



Administrative Review and Appeals Office of the Pardon Attorney (OPA)

FY 2010 Budget Request At A Glance

FY 2009 Enacted:	\$2.4 million (15 positions; 6 attorneys)
Current Services Adjustments:	+\$0.3 million (12.5% above FY 2009 Enacted)
Program Changes:	+\$0
FY 2010 Budget Request:	\$2.7 million (15 positions; 6 attorneys)
Change from FY 2009 Enacted:	+\$0.3 million (+12.5%) (+0 positions)

Mission:

The Office of the Pardon Attorney (OPA), in consultation with the Attorney General (AG) or his designee, assists the President in the exercise of executive clemency as authorized under Article II, Section 2, of the Constitution. Under the Constitution, the President's clemency power extends only to federal criminal offenses. All requests for executive clemency for federal offenses are directed to the Pardon Attorney for investigation and review. The Pardon Attorney prepares the Department's recommendation to the President for final disposition of each application. Executive clemency may take several forms including pardon, commutation of sentences, remission of fine restitution, and reprieves.

Resources:

The budget request for FY 2010 totals \$2.7 million for direct salaries and expenses, which is a 12.5 percent increase from the FY 2009 enacted level.

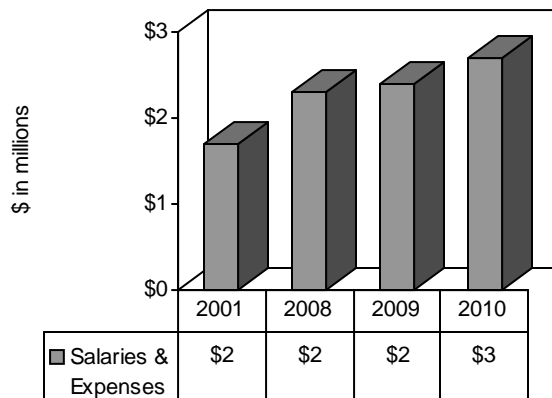
Organization:

The OPA is headed by the Pardon Attorney who is appointed by the AG. The Office is located in Washington, D. C. The Pardon Attorney carries out the Department of Justice's responsibility to assist the President in the exercise of his authority. For over 100 years the White House has relied on the Department, and especially the Office of the Pardon Attorney, to receive, investigate, and make recommendations on clemency requests and to prepare documents the President signs when granting a pardon or a commutation of sentence.

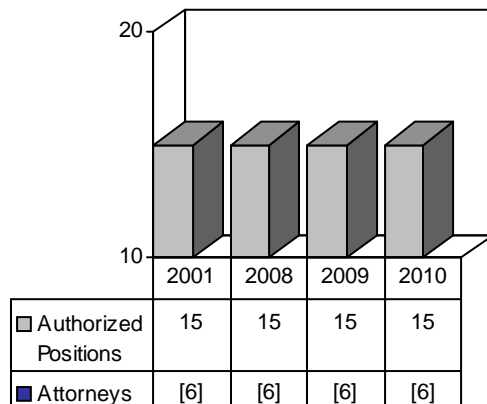
Personnel:

The OPA's direct authorized positions for FY 2010 total 15 positions, including 6 attorneys, the same level as FY 2009. All the authorized positions are located in domestic offices. OPA's FY 2010 request is the same as the FY 2009 level. While the FY 2010 Request does not include an increase in the number of authorized positions, funding is provided to ensure OPA may staff up to its position ceiling.

Funding (FY 2001 - 2010)



Personnel (FY 2001 - 2010)



*Includes reimbursable attorneys

FY 2010 Strategy:

The OPA has served as a repository for records of clemency grants for prior Presidents.

OPA maintains, on compact disc, copies of documents signed by Presidents George Washington through the current Presidency granting pardons or other forms of clemency.

Using CDs, OPA is able to research whether an individual has received a pardon during a particular time period. These records have enabled the Office to assemble statistics showing the numbers of clemency petitions received and granted each fiscal year.

These records are available as public record documents on the Office’s web site.

OPA’s has external and internal challenges. The number of applications for executive clemency are at an all-time high. In FY 2008, OPA received 2,325 requests for executive clemency. Moreover, between October 1, 2008, and January 20, 2009, OPA received 1,303 clemency applications for processing (434 for pardon and 869 for commutation) a number that exceeds the total filings in FY 2007.

In addition to the volume of new cases, the letters of advice prepared by OPA are more detailed than a decade ago. There have been significant increases in media and public interest in clemency matters, and particularly in specific grants or denials of clemency by the President.

To assist with the burdens associated with the record level of clemency filings, OPA obtained the assistance of an attorney who is on reimbursable detail from the Justice Management Division through the end of FY 2009. OPA also has law student interns who work 40 hours a week (at no cost to the government), and a part-time employee who is also a law student.

OPA is authorized 15 full time employees– six attorneys and nine support staff.

The FY 2010 request will allow OPA to fill all of the Office’s 15 authorized positions.

FY 2010 Program Changes:

The FY 2010 Budget does not request a program change for OPA.

Financial Snapshot 2008

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	None

ADMINISTRATIVE REVIEW AND APPEALS
OFFICE OF PARDON ATTORNEY
(Dollars in Thousands)

	SALARIES AND EXPENSES		
	Pos.	FTE	Amount
2008 Enacted	15	15	\$2,329
2009 Enacted	15	15	2,387
2010 Request	15	15	2,730
Change 2010 from 2009 Enacted	0	0	343
Adjustments to Base			
Increases:			
Pay Raise and Benefits	0	0	332
Domestic Rent and Facilities	0	0	7
Other Adjustments	0	0	4
Total Adjustments to Base	0	0	343
2010 Current Services	15	15	2,730
2010 Request	15	15	2,730
Change 2010 from 2009 Enacted	0	0	343

**ADMINISTRATIVE REVIEW AND APPEALS
OFFICE OF PARDON ATTORNEY
SALARIES AND EXPENSES**

(Dollars in thousands)

Comparison by activity and program	2009 Enacted			2010 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Office of Pardon Attorney	15	15	\$2,387	15	15	\$2,730
Total	15	15	\$2,387	15	15	\$2,730

Comparison by activity and program	Total Program Changes			2010 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Office of Pardon Attorney	0	0	\$0	15	15	\$2,730
Total	0	0	\$0	15	15	\$2,730