of the Board. Implicit in such a determination is that those employees of the Board understand their authority and responsibilities under the Federal Advisory Committee Act, and act accordingly. We need your assurance that steps are being, or have been, taken to inform them of this authority and responsibility.
3. The charter of the Presidential Clemency Board should be revised to reflect the present structure, changed termination date, etc.

To assure compliance with the Act it is important that we hear from you as soon as possible.

Sincerely,

Fernando Oaxaca
Associate Director for Management and Operations
MEMORANDUM TO: ALL BOARD MEMBERS
FROM: ROBERT J. HORN
EXECUTIVE SECRETARY
SUBJECT: End of Fiscal Year

June 25, 1975

This is a follow-up to our discussion at the Board Meeting today. I expect that by now new Board Members have received the tax forms that I mentioned.

I would appreciate their filling them out and returning them to the person sitting at the desk in the Board Room, no later than 2 p.m. today.

Secondly, I would like to remind all the Board Members who haven't done so already, to submit their salary, per diem, and travel vouchers for last week, also by 2 o'clock today, and to submit the same information for this week, projecting through Monday of next week, no later than 12 noon tomorrow, June 26.

I realize that this will be an imposition on some of you; however, I would appreciate your giving me this information as quickly as possible, because we are trying to close out the fiscal year. Thank you for your understanding.
MEMORANDUM TO: ALL BOARD MEMBERS
FROM: ROBERT J. HORN
EXECUTIVE SECRETARY
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July 16, 1975

MEMORANDUM

TO: Distribution List

FROM: Robert J. Horn, Executive Secretary

SUBJECT: Incurring Financial Obligations on Behalf of the PCB

I am writing this memorandum at OMB's suggestion. As many of you are aware, during the last fiscal year the money allocated to the PCB was inadequate to meet its operating needs. Extraordinary action was taken by OMB in order to avoid a deficiency situation as of June 30, 1975. I therefore request that no one incur financial obligations on behalf of the PCB without my explicit written authorization.

To date we have received authorization for very limited funds for FY 1976, and it therefore behooves each of us to keep very strict controls on our expenses. Your full cooperation is essential to the operation of PCB. With this cooperation we can expect to overcome any inconveniences that might result from the limited finances available to the Board.

Thank you.
Evelyn -

Have any letters come through for CEO's signature which are letters of recommendation, commendation, etc. Would you be sure they have Cherie Nott's initials on them to indicate that there's been some coordination with personnel. We're trying to be sure that everyone gets a letter of some sort - generally done on the typewriter machine and ranging from lighthearted to highly enthusiastic - but we also want to be sure that people don't get two from the CEO - one handled by most and the other by God knows who.

GML

or almost everyone if it's better to leave everything undone we'll consider doing that
Evelyn:

This was opened by Rick yesterday and I believe he informed Senator Goodell.

YM

Marilyn M.
7/18

Per Rick's request, I have made a copy of the enclosed and sent it to Bob Knisely.
MEMORANDUM FOR CHARLES GOODELL

Subject: Phase-out of the Presidential Clemency Board

I am in receipt of a copy of a memorandum from Robert Knisely, Deputy General Counsel, concerning PCB carryover work plan.

The plan, as currently presented, indicates that the PCB will have problems meeting the September 15 deadline.

I would appreciate receiving a substantially modified version of the above which would include the following information:

- Clear listing of all tasks that remain to be done as of this date.
- Detailed work plan describing how these tasks will be accomplished by September 15, 1975.
- Strategy for the delegation of tasks that will remain beyond September 15, 1975, to other Federal agencies, e.g., DOD, DOJ, GSA, and Selective Service.
- Strategy for completion of administrative tasks such as budgetary matters, return of furniture, etc. GSA can provide assistance.

In addition to the above, it would be useful for you to provide me with information concerning a plan for possible delegation of the Alternative Service issue to the pardoning attorney. This could be worked out by PCB and Selective Service staff. I would also appreciate knowing specifically how you intend to handle the "hard cases." I understand that there are between 2,000 to 3,000 of these. What is your current planning figure concerning these cases, and how many do you think will exist on September 15? It appears to me that some reasonable deadline should be set for the resolution of these cases.

