



GENERAL LEGAL ACTIVITIES Office of Pardon Attorney (OPA)

FY 2022 Budget Request At A Glance	
FY 2021 Enacted:	\$4.8 million (20 positions; 11 attorneys)
Current Services Adjustments:	+\$673,000
Program Changes:	+\$10.9 million
FY 2022 Budget Request:	\$16.4 million (80 positions; 46 attorneys)
Change From FY 2021 Enacted:	+\$11.6 million (+241.4%) (+60 positions; +35 attorneys)

Mission:

The Office of the Pardon Attorney (OPA), in consultation with the Attorney General and/ or the Deputy Attorney General, assists the President in the exercise of his executive clemency power as authorized under Article II, Section 2, of the Constitution. Under the Constitution, the President's clemency power extends only to Federal offenses against the United States. Requests for executive clemency for Federal offenses are thereby 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 petition for executive clemency. Executive clemency may take several forms including pardon (after completion of sentence), commutation (reduction of sentence), remission of fine or restitution, and reprieve of the death penalty.

Resources:

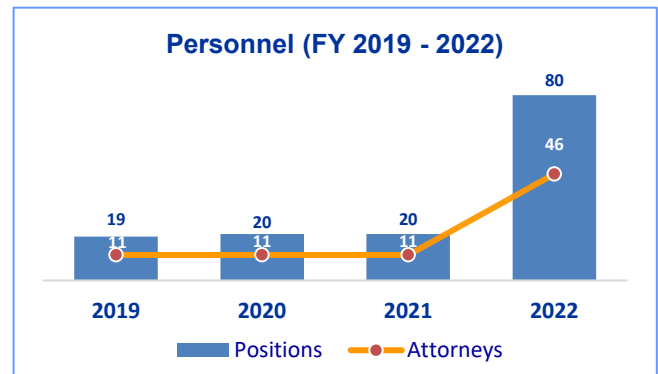
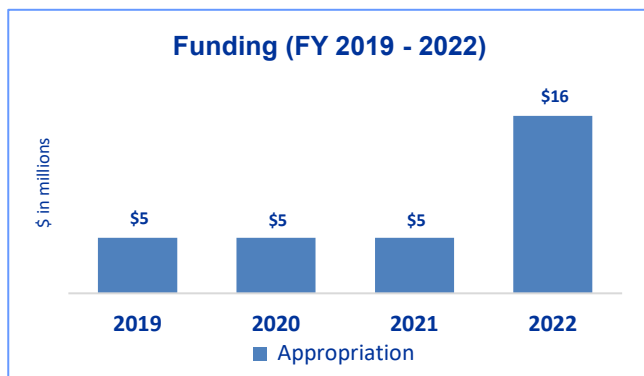
The FY 2022 budget request for the OPA totals \$16.4 million, which is a 241.4 percent increase over the FY 2021 Enacted.

Organization:

The OPA is headed by the Pardon Attorney, who is a career Senior Executive Service official appointed by the Attorney General. The OPA is located in Washington, DC.

Personnel:

The OPA's direct authorized positions for FY 2022 total 80 positions, including an increase of 60 positions over the FY 2021 Enacted of 20 direct authorized positions.



FY 2022 Strategy:

In FY 2022, the OPA will continue to assist the President in the exercise of his clemency power. The OPA will continue to review all forms of clemency and evaluate the merits of each petition based on the totality of the circumstances in the case. The Office will respond to inquiries concerning clemency petitions; make certain information available on its website concerning the clemency process for applicants, their representatives, members of the public, members of Congress, and various Federal, State, and local officials and agencies; prepare all necessary documents to effect the President's decision to grant or deny clemency; and notify each clemency applicant of the President's decision concerning the clemency request. The OPA will also provide general advice to the White House concerning clemency procedures and the historical background of clemency matters.

Between FY 2019 and FY 2020, the OPA has seen a 191.3 percent increase in pending clemency matters. At the end of FY 2020, the OPA had a caseload of approximately 15,000 petitioners awaiting a response from the President on their clemency request, in comparison to 5,228 at the end of FY 2019. Because the majority of those cases must be processed to completion (some cases are administratively closed before they get to the President due to varying reasons) and are currently at various stages in the clemency process, the OPA's FY 2022 budget request level is crucial to handle the unprecedented increase in workload over the past decade.

FY 2022 Program Changes:

Enhancing the Executive Clemency Function:

\$10.9 million and 60 positions (35 attorneys)

The program increase for Enhancing the Executive Clemency Function will bolster resources and staffing in support of the clemency program managed by the OPA. The Program supports the President in his constitutional clemency power to grant pardons, sentence reductions and reprieves from the death penalty. The much-needed resources will allow the OPA to eliminate its current backlog, which has resulted in limited bandwidth to support Department leadership, delayed services to the public, as well as slower responses to elected officials with a stake in Presidential clemency actions. The requested program increase would allow the OPA to hire more staff to work through the backlog of cases that grows daily. It would also put the OPA in a position to properly advise and manage a future clemency initiative or priority case analysis. Current services for this initiative are \$5.5 million and 20 positions (11 attorneys).

Office of Pardon Attorney
(Dollars in Thousands)

	Office of Pardon Attorney		
	Pos	FTE	Amount
2020 Appropriation	20	17	4,766
2021 Enacted	20	20	4,810
2022 Request	80	50	16,423
Change 2022 from 2021 Enacted	60	30	11,613
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	103
Domestic Rent & Facilities	0	0	561
Other Adjustments	0	0	9
Total Base Adjustments	0	0	673
2022 Current Services	20	20	5,483
Program Changes			
Increases:			
Enhancing the Executive Clemency Function	60	30	10,940
Subtotal, Program Increases	60	30	10,940
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	60	30	10,940
2022 Request	80	50	16,423

Office of Pardon Attorney
(Dollars in Thousands)

Comparison by activity and program	2021 Enacted			2022 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Pardon Attorney	20	20	4,810	20	20	5,483
Total	20	20	4,810	20	20	5,483

Comparison by activity and program	2022 Total Program Changes			2022 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of the Pardon Attorney	60	30	10,940	80	50	16,423
Total	60	30	10,940	80	50	16,423