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From the desk of

CHARLES E. GOODELL

I APPLICATIONS

II FILES



I. APPLICATIONS / LETTERS

A) NO JURIS - GOES TO HARTLE ✓

B) ~~NO FILE~~ - ~~GOES TO GREEN~~  
UN CERTAIN ABOUT  
JURISDICTION - NO  
FILE - GOES TO GREEN

II FILES

A) NO JURIS - GOES TO HARTLE  
FOR LETTER

B) JURIS - GOES BACK TO  
ACTION ARMY FOR  
WRITING OF SUMMARY

GOODELL

PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON, D.C. 20500  
May 31, 1975

MEMORANDUM FOR: Distribution List B  
FROM: Bill Strauss  
SUBJ: Jurisdiction Cases



First thing Monday morning, the jurisdiction question will be discussed with the General Counsel. You will be notified immediately concerning the result of this meeting. If you have any questions, please contact Charlie Craig at 634-9601.

GOODELL

PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON, D.C. 20500  
June 2, 1975

CA

MEMORANDUM

TO : Assistant General Counsels/Quality Control Personnel  
THROUGH : John Foote  
FROM : Lou Coffelt  
SUBJECT : Quality Control

I

Pursuant to recent directive, Quality Control has been cut back in size. Yet it is still to review the work product of all action attorneys with this reduced force of 24 professionals and 4 team leaders. This is done despite our previous determination that it would take some seventy-five quality control personnel to review adequately the work of every attorney presently detailed to the Board.

The overall quality of work presently produced has improved greatly in the past several weeks. Attorneys are improving their expertise in military law and Assistant General Counsels have begun to effectively use their deputies to reduce error rates previously encountered by Quality Control. Recent checks of quality however, have indicated that there is still a substantial need for the Quality Control function, even if the basic criteria is limited to "rejection" of those cases in which there was an error in the ag/mit sheets.

II

Under the current Table of Organization, there are eight action attorney teams and four Quality Control teams. The present plan is that each action attorney team will be reviewed every other day by one of the QC teams. (One QC team will rotate between two Action teams.) Team Leaders should hold all rough drafts for QC until the QC team leader arrives for a scheduled visit. (All rough drafts prepared for QC are to be counted on the action teams' Case Team Progress Report.)

In order to save some time and hassle, each Deputy Assistant General Counsel will be the contact point for the Quality Control personnel. This will ordinarily replace the direct communication between QC and the case writing attorney that was done in the past, although, per discussions we all held in John Foote's office, if it is felt useful or wise to include the case writer, it will be done. This is in the discretion of the Deputy and the QC people.



Each Deputy should arrange his or her cases as described below in Part III. If a major error (no jurisdiction -- rewrite -- evidence not supportive of a designated ag/mit factor) is involved, the Quality Control personnel will converse with the Deputy involved, to determine the best course to follow from that point.

### III

It has been rumored that the new Quality Control function will be limited to proofreading the case summaries and no more. THIS IS NOT THE CASE. It is no less vital now than when we first began to insure that there is continuing accuracy, fairness, and consistency in the content of case summaries. But it is equally vital that we enable the Quality Control personnel to do more work in less time. Therefore, review in each case will initially consist of a look at five major areas: (1) jurisdiction, (2) format selection, (3) heading, (4) conformity between the summary and the chronology, and (5) evidentiary support for ag/mit factors in the summary.

This is not the limit of the QC function however. Each Deputy will now be charged with batching all cases for QC into three groups, according to his or her appreciation of the necessity of review of the case writer involved. There are three categories to be used: (1) attorneys requiring little substantive review, (2) attorneys requiring some substantive review, (3) attorneys requiring complete substantive review -- this ordinarily but not exclusively being new people. This last category should be as small as possible, to save QC time. But it should contain all necessary cases, to save the Deputies' time as well.

Even on those people designated as requiring little QC review, there will be occasional forays into the file, for de novo checks. This will be done randomly, every so often as necessity and circumstances demand. There will be more frequent de novo review on category two; and obviously complete de novo review on category three.

Minor errors will henceforth be corrected by Quality Control without return to the Deputy for concurrence. This means primarily errors concerning dates, AFQT scores, and the like. QC team members will not rewrite cases, nor will they make any

changes which would affect an ag/mit factor determination by the attorney without consultation with the Deputy involved.

Whenever there is a conflict of opinion between QC and the Deputy, or Assistant General Counsel concerning the handling of a case, the Assistant General Counsel for QC will make the final determination. This is done because such conflict needs to be resolved uniformly through all the teams, and QC is in the best position to do so. QC will discuss all such conflicts with the appropriate Assistant General Counsels.

#### IV

A calendar for June 1975 showing which Quality Control teams will review which action attorney teams is now being prepared and will be distributed.

Quality Control is a management tool which, when used effectively, can assist all affected units in educating personnel, and maintaining uniformity. Quality Control is not designed to simply find errors in work, to criticise the author of a summary, or to act simply as proofreaders. Quality Control personnel understand that they serve as extensions of the action attorneys themselves. We hope very much to have this new arrangement working swiftly to accommodate all teams.

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE  
WASHINGTON, D.C. 20500

June 2, 1975



MEMORANDUM FOR THE PRESIDENT

*Charles E. Goodell*

FROM:

CHARLES E. GOODELL  
CHARIMAN

SUBJECT:

Granting of Pardons to Applicants to the  
Presidential Clemency Board Having Undesirable  
Discharges

Introduction

Early in the life of your clemency program, the Presidential Clemency Board, after full consideration and a discussion we had on the issue, decided that it would recommend pardons and Clemency Discharges for former servicemen with Undesirable Discharges applying for clemency to the Presidential Clemency Board.

The Justice Department and the Department of Defense, in written memoranda and in a meeting we had with Phil Buchen last week, have expressed their disagreement with the decision you made last fall.

The legal staff of the Board is in agreement with the Pardon Attorney that there is no question of your legal or constitutional power to grant pardons in these cases.

Summary

The Board is unanimously of the opinion that it is vital to the success of your program and fundamental to carrying out your intent that pardons be the appropriate expression of clemency in these cases. To do otherwise would preclude most applicants to the Board from receiving the only significant remedy you can offer them. It would be seen as a repudiation of the common understanding of your intent and commitment. It would also cause serious discord among the Board members, both new and old, and force a drastic reassessment of Board policy and treatment of these cases.

### Background

Of the approximately 120,000 persons potentially eligible for the Board, about 70% were administratively discharged for absence offenses and received Undesirable Discharges. We estimate that 70% or better of the 20,000 applications to the Presidential Clemency Board are Undesirable Discharge cases.

Undesirable Discharges are awarded in two different circumstances. When faced with a serviceman with an offense of unauthorized absence, the military service may proceed to court-martial the offender and convict him of the criminal violation. The sentence may include a Bad Conduct Discharge or a Dishonorable Discharge, and imprisonment up to three years. The service frequently may, however, permit the person to elect an administrative separation, thereby avoiding the costs of trial and possible incarceration. These are commonly described as "Chapter 10" discharges in lieu of court-martial.

In other circumstances, the service may elect to discharge a person for "unfitness" if he has a series of petty infractions, all minor, but evidencing in toto that the individual is a disciplinary problem.

In both cases, the result is an Undesirable Discharge, which is a discharge "under other than honorable conditions". It is considered roughly the equivalent of a Bad Conduct Discharge, which is the usual result when an AWOL is tried by court-martial. In both instances, the Undesirable Discharge is given for an absence offense and the violation of military criminal law, although the punishment is administrative rather than judicial. It is important to remember that an Undesirable Discharge carries with it the same federal disabilities respecting veterans' rights as a Bad Conduct Discharge, the same opprobrium or even worse in the eyes of the general public, and in some states is regarded as evidence of a criminal violation for the purposes of state rights and employment. Although the nature of the reason for the Undesirable Discharge varies, all Board applicants, of course, have received Undesirable Discharges for absence offenses.

### Discussion

In his memorandum to the Presidential Clemency Board of April 30, the Pardon Attorney stresses the general policy of his office to recommend pardons only for persons judicially convicted of a criminal offense. Although the giving of pardons for Undesirable Discharges would be a change in his usual policy, the very nature of your program is unique and extraordinary. You consciously and purposefully broke with past precedent, not only of previous Presidents' clemency proclamations, but quite obviously with the normal practice of the Pardon Attorney. Two other more noticeable differences are the fact, first, that the Pardon Attorney's normal three year waiting period after completing

service of sentence is not required to apply for a pardon under the clemency program; and second, the fact that the recommendations come from a specially created Presidential Clemency Board, and not from the institutionalized mechanism of the Pardon Attorney. Giving pardons for Undesirable Discharges is another difference, but not in any sense the only one, nor necessarily the most significant.

There are, of course, other precedents for the Pardon Attorney's recommending and Presidents' granting pardons in the absence of a judicially imposed penalty for a criminal offense. To do so under the clemency program by no means involves creating a new precedent for changing the Pardon Attorney's practice of refusing persons applying outside the program. The clemency program is unique, and its precedents and policies are applicable only during its operation. Afterward, the Pardon Attorney and you are free, legally and morally, to continue past policy or to change it, as you believe appropriate.

The Justice Department and the Department of Defense have cited the difference of treatment between applicants to the Board and those receiving clemency from the Department of Defense phase of the program. However, the difference of treatment presents only surface questions of equity, not real ones. Because the applicant to the Justice Department program, the applicant to the Department of Defense program, and the three kinds of applicants to the Presidential Clemency Board all are in different legal and practical circumstances, it is not necessary and it is not possible to provide that they be in identical positions once they have been granted clemency. For example, the Justice Department applicant is a fugitive from justice, having failed to appear to answer criminal charges placed against him for a Selective Service violation. Yet when he receives clemency and satisfies the condition, his charges are dropped and he has a totally clean record. The Presidential Clemency Board applicant who has been convicted of his Selective Service offense has that conviction remaining on his record even if he receives a Presidential pardon. Similarly, there are essential differences between the Department of Defense applicants and the Board's. To treat these two classes of persons the same would do serious inequity rather than afford equal justice.

The Department of Defense applicant is a fugitive from justice. In the absence of the clemency program, he is in jeopardy of a Special Court-Martial for AWOL, a Bad Conduct Discharge, and imprisonment up to 6 months, or a Dishonorable Discharge, and Imprisonment at hard labor for 3 years. By participating in the program, the fugitive serviceman automatically and unconditionally is released from this penalty, and receives an Undesirable Discharge without imprisonment or a federal criminal conviction. This is a highly beneficial result for the applicant. The opportunity to earn a Clemency Discharge in exchange for participating is inconsequential in comparison with this benefit.

It should be understood that the relief from criminal jeopardy is automatic and that once discharged with an Undesirable Discharge, the Department of Defense applicant is under no effective inducement to complete his alternative service obligation and earn the additional Clemency Discharge. The government, whether through the Department of Defense or the Justice Department, has no realistic means of enforcing the obligation to perform alternative service.\*

By contrast, the Presidential Clemency Board applicants have already received all the punishment legally permitted for their offense. Having received their Undesirable Discharges, they are under no additional or continuing jeopardy for their past absence offense. They apply to the Board for a change in their legal and symbolic status.

In return for the performance of alternative service, the Board has assumed that you will offer a pardon, as well as a Clemency Discharge. The Clemency Discharge is of no value whatever. The Department of Defense has officially characterized it as "under other than honorable conditions", the same and the equivalent of an Undesirable Discharge. This designation destroys any advantage for the Clemency Discharge, as compared with the Undesirable Discharge. It is also the belief of many Board members and much of the public that the Clemency Discharge has a worse popular connotation, because it clearly and unequivocally labels the possessor as a "Vietnam deserter".

Because the Clemency Discharge has no practical value, the Board unanimously decided that a remedy with substantial meaning must be offered to the applicant with an Undesirable Discharge in return for his performance of alternative service. To request and receive a period of public service, at low pay and at a serious disruption in an individual's life, in return only for the remedy of clemency in the form of an empty Clemency Discharge, would be unjust and deceptive.

The Board, in its early days, debated at length the form and nature of the clemency it was authorized to recommend. Because the Proclamation does not anywhere explicitly state that a pardon was to be offered, you and I discussed this issue last fall and it is my firm recollection you decided that pardons would be granted in Undesirable Discharge cases. Otherwise, the Presidential Clemency Board program would be virtually meaningless for 70% of our applicants.

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\*The Department of Defense loses all jurisdiction once an individual is discharged, and cannot prosecute his later failure to perform alternative service under the United States Code of Military Justice. The Department of Justice may theoretically prosecute for fraud, but this involves a question of intent which is extraordinarily difficult to prove. In effect, the Department of Defense program is universal, unconditional, and automatic amnesty.

The Board has since proceeded to devise a system whereby it can determine the period of alternative service appropriate in each case as a condition for clemency. It has predicated its work on the understanding that a pardon would be the form of clemency issued in all cases, including Undesirable Discharge cases. If you are now persuaded that only a Clemency Discharge is appropriate in this kind of case, the Board must revise its procedures for about 70% of the applicants. While the issue has not been discussed by the original members in some time, it is fair to predict that such a decision will cause much consternation and disruption in the Board. In my opinion, it is the one remaining issue that could result in mass resignations and protests from the Board. I am not overstating the importance of this issue.

#### Conclusion

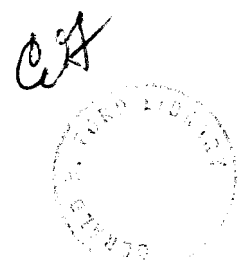
The impact of such a decision on the public should not be underestimated. However justifiably, the public is of the impression that clemency from the Presidential Clemency Board means a pardon. To change this for the vast majority of the 20,000 applicants will be regarded as a change in policy - not as an elaboration or clarification. It will be seen as the President's reneging on a promise they honestly believe he has made, impairing the spirit of reconciliation that moved him to announce the program, and seriously impairing his credibility. There is little question in my mind that a decision not to offer pardons at this date will make a mockery of your program, and persuade much of the general public that it was a failure.

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

June 11, 1975



Memorandum

TO: Senator Charles E. Goodell

FROM: Michael J. Remington

SUBJECT: Full Board Presentations on Tuesday morning, June 11, 1975: why the Board is not deciding cases in order?

The full Board has not followed the order of cases on the docket for two reasons: first, many files are presently being moved from the New Hampshire Ave. building to the M St. building, and are thus not available to the action attorneys; and second, one of the scheduled cases (1177-LDL-M) was previously decided by the full Board. Cases presently in transit are being rescheduled at the end of the docket.

CONCLUSION: The full Board is doing the best job possible, under the present circumstances, of following the docket.



Full Board Presentations

Order of  
Presentation

	PCB Case Number	PCB Attorney	Board Meeting Date	Reason	Comments
	<del>1. 5959 MJL-M</del>	<del>Heller</del>	<del>6/18</del>	<del>Requested by Dougovito</del>	<del>Dancheck</del>
1	(2.) 1870 QJL-M	Heller	6/18	Split Decision	
2	(3.) 1867 GTJ-M	Heller	6/18	Requested by Puller	
3	(4.) 423. WFB	Dancheck	6/18	Upgrade	
	<del>5. 2773. KJR-M</del>	<del>McDonald</del>	<del>6/18</del>	<del>VA Benefits</del>	<del>Dancheck</del>
4	(6.) 2718. AJT-M	Nystrom	6/18	VA Benefits	
	<del>7. 2853 CCA-M</del>	<del>Fitzgerald</del>	<del>6/18</del>	<del>VA Benefits</del>	<del>Dancheck</del>
5	(8.) 4458 BRF-M	Goldman	6/18	VA Benefits	
	<del>9. 2916 BGW-G</del>	<del>Runkel</del>	<del>6/18</del>	<del>Requested by Craig</del>	<del>Dancheck</del>
	10. 1177 LDL-M	Knudson	6/18	Upgrade Discharge	
6	(11.) 2286 BGR-M	Kruter	6/18	VA Benefits	
7	(12.) 2289 BGW-M	Kruter	6/18	Upgrade	
8	(13.) 7427 MSJ-M	Kruter	6/18	VA Benefits	
	14. 2163 LJK-M	Nelson	6/18	VA Benefits	
	15. 2167 SWE-M	Nelson	6/18	VA Benefits	
	16. 6908 WPD-M	Nelson	6/18	VA Benefits	
	17. 6911 SWE-M	Nelson	6/18	VA Benefits	
	18. 7082 EJK-M	Nelson	6/18	VA Benefits	
	19. 7444 AAR-M	Nelson	6/18	VA Benefits	
9	(20) 1156 HRL-M	Klein	6/18	Upgrade	

(before the Board  
on March 8, 1975)  
ALREADY  
DECIDED

FILES BEING  
MOVED FROM  
NEW HAMPSHIRE  
AVE. TO M. ST.  
(These files have  
been sealed)

	PCR Case Number	PCR Attorney	Board Meeting Date	Reason	Comments
	21. 3659 RDP-M	Mirin (FILE BEING MOVED)	6/18	VA Benefits	
10.	(22) 7462 ZAV-M	Pieret	6/18	VA Benefits	
11.	(23) 1480 WFX-C	Rosenak	6/18	Additional information (re: court)	
12.	(24) 1489 JAW-M	Burstyn	6/18	Split Decision	
13.	(25) 2233 GMX-M	Burstyn	6/18	Split Decision	
14.	(26) 7624 JMT-M	Brackett	6/18	Upgrade	
15.	(27) 7630 DHX-M	Gushin	6/18	Upgrade	
16.	(28) 1566 FJJ-C	Gushin	6/18	Split Decision	
17.	(29) 8082 JER-M	Frick	6/18	Upgrade	
	30. <del>1257 LGA-G</del>	<del>Gallo</del>	<del>6/18</del>	Obtain Selective Service file for additional infor- mation re: Felony	Klein
	31. 3216 KKC-M	Gallo (FILE BEING MOVED)	6/18	Additional information re: Felony	
18.	(32) 1975 PWJ-M	Riggs	6/18	Requested by Mrs. O	
	33. 3822 DJG-M	Conway	6/18	VA Benefits	
	34. 3826 VPE-M	Conway	6/18	Split Decision	
	35. 3842 WTP-M	Conway	6/18	VA Benefits	
	36. 5991 KJL-M	Conway	6/18	Split Decision on Upgrading	
	37. <del>8670 ARX-M</del>	<del>Conway</del>	<del>6/18</del>	<del>VA Benefits</del>	Loh FF
	38. <del>8678 BSR-M</del>	<del>Conway</del>	<del>6/18</del>	<del>VA Benefits</del>	Loh FF

*Spindel*

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE  
WASHINGTON, D.C. 20500

June 20, 1975


MEMORANDUM

TO : Executive Secretaries of Each Team  
And Distribution List A

THROUGH : Assistant General Counsels

FROM : John Footenberry *[Signature]*

SUBJECT : Materials Sent To Xeroxing



Starting Monday, June 23, we are going to try to alleviate the problem of time lost returning xeroxed finals, and ag/mit. forms to the teams for removal of the original and three copies.

Each xerox room will have four persons assigned to it who will, in the future, do all of the xeroxing, collating, and stapling of summaries and ag/mits. They will pull the original and three copies of the summary and ag/mit sheets, and place them in a box marked for delivery to your team. The rest of the summaries will be sent directly to Docketing and Distribution.

One problem that has existed in xerox that you can help solve is that teams have been bringing the xerox room summaries and ag/mits in separate batches. IN THE FUTURE, PLEASE SEE TO IT THAT THE SUMMARY IS SENT TO XEROX WITH THE AG/MIT THAT GOES WITH IT.

The reason for this is that we are going to begin putting all summaries and ag/mits on the same size paper for ease of collating. It does no good to have them come to the xerox room at different times, since that slows down the process of putting them all together in the shortest possible time.

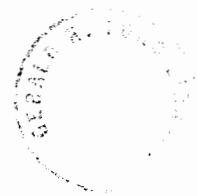
Thank you very much. We need your assistance greatly in seeing to it that the summaries typed in final are quickly into Docketing and Distribution.

*Goodell*

PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON, D.C. 20500  
June 20, 1975

MEMORANDUM

TO : Assistant General Counsels (DIST. LIST B)  
FROM : John Foote *RF*  
SUBJECT : Assignment of Personnel to Xerox Duty



Starting Monday, June 23, at 9:00 AM, we are going to begin doing all collating and stapling, and removal of the original and three copies of summaries for delivery to the teams, at the xerox room. We are presently understaffed there for this function.