I would appreciate your cooperation in seeing that I am provided this information by July 21, 1975.

Paul H. Neill
Deputy Director
MEMORANDUM FOR: ALL STAFF MEMBERS
FROM: LAWRENCE M. BASKIR
SUBJECT: CONFIDENTIALITY POLICY

The PCB has promised those who contact us that their communication and identification will remain entirely confidential and that the information which they give to us will be used ONLY by the PCB and ONLY for Clemency purposes.

If officials, such as the police or the FBI, ask you for any identifying information about a person who has contacted us, explain that the request must be made in writing to Lawrence M. Baskir as General Counsel of the PCB. You should then write a memo to alert me that such a request for identification is forthcoming. No addresses or other information shall be released without written approval from the General Counsel.

In your efforts to contact applicants for information with which to write a case summary, you must use extreme caution when dealing with any person outside the PCB.

This policy is in keeping with the assurances which were made to the public regarding any and all applications to the clemency program.
**ROUTING AND TRANSMITTAL SLIP**

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**REMARKS**

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions.

**FROM** (Name, office symbol or location)  

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**OPTIONAL FORM 43**

AUGUST 1967  
GSA FORM (41CFR) 105-11.200
PRESIDENTIAL CLEMENCY BOARD
THE WHITE HOUSE
WASHINGTON, D.C. 20500
September 2, 1975

TO: General Walt
FROM: Gretchen M. Handberger
SUBJECT: The Opening of Mail

After talking with you this afternoon, I tried to find out why mail addressed to you (and others) has been opened before routing during the past few days rather than sent to you directly and unopened as it has been previously.

Charles Graham, who was Acting Administrator in my absence, tells me that Steve Sturgill, the PCB "mailman" was sick on Thursday and Friday (August 28 and 29) and that in his absence the mail was opened and sorted by a variety of helpers, all pulled from other jobs on a short-term basis in an effort not to let the incoming mail pile up. It is my understanding that this mail was handled in assembly line fashion, with the first person in the line slitit open all envelopes, the second person pulling out the letters and stapling the envelopes to them, the third person date stamping the letters, the fourth person sorting them into action piles, etc. The second person in this assembly line (the person pulling out the letters and stapling the envelopes to them) was also first checking the envelopes for mail that should be pulled out for direct routing (e.g. mail addressed to Board Members, etc.) and when she discovered mail which had been opened which shouldn't have been, she resealed the letters by stapling the envelopes and putting them in the mail routing bin. It seems clear to me that this initial sorting should have been done before the envelopes were slit but I can fully understand the circumstances in which substitute help, improvising their own system, proceeded inappropriately.
The instructions normally followed in opening the mail are as follows:

1. Mail addressed to Senator Goodell or Larry Baskir (unless marked "personal") is opened in the mailroom.

2. Mail addressed to case attorneys (unless marked "personal") is sent to a small group of attorneys on Chuck Hilbert's team which handles it in conjunction with the case attorney to whom it's addressed if he's still at the PCB.

3. ALL OTHER MAIL is routed directly, without opening, to the person to whom it is addressed. If the addressee wishes to have it handled routinely he returns it to me or Carolyn Swanson, head of the correspondence unit.

These procedures have been in effect for as long as I have been at the Clemency Board. If Ron Hoile led you to believe that other directives are in effect concerning the opening and handling of mail, he was in error. I am sure that mistakes have been made but I am equally sure that, on the whole, the system has worked pretty well. As you said, this is the first time you have received mail that had been opened.

I am most concerned about Col. Dickman's check and have asked Charlie Graham to follow up on this. I have also queried the people who were handling mail in Steve's absence. They say they saw no such check - but then they probably wouldn't have since they were not removing the contents from their envelopes. We are also checking to be sure that the check did not fall out of the envelope and is now lying around somewhere in the mail sort area.

I am extremely sorry that your mail - and that of other Board members, Col. Dickman, Col. Benson, and indeed probably everyone else at the PCB who received mail on last Thursday and Friday - was opened, but I can assure you that it was done inadvertently rather than intentionally.

cc: Senator Goodell
    Ron Hoile
    Col. Dickman
    Col. Benson
    Charles Graham
    Steve Sturgill