To remedy the staffing problem, each of the teams in each building is responsible for detailing one intern to work a two-hour shift assisting in the xeroxing and collating and stapling process, according to the following schedule:

1206 --	<u>HOURS</u>	2033 --
Broder	9 - 11 A M	Dancheck
Hickman	11 - 1 P M	Hilbert
Klein	1 - 3 P M	Lohff
Kodak	3 - 5 P M	Owen

Each room will be equipped with automatic staplers as soon as they are available, and with boxes for placement of completed summaries both for return to the team and for forwarding to Docketing and Distribution.



Goodell

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

June 24, 1975

MEMORANDUM

TO : Lee Stewart  
~~Neil Broder~~ Dave Hickman  
Len Dancheck  
John Lohff  
Mark Owen  
DISTRIBUTION A

FROM : John Foote

SUBJECT : Assignment Changes to Quality Control



Effective Wednesday, June 25, at 9:30 A.M., the following persons are reassigned from case writing teams to Quality Control, on a permanent basis:

From: Dave Hickman - Jasper Brown  
~~Neil Broder~~ - ~~Walter Lewis~~

Len Dancheck - Jack Dalton

John Lohff - David Brockway

Marc Owen - John Flaherty

Each Assistant General Counsel involved should prepare and forward to Charlie Mott a Form 52 (Personnel Action) as set forth in a recently distributed memorandum from Charlie on the use of those forms. We must know what changes have been made, and this is the surest way to keep track of them.

Thanks.

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

June 25, 1975

MEMORANDUM

TO : Assistant General Counsels (DISTRIBUTION LIST B)  
 FROM : John Foote *foote*  
 SUBJECT : The Hilbert-Blagg Rough Draft Experiment



Recently, we experimented with forwarding rough drafts in handwritten form to QC. This was done between Chuck Hilbert and Ben Blagg of QC, after talking the process over with Chuck, me, and Lee Stewart. The idea is to free our resources for typing of finals only.

After talking again to the people involved, it has become clear that the experiment was enough of a success to implement it across the entire staff.

Henceforth, cases should be sent to QC in handwritten form, after usual review by your deputies. This review should include one further step than before--if the summary is illegible, then it goes back to the attorney for rewrite, or for typing in rough. It is our belief that very few summaries will have to be rough typed but we want to leave you that option.

Cases written in the future should be neatly written, double spaced, on one side of the paper, so that QC can make corrections.

According to Chuck, this process has not resulted in an appreciable slowdown in deputy review, or in typing of finals from handwritten QC'd roughs, since the secretary can go directly to the attorney involved to ask questions. What slowdown there will be will not be enough to make the project lose its value to us.

Lee Stewart tells us that Quality Control is prepared for the alteration in process.



June 25, 1975



Full Board Presentations

PCB Case Number	PCB Attorney	Panel Chairman	Board Meeting Date	Reason
1. 1077 HJL	Lindquist	R Morrow		No Reason
2. <del>1637 SJB-M</del>	<del>Brooks/Darter/Lindquist</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
3. 2302 FBX-M	Cohen, E.	R Morrow	6/5	For decision
4. 2335 PKA-M	O'Keefe	R Morrow	6/5	For decision
5. 2415 RAR-M	Woolford	R Morrow	6/5	For decision
6. 2419 TWX-M	Woolford	R Morrow	6/5	For decision
7. <del>2539 PNG-M</del>	<del>Lindquist</del>	<del>I</del>	<del>6/13</del>	<del>Upgrade</del>
8. <del>2552 GRW-M</del>	<del>Yohan</del>	<del>R</del>	<del>6/5</del>	<del>VA Benefits</del>
9. 2803 MJB-C	Asper	R Morrow	6/5	For Decision
10. <del>2806 RAX-M</del>	<del>O'Keefe</del>	<del>R</del>	<del>6/5</del>	<del>VA Benefits</del>
11. 3137 SJX-M	Yohan	R Morrow	6/6	No dec.
12. 3340 LBJ-C	Bryant	I	6/13	Split Decision
13. 3681 PDJ-M	Jaffe	R Morrow	6/5	No dec.
14. <del>3685 BJA-M</del>	<del>Jaffe</del>	<del>I</del>	<del>6/13</del>	<del>VA Benefits</del>
15. <del>3835 OMD-M</del>	<del>Klejna</del>	<del>R</del>	<del>6/5</del>	<del>VA Benefits</del>
16. <del>3860 WPM-M</del>	<del>Yohan</del>	<del>R Morrow</del>	<del>6/5</del>	<del>VA Benefits</del>
17. <del>3898 SDE-M</del>	<del>Klejna</del>	<del>I</del>	<del>6/13</del>	<del>VA Benefits</del>
18. <del>4157 VJL-M</del>	<del>McGowan</del>	<del>R</del>	<del>6/6</del>	<del>VA Benefits</del>
19. <del>4250 VHO-M</del>	<del>Burr</del>	<del>I</del>		<del>VA Benefits</del>

Question whether  
or not to grant  
pension

PCB Case Number	PCB Attorney	Panel Chairman	Board Meeting Date	Reason
20. 4336 FCE-M	Burr	R Morrow	6/6	No dec.
21. <del>4470 SJW-M</del>	<del>Cohen, E.</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
22. <del>4566 UNF-M</del>	<del>O'Keefe</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
23. <del>4509 SDR-M</del>	<del>Levy</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
24. <del>4671 PRX-M</del>	<del>Burr</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
25. 4689 ECE-M	Neudorfer	R Morrow	6/5	No dec.
26. 4702 HTA-M	Asper	R Morrow	6/5	No dec.
27. <del>4737 DGA-M</del>	<del>Neudorfer</del>	<del>R</del>	<del>6/5</del>	<del>VA Benefits</del>
28. <del>4739 PGW-M</del>	<del>Neudorfer</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
29. 4903 BGW-M	Lindquist	R Morrow	6/5	No dec.
30. 4913 MJF-M	Lindquist	R Morrow	6/6	No dec.
31. 4920 BHE-M	Lindquist	I	6/10	Per General Walt
32. 4927 FFX-M	Lindquist	R Morrow	6/5	No dec.
33. <del>5387 CRA-M</del>	<del>Lindquist</del>			<del>VA Benefits</del>
34. <del>5505 MIX-M</del>	<del>McGowan</del>			<del>VA Benefits</del>
35. <del>7019 DDE-M</del>	<del>Kocak</del>	<del>R Morrow</del>	<del>6/6</del>	<del>VA Benefits</del>
36. <del>13418 PDG-M</del>	<del>Woolford</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
37. <del>14022 WBJ-M</del>	<del>Healey</del>	<del>I</del>	<del>6/13</del>	<del>VA Benefits</del>
38. 14059 VEX-M	McLendon	I	6/11	No Decision



PCB Case Number	PCB Attorney	Panel Chairman	Board Meeting Date	Reason
39. <del>14488 WSD-M</del>	<del>Lee, D.</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
40. <del>14518 MDL-M</del>	<del>Weinstein</del>			<del>VA Benefits</del>
41. 1243 LDJ-M	Tessler			Split Decision
42. <del>2082 CNL-M</del>	<del>Tessler</del>	<del>S</del>	<del>4/5</del>	<del>VA Benefits</del>
43. 3914 EGE-M	Vogel	X	5/22	No Clemency--Puller
44. 4088 DCB-M	Vogel	S	O'Connor 6/5	Split Decision
45. 4191 BDF-M	Vogel	S	O'Connor 6/6	per Vinson
46. <del>8670 APX-M</del>	<del>Conway</del>	<del>S</del>	<del>6/6</del>	<del>VA Benefits</del>
47. 3587 HWG-M	Miner			Split Decision
48. <del>5708 GMB-M</del>	<del>Bratter</del>	<del>T</del>	<del>6/5</del>	<del>VA Benefits</del>
49. 5765 SPR-M	Bratter	T	Ford 6/5	Split decision
50. <del>6481 DRE-M</del>	<del>Weintraub</del>	<del>I</del>	<del>6/12</del>	<del>VA Benefits</del>
51. <del>7972 FPF-M</del>	<del>Rollins</del>	<del>T</del>	<del>6/5</del>	<del>VA Benefits</del>
52. 8147 LRA-M	Young	T	Ford 6/5	Non-concurrence
53. 11606 FGB-M	Bratter	T	Ford 6/5	Split Decision
54. <del>3049 DSE-M</del>	<del>Cohen</del>	<del>R</del>	<del>6/4</del>	<del>VA Benefits</del>
55. 3278 BWE-M	Stack	R	Morrow 6/4	Walt--No Clemency
56. 6513 JNK-M	Stack	R	Morrow 6/5	No Decision
57. 6549 MJM-M	Stack	D	5/23	Split Decision
58. 6794 CJC-M	Fitch	R	Morrow 6/4	No Decision

PCB Case Number	PCB Attorney	Panel	Chairman	Board Meeting Date	Reason
59. 6798 CEC-M	Ryan	T	Ford	6/6	Split dec.
60. 6830 HSL-M	Othmer	R	Morrow	6/4	For dec.
61. 7165 PJW-M	Fuller/Fitch	R	Morrow	6/4	Desersion of Defense
62. 7332 BRC-M	Carroll	R	Morrow	6/4	Split dec.
63. <del>7600 HAW-M</del>	<del>Clark</del>	<del>R</del>	<del>Morrow</del>	<del>6/4</del>	<del>VA Benefits</del>
64. 8507 TJA-M	Evans	R	Morrow	6/4	For Decision
65. <del>8725 YJW-M</del>	<del>Carroll</del>	<del>T</del>	<del>Ford</del>	<del>6/6</del>	<del>VA Benefits</del>
66. 9622 AJW-M	Backus	R	Morrow	6/4	For Decision
67. 9637 JEF-M	German	R	Morrow	6/4	For Decision
68. 9649 MJX-M	Fitch	T	Pullen?	6/5	Split Decision
69. 10006 DJR-M	Carroll	R	Morrow	6/4	For Decision
70. 10040 DGB-M	Fuller/Fitch	R	Morrow	6/4	For Decision
71. <del>2773 KIR-M</del>	<del>McDonald</del>	<del>W</del>		<del>5/22</del>	<del>Requested by Craig VA Benefits</del>
72. <del>2853 GCA-M</del>	<del>Fitzgerald</del>	<del>W</del>		<del>5/22</del>	<del>VA Benefits</del>
73. 2916 BGV-C	Runckel	G		5/23	Requested by Craig
74. 5060 MJL-M	Heller	T	Ford	6/5	Requested by Dougouito
75. <del>2468 KRV-M</del>	<del>Ross</del>				<del>VA Benefits</del>

June 25, 1975

Full Board Presentations



PCB Case Number	PCB Attorney	Panel	Board Meeting Date	Reason
1. 1077 HJL	Lindquist			
2. <del>1637 SJB-M</del>	<del>Brooks/Darter/Lindquist</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
3. 2302 FBX-M	Cohen, E.			
4. 2335 PKA-M	O'Keefe			
5. 2415 RAR-M	Woolford			
6. 2419 TWX-M	Woolford			
7. <del>2539 PWG-M</del>	<del>Lindquist</del>	<del>I</del>	<del>6/13</del>	<del>Upgrade</del>
8. 2552 GRW-M	Yohan			
9. 2803 MJB-C	Asper			
10. 2806 RAX-M	O'Keefe			
11. 3137 SJX-M	Yohan			
12. 3340 LBJ-C	Bryant	I	6/13	Split Decision
13. 3681 PDJ-M	Jaffe			
14. <del>3685 BJA-M</del>	<del>Jaffe</del>	<del>I</del>	<del>6/13</del>	<del>VA Benefits</del>
15. 3835 OMD-M	Klejna			
16. 3860 WMW-M	Yohan			
17. 3898 SDE-M	Klejna	I	6/13	
18. 4157 MJL-M	McGowan			
19. <del>4250 WHO-M</del>	<del>Burr</del>	<del>I</del>		<del>VA Benefits</del>

PCB Case Number	PCB Attorney	Panel	Board Meeting Date	Reason
20. 4336 FCE-M	Burr			
21. <del>4470 SJW-M</del>	<del>Cohen, E.</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
22. <del>4566 UWE-M</del>	<del>O'Keefe</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
23. <del>4598 SDR-M</del>	<del>Levy</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
24. <del>4671 DRX-M</del>	<del>Burr</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
25. 4689 ECE-M	Neudorfer			
26. 4702 HTA-M	Asper			
27. 4737 DGA-M	Neudorfer			
28. <del>4739 PGW-M</del>	<del>Neudorfer</del>	<del>I</del>	<del>6/10</del>	<del>VA Benefits</del>
29. 4903 BGW-M	Lindquist			
30. 4913 MJF-M	Lindquist			
31. 4920 BHE-M	Lindquist	I	6/10	Per General Walt
32. 4927 FFX-M	Lindquist			
33. 5387 CEA-M	Lindquist			
34. 5505 MJX-M	McGowan			
35. 7919 DDE-M	Kocak			
36. <del>13418 RDG-M</del>	<del>Woolford</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
37. <del>14022 WBJ-M</del>	<del>Healey</del>	<del>I</del>	<del>6/13</del>	<del>VA Benefits</del>
38. 14059 VEX-M	McLendon	I	6/11	No Decision

PCB Case Number	PCB Attorney	Panel	Board Meeting Date	Reason
39. <del>14488 USD-M</del>	<del>Lee, D.</del>	<del>I</del>	<del>6/11</del>	<del>VA Benefits</del>
40. 14518 MDL-M	Weinstein			
41. 1243 LDJ-M	Tessler			Split Decision
42. <del>2982 CNL-M</del>	<del>Tessler</del>			<del>VA Benefits</del>
43. 3914 EGE-M	Vogel			No Clemency--Puller
44. 4088 DCB-M	Vogel			Split Decision
45. 4191 BDF-M	Vogel			
46. <del>8670 ARX-M</del>	<del>Conway</del>			<del>VA Benefits</del>
47. 3587 HWG-M	Miner			
48. 5708 GMB-M	Bratter			
49. 5765 SPR-M	Bratter			
50. <del>6481 DRE-M</del>	<del>Weintraub</del>	<del>I</del>	<del>6/12</del>	<del>VA Benefits</del>
51. 7972 FPF-M	Rollins			
52. 8147 LRA-M	Young			
53. 11606 FGB-M	Bratter			
54. 3049 DJE-M	Cohen			
55. 3278 BWE-M	Stack			Walt--No Clemency
56. 6513 JNK-M	Stack			No Decision
57. 6549 MJM-M	Stack			Split Decision
58. 6794 CJC-M	Fitch			

PCB Case Number	PCB Attorney	Panel	Board Meeting Date	Reason
59. 6798 CEC-M	Ryan			
60. 6830 HSL-M	Othmer			
61. 7165 PJW-M	Fuller/Fitch			
62. 7332 BRC-M	Carroll			
63. 7600 HAW-M	Clark			
64. 8507 TJA-M	Evans			
65. 8725 YJW-M	Carroll			
66. 9622 AJW-M	Backus			
67. 9637 JEF-M	German			
68. 9649 MJX-M	Fitch			
69. 10006 DJR-M	Carroll			
70. 10040 DGB-M	Fuller/Fitch			
71. 2773 KJR-M	McDonald			Requested by Craig
72. 2853 CCA-M	Fitzgerald			
73. 2916 BGV-C	Runckel			Requested by Craig
74. 5060 MJL-M	Heller			
75. 2468 RRV-M	Ross			



July 1, 1975

Full Board Presentations



PCB Case Number	PCB Attorney	Panel	Date	Chairman	Reason
1. 1243 LDJ-M	Tessler				Split Decision
2. 3914 EGE-M	Vogel	X	5/22		No Clemency--Puller
3. 6798 CEC-M	Ryan	T	6/6	Ford	Split Decision
4. 9622 AJW-M	Backus	R	6/4	Morrow	For Decision
5. 9637 JEF-M	German	R	6/4	Morrow	For Decision
6. 9649 MJX-M	Fitch	T	6/5	Ford	Split Decision
7. 10006 DJR-M	Carroll	R	6/4	Morrow	For Decision
8. 10040 DGB-M	Fuller/Fitch	R	6/4	Morrow	For Decision
9. 2916 BGV-C	Runckel	G	5/23		No Decision
10. 5060 MJL-M	Heller	T	6/5	Ford	Requested by Dougovito
11. 1077 HJL	Lindquist	R		Morrow	No Reason
12. 2415 PAR-M	Woolford	R	6/5	Morrow	For Decision
13. 2302 FBX-M	Cohen	R	6/5	Morrow	For Decision
14. 2419 TWX-M	Woolford	R	6/5	Morrow	For Decision
15. 3137 SJX-M	Yohan	R	6/6	Morrow	No Decision
16. 3681 PDJ-M	Jaffe	R	6/5	Morrow	No Decision
17. 4088 DCB-M	Vogel	S	6/5	O'Connor	Split Decision
19. 3587 HWG-M	Miner				Split Decision
19. 3278 BWE-M	Stack	R	6/4	Morrow	Walt--No Clemency
20. 8507 TJA-M	Evans	R	6/4	Morrow	For Decision

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

July 1, 1975

MEMORANDUM TO : Charles E. Goodell  
FROM : John F. Foote  
SUBJECT : Case Heard in Absence of  
Case Attorney

Case # 3863 - BEG - C

After inquiry I have discovered that only one case was presented Friday to a panel, without the case attorney's being present, and in which there was a disposition other than pardon. Three such cases were heard without attorneys but one of those was presented later at the behest of the attorney, and the other received an outright pardon (with no consideration for upgrade).

Enclosed you will find the summary, and a note by the attorney concerning his conversation with the applicant to obtain information about reasons for offense. Since this was a no clemency decision, I think perhaps it is a case which should be re-presented.

Attachment





PRESIDENTIAL CLEMENCY BOARD  
Case Summary

PCB Attorney: Robert V. Ostrom	Case Number: 3863-BEG-C
Telephone: (202) 634-4608	Age: 30
Summary Completed: 13 May 75	Present Status: Civilian
Current Sentence: 1 year probation	Date of Application: 18 Feb 75
Court: USDC, So. Dist. Ohio	
Total Time Served: None	
Offense: Failure to keep draft board notified of current address	

BACKGROUND:

The applicant is white, married, and was born on 2 Aug 44 in a small farm community in Mississippi. He is the second oldest of 4 children raised in a stable family until age 17, when his parents separated. Applicant has a tenth grade education. An achievement test in the tenth grade placed the applicant in the low average group. A fundamental evaluation test in the tenth grade placed him below average in all phases except mathematics. There is no record of any disciplinary problems in high school or elementary grades. On 21 Mar 68 applicant was sentenced to 20 years imprisonment for Armed Bank Robbery and for Interstate transportation of a stolen automobile. On 30 Sept 74, applicant was granted parole for these offenses. According to the parole officer, no other information is available as to applicant's present status. (Phone conversation with applicant's parole officer)

CIRCUMSTANCES OF OFFENSE:

Applicant has never been in the military service. He was arrested on 13 Apr 65 on an information charging applicant with failure to keep his local draft board informed of his current address. Applicant pleaded guilty and was sentenced on 15 Jul 65 to one year probation. Applicant offered no excuse for failing to keep his draft board notified, merely stating "he didn't get around to doing it".

CHRONOLOGY:

2 Aug 44	Date of Birth
1961	Completed 10th grade education
Mar 64	Left vicinity of draft board
15 Jul 65	Sentenced one year probation for failing to keep his draft board advised of his current address.

SOURCES:

U.S. Probation Officer  
Presentence Report  
Clemency Board File

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 01989

REASON FOR WITHDRAWAL . . . . Donor restriction

TYPE OF MATERIAL . . . . . Memorandum

CREATOR'S NAME . . . . . Edward Cohen

RECEIVER'S NAME . . . . . Charles Goodell

DESCRIPTION . . . . . Re retroactive awarding of the purple  
heart

CREATION DATE . . . . . 07/07/1975

COLLECTION/SERIES/FOLDER ID . 019300016

COLLECTION TITLE . . . . . Charles Goodell Papers

BOX NUMBER . . . . . 1

FOLDER TITLE . . . . . Case Processing

DATE WITHDRAWN . . . . . 11/20/1990

WITHDRAWING ARCHIVIST . . . . WHM



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

July 10, 1975

MEMORANDUM TO: Senator Goodell

FROM : Louis D. Coffelt  
Leonard Shea  
Henry Tribbett

SUBJECT : Case 8082 - JER-M (Frick, Ralph J.)

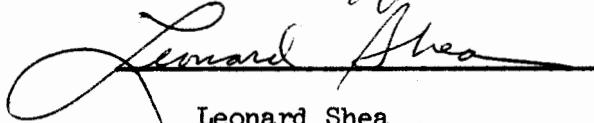
The undersigned are on detail from the Veterans Administration (Board of Veterans Appeals). The feelings below expressed are based on the limited amount of information in the applicant's file. Infinitely more information would be available in ordinary cases being presented on appeal to the B.V.A.

At your request, a review of the applicant's file was conducted and the following thoughts are submitted:

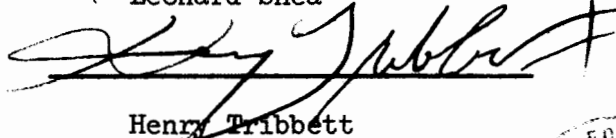
Based on data currently available in the P.C.B. file, this applicant, in all probability would not receive V.A. benefits in view of unexplained willful and persistent misconduct. It is believed that serious consideration should be given to securing Veterans Administration records in appropriate cases.



Louis D. Coffelt



Leonard Shea



Henry Tribbett



PRESIDENTIAL CLEMENCY BOARD  
CASE SUMMARY

PCB Attorney: Ralph J. Frick  
Telephone: (202) 456-2110  
Summary Completed: 30 Apr 75  
Total Time Served: 0 days pre-discharge  
confinement  
Discharge Status: Undesirable Discharge  
in lieu of Court-Martial  
Offense: AWOL  
6 Jun 70 - 27 Oct 70 (143 days)  
(4 months 23 days)  
Total Creditable Service: 2 years, 5 months,  
14 days

Case No: 8082-JER-M  
Branch of Service: USMC  
Age: 25  
Present Status: Civilian  
Date of Application: 21 Feb 75

Background:

This Caucasian applicant was born in Iowa on 10 Nov 49, the first of eleven children. He is married (Jun 71), has 10 years of education, and has been employed by a food plant in Iowa since Mar 71. His AFQT score was 40 (Group III), GT score 92, and his physical profile places him in excellent physical condition. He enlisted in the Marine Corps on 31 Jul 67 for a period of four years.

Circumstances of Offense:

12 Sep 68 applicant commenced the first of four unauthorized absences as the apparent result of fear of returning to combat in Vietnam (applicant's affidavit, dated 21 Feb 75). Applicant had been wounded in combat in Jul 68 and hospitalized in Vietnam, then Japan, and finally returned to the Naval Hospital in Memphis, Tennessee, for recuperation and leave. At the termination of this leave, he failed to return to his attached unit at the Memphis Naval Air Station. After an 11-day absence, the applicant voluntarily returned to military control, but two days later again departed AWOL for a period of 30 days. He again returned voluntarily on 24 Oct 68 and was tried and convicted by Summary Court-Martial for the two prior AWOL's. In Apr 69, the applicant received orders for Paris Island, South Carolina, but again departed AWOL and was finally apprehended by civil authorities on 25 Aug 69. He was tried and convicted by Special Court-Martial in Nov 69 for this third AWOL, and sentenced to include two months confinement at hard labor. His final AWOL occurred on 6 Jun 70. He voluntarily surrendered to military control on 26 Oct 70 and was pending court-martial on 1 Dec 70 when he submitted a request for Discharge in lieu of court-martial. The request was approved and the Undesirable Discharge was ordered executed on 21 Dec 70.

Vietnam Service:

Applicant served in Vietnam against hostile forces from 4 Jan 68 until he sustained combat wounds in Jul 68 from a booby trap. He served in his MOS as rifleman in 5 major combat operations and was awarded the Purple Heart for his combat wounds to his foot and buttocks. His efficiency ratings during Vietnam Service were excellent.

Chronology:

10 Nov 49	Date of birth
Jun 65	Withdrew from high school
31 Jul 67	Enlisted USMC
4 Jan 68 - 18 Jul 68	Vietnam Service(wounded in action)
12 Sep 68 - 23 Sep 68	UA (AWOL) 11 days
24 Sep 68 - 24 Oct 68	UA (AWOL) 30 days
11 Dec 68	Summary Court-Martial
12 Apr 69 - 25 Aug 69	UA (AWOL) 4 mos., 15 days
18 Nov 69	Special Court-Martial
6 Jun 70 - 26 Oct 70	UA (AWOL) 4 mos., 23 days
1 Dec 70	Undesirable Discharge requested
21 Dec 70	Undesirable Discharge executed
1 Feb 75	PCB application executed

Awards and Decorations:

National Defense Service Medal  
Vietnam Service Medal with one star  
Vietnam Combat Medal with one star  
Purple Heart  
Marksmanship Shooting Badge

Prior Military Offenses:

11 Dec 68 Summary Court-Martial for AWOL, 12 Sep 68 - 23 Sep 68 and 24 Sep 68 - 24 Oct 68. Awarded 30 days CHL (suspended for 6 mos.), reduction to E-1, partial forfeiture  
18 Nov 69 Special Court-Martial for AWOL, 12 Apr 69 - 25 Aug 69. Awarded CHL for 2 months, partial forfeiture  
5 mos., 26 days: Total time absent without authority in these instances.  
1 mon 5 days: Total time in confinement for these offenses.

Sources:

Army Official Personnel File  
Clemency Board File  
Affidavit from Applicant

July 10, 1975

MEMORANDUM TO: Senator Goodell

FROM : Louis D. Coffelt  
Leonard Shea  
Henry Tribbett

SUBJECT : Case 8082 - JER-M (Frick, Ralph J.)

The undersigned are on detail from the Veterans Administration (Board of Veterans Appeals). The feelings below expressed are based on the limited amount of information in the applicant's file. Infinitely more information would be available in ordinary cases being presented on appeal to the B.V.A.

At your request, a review of the applicant's file was conducted and the following thoughts are submitted:

Based on data currently available in the P.C.B. file, this applicant, in all probability would not receive V.A. benefits in view of unexplained willful and persistent misconduct. It is believed that serious consideration should be given to securing Veterans Administration records in appropriate cases.

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Louis D. Coffelt

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Leonard Shea

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Henry Tribbett

ecg

*Goodell*

PRESIDENTIAL CLEMENCY BOARD

THE WHITE HOUSE

WASHINGTON, D.C. 20500

July 16, 1975

MEMORANDUM TO : Assistant General Counsels  
(And Distribution List A)

FROM : Lawrence M. Baskir *LMB*  
General Counsel

SUBJECT : New Information Arriving From Applicant --  
SOP on Re-presentation

Gretchen Handwerger has assured me that any and all correspondence from applicants is being forwarded directly to the case attorney involved, or if he or she is no longer with us, to the Team Leader involved. About 30 letters a day arrive. With this volume of correspondence there should have been at least one or two cases in which a re-presentation was necessary based upon newly submitted information. However, not one has come to my attention. It is possible that case writers are putting these cases back into the system on their own motion (a violation of procedure) or they are not putting them in at all. Either response is inadequate.

Therefore, the following SOP is established concerning cases in which new information suggests re-presentation.

- I. The case writer obviously will read the correspondence from the applicant and determine whether the submission is in any possible way relevant to the decision reached by the Board. Relevance should here be taken to mean any information which MIGHT have affected the marking of an ag or mit factor, or which might have altered the term of alternative service assessed an applicant.
- II. If the case writer believes that there is any possibility that the information newly submitted is relevant, he or she will present this to his or her team leader. The Assistant General Counsel involved will make a determination that there is NO likelihood that the information could have affected the decision in a case. If that is the determination, the information is simply added to the file.
- I II. If the Assistant General Counsel determines that there is ANY possibility that the information could have affected the decision, he will forward a copy of the case summary and a copy of the new information submission to me.



- IV. I will review the summary and the submission and make a determination of whether the information is such as to warrant re-presentation. I will then indicate my conclusion to Senator Goodell, who will actually call the case back before the Board if he concurs.
- V. Once the Senator has determined that the case requires re-presentation to the Board, he will forward the case summary and new information submission back to the Action Attorney involved. The Action Attorney will insure that the case is recycled according to current procedures on recycling cases.



NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 01990

REASON FOR WITHDRAWAL . . . . Donor restriction

TYPE OF MATERIAL . . . . . Memorandum

CREATOR'S NAME . . . . . Edward Cohen

RECEIVER'S NAME . . . . . Charles Goodell

DESCRIPTION . . . . . Re retroactive awarding of the purple  
heart

CREATION DATE . . . . . 07/16/1975

COLLECTION/SERIES/FOLDER ID . 019300016

COLLECTION TITLE . . . . . Charles Goodell Papers

BOX NUMBER . . . . . 1

FOLDER TITLE . . . . . Case Processing

DATE WITHDRAWN . . . . . 11/20/1990

WITHDRAWING ARCHIVIST . . . . WHM



NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Presidential Libraries Withdrawal Sheet

WITHDRAWAL ID 01991

REASON FOR WITHDRAWAL . . . . Donor restriction  
TYPE OF MATERIAL . . . . . Memorandum  
CREATOR'S NAME . . . . . Edward Cohen  
RECEIVER'S NAME . . . . . Charles Goodell  
DESCRIPTION . . . . . Re retroactive awarding of the purple  
heart  
CREATION DATE . . . . . 07/31/1990  
  
COLLECTION/SERIES/FOLDER ID . 019300016  
COLLECTION TITLE . . . . . Charles Goodell Papers  
BOX NUMBER . . . . . 1  
FOLDER TITLE . . . . . Case Processing  
  
DATE WITHDRAWN . . . . . 11/20/1990  
WITHDRAWING ARCHIVIST . . . . WHM

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

August 4, 1975

MEMORANDUM FOR:

ACTION ATTORNEYS

FROM:

LAWRENCE M. BASKIR *173*

SUBJECT:

Clarification of Section 101.8(d) - "The 30 Day Regulation"

Section 101.8(d), Rules and Regulations, provides for presentation de novo of a case if the applicant provides significant contradictory, amending, or supplementary information to the case summary within thirty days after the postmark date. This section also applies when the action attorney obtains such information other than directly from the applicant. The provisions of this section should, of course, be interpreted as liberally as possible in favor of the applicant.

The question arises then as to what the permissible disposition may be upon representation to a new panel. If the information upon which the rehearing is based is favorable to the applicant, the panel is limited by the previous disposition. However, the panel is not so bound if the subsequent information obtained by the action attorney could have, if presented at the original hearing, resulted in a finding of no clemency. In all but the rarest of cases, this is A-1 information.





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

August 11, 1975

MEMORANDUM FOR: All Staff

FROM : James H. Poole, Associate General Counsel

SUBJECT : Special "UP" Panel

General Walt, as chairman of the subject "up" panel, has decided that case-attorneys need not appear nor present cases to the said special panel. Decisions of the panel will be based solely upon the case summaries and should more information be necessary, the case will be tabled and the case-attorney will be contacted. However, in any instance where the case-attorney has new, relevant information not contained in the case summary, he should reduce such information to writing and contact Neil Broder (634-4356) who will act as General Counsel for this special "up" panel.



Special Panel - VA Benefits & Upgrade

Panel Members: Walt, Dougovito, Ford, Puller, & Maye

Poole, Broder

8/15/75 Morning

UPGRADE/Yes

Total=(3)

3685-BJA-M

5997-AJC-M

9565-CRL-M

Scribe: Rita L. Greenfield/rlg *rlg*



Special Panel - VA Benefits & Upgrade

Panel Members: Walt, Dougovito, Ford, Puller, & Maye

Poole, Broder

8/15/75 Morning

POSSIBLE/Tabled Total=(24)

1637-SJB-M	14022-WBJ-M
2367-BMD-M	14488-WSD-M
2950-JEX-M	
3835-DMD-M	
3860-WMW-M	
4250-WHO-M	
4671-DRX-M	
5505-MJX-M	
5817-WGM-M	
7936-DRA-M	
1576-EHL-M	
1726-LMW-M	
2212-LEJ-M	
2521-VRL-M	
2566-FLG-M	
3659-BDP-M	
4075-ABF-M	
7686-DRE-M	
7746-SCS-M	
8084-JGB-M	
9826-WCL-M	
13418-RDG-M	

Scribe: Rita L. Greenfield/rlg *rlg*

Special Panel - VA Benefits & Upgrade

Panel Members: Walt, Dougovito, Ford, Puller, & Maye  
Poole, Broder

8/15/75-Morning

NO UPGRADE Total=23      Medical= 4

871-WJX-M  
2539-PWG-M  
2552-GRW-M  
3898-SDE-M  
4157-MJL-M  
4566-UWE-M  
4598-SDR-M  
4737-DGA-M (Medical)  
4739-FGW-M  
4777-RDR-M  
4833-WCE-M  
5387-CEA-M  
5839-PTS-M  
7919-DDC-M  
2468-RRV-M  
3432-RWL-M  
3501-CGR-M  
3526-ODW-M  
7355-AEL-M (Medical)  
9808-TCD-M  
9989-CMA-M (Medical)  
10357-HWW-M  
14518-MDL-M (Medical)

Scribe: Rita L. Greenfield/rlg *rlg